

## CHAPTER 2026-26

### Committee Substitute for Committee Substitute for House Bill No. 991

An act relating to elections; amending s. 97.021, F.S.; revising definitions; defining the term “document acceptable as evidence of United States citizenship”; amending s. 97.052, F.S.; revising the information the uniform statewide voter registration application is designed to elicit from an applicant to include a certain acknowledgment; amending s. 97.0525, F.S.; requiring that the online voter registration system transmit specified information to the supervisor of elections under specified circumstances; requiring that the applicant’s legal status as a United States citizen be recorded in the statewide voter registration system; requiring that if the records of the Department of Highway Safety and Motor Vehicles indicate that an applicant is not a United States citizen or has not provided acceptable evidence of citizenship, the online voter registration system must notify the supervisor of the applicant’s legal status and transmit the application to the supervisor; providing that an applicant’s digital signature satisfies a certain requirement; providing that if an applicant’s name and date of birth cannot be verified, the system must populate certain information into a printable version of the registration application; requiring the applicant to print, complete, sign, date, and deliver such application to the supervisor; requiring that the online voter registration system populate an applicant’s information and direct the applicant to perform specified actions under specified conditions; conforming a cross-reference; amending s. 97.053, F.S.; specifying that the registration date for certain valid applications is the date the application was initially received once certain evidence is verified; requiring an applicant to provide certain evidence to the supervisor of elections to prove the applicant’s legal status under specified circumstances; requiring supervisors to verify a voter’s legal status as a United States citizen using specified sources and initiate a certain notice if applicable; requiring that the voter’s legal status as United States citizen and the type of document accepted as evidence of United States citizenship be recorded in the statewide voter registration system; amending s. 97.057, F.S.; requiring that an agreement between the Department of Highway Safety and Motor Vehicles and the Department of State match information regarding the citizenship status of voter registration applicants legal status as a United States citizen of applicants applying to vote; requiring the Department of State to include specified information in the statewide voter registration system; requiring the Department of Highway Safety and Motor Vehicles to assist the Department of State in identifying certain changes in information for persons who may be voters; deleting a provision requiring the Department of State to report certain changes to supervisors; amending s. 98.015, F.S.; authorizing the office of the supervisor of elections to close to observe certain holidays under a specified condition; amending s. 98.045, F.S.; requiring supervisors to

verify the current eligibility of certain applicants within a specified timeframe by reviewing specified information provided by governmental entities to make a determination under specified conditions; requiring the supervisor to deny the application and notify the applicant if a certain determination is made; amending s. 98.075, F.S.; requiring the Department of State to identify certain voters by comparing or receiving information from specified sources; requiring the Department of State to review such information and make an initial determination; requiring the department to notify the supervisor if certain information is credible and reliable and provide a copy of specified documentation to the supervisor; requiring the supervisor to adhere to specified procedures to remove the voter's name from the statewide voter registration system; requiring the supervisor to record in the statewide voter registration system the type of document provided as evidence of United States citizenship; revising the notice provided to potentially ineligible voters to conform to changes made by the act; amending s. 98.093, F.S.; revising the information that the Department of Highway Safety and Motor Vehicles is required to furnish weekly to the Department of State; requiring the Department of State to report certain information to supervisors within a specified timeframe and for supervisors to update the voter registration records; requiring that the Department of State use certain information from federal jury coordinators to identify voters and applicants who are potentially ineligible; amending s. 99.021, F.S.; specifying that a person seeking to qualify for office as a candidate must be a registered member of a political party, or registered without any party affiliation, for 365 consecutive days preceding the beginning of the qualifying before an election; authorizing qualified candidates or certain political parties to challenge compliance with specified provisions by filing an action for declaratory and injunctive relief in a specified circuit court; prohibiting a person from being qualified as a candidate for nomination or election and appearing on the ballot under specified circumstances; providing that compliance with specified requirements is mandatory; authorizing qualified candidates or certain political parties to challenge compliance with specified provisions by filing an action for declaratory and injunctive relief in a specified circuit court; prohibiting a person from being qualified as a candidate for nomination or election and appearing on the ballot under specified circumstances; requiring a candidate for federal office to state in writing whether he or she intends to trade stocks in a certain manner while serving in federal office; creating s. 99.0211, F.S.; requiring that candidates be able to satisfy statutory and constitutional requirements for office; authorizing certain candidates, political parties, and affiliated party committees to challenge compliance with such requirements in a specified manner; providing that a person may not qualify as a candidate or appear on the ballot if the court makes a certain determination; providing that candidates, political parties, and affiliated party committees are entitled to expedited proceedings; requiring supervisors of elections to remove the names of certain candidates from the ballot or provide a certain notice to voters; amending s. 99.061, F.S.; revising the list of items a candidate must submit to the filing officer to be a qualified

candidate to include certain oaths or affirmations; amending s. 101.043, F.S.; revising the forms of identification required to be provided at polls; amending ss. 101.048, 101.151, and 101.5606, F.S.; conforming provisions to changes made by the act; amending s. 101.56075, F.S.; requiring that all voting be done by official ballot using certain pens; providing an exception; amending s. 101.5608, F.S.; deleting the requirement that the stub be removed from the ballot and placed in an envelope; conforming provisions to changes made by the act; amending ss. 101.5612, 101.68, and 101.6923, F.S.; conforming provisions to changes made by the act; amending s. 102.111, F.S.; revising the meeting times of the Elections Canvassing Commission to certify elections returns; amending s. 102.141, F.S.; revising requirements for canvassing of ballots; requiring that supervisors upload certain results by a specified local time; requiring the supervisors, on behalf of the canvassing boards, to report all early voting and all tabulated vote-by-mail ballots to the department; requiring that updated precinct election results be uploaded to the department; conforming provisions to changes made by the act; amending s. 102.166, F.S.; conforming provisions to changes made by the act; creating s. 104.042, F.S.; requiring that certain prosecutions be commenced within a specified timeframe after a specified violation is committed; amending s. 105.031, F.S.; requiring certain candidates to provide to the filing officer a statement disclosing dual citizenship for nomination and election to a judicial office or to a district school board; amending s. 106.023, F.S.; requiring a candidate to provide a certain oath or affirmation in writing at the time of filing his or her statement of candidacy; amending s. 106.08, F.S.; prohibiting political parties, political committees, electioneering communications organizations, and candidates from knowingly and willfully accepting or soliciting contributions from foreign nationals in connection with elections; creating s. 322.034, F.S.; requiring, by a specified date, that Florida driver licenses and Florida identification cards issued to qualified applicants include the legal citizenship status of the applicant on the license or card; requiring the Department of Highway Safety and Motor Vehicles to issue, at no charge, renewal or replacement Florida driver licenses and Florida identification cards to certain licensees and cardholders; amending s. 895.02, F.S.; revising the definition of the term “racketeering activity”; reenacting s. 98.065(6), F.S., relating to registration list maintenance programs, to incorporate the amendment made to s. 98.075, F.S., in a reference thereto; reenacting s. 99.012(1)(b), F.S., relating to definition of the term “qualify,” to incorporate the amendments made to ss. 99.061 and 105.031, F.S., in references thereto; reenacting s. 101.69(2)(a), F.S., relating to the offices of the supervisor of elections being open during elections to receive vote-by-mail ballots in secure ballot intake stations, to incorporate the amendment made to s. 98.015, F.S., in a reference thereto; providing effective dates.

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

Section 1. Present subsections (10) through (47) of section 97.021, Florida Statutes, are redesignated as subsections (11) through (48),

respectively, a new subsection (10) is added to that section, and subsection (6) and present subsections (43) and (47) of that section are amended, to read:

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

(6) “Ballot” or “official ballot” means a printed sheet of paper containing contests, including offices and candidates, constitutional amendments, and other public measures, upon which a voter’s selections will be marked by using a pen compatible with or recommended for use with the voting system, for tabulation by the voting system. The term includes a voter-verifiable paper output upon which a voter’s selections are marked by a voter interface device that meets voter accessibility requirements for individuals with disabilities under s. 301 of the federal Help America Vote Act of 2002 and s. 101.56062 when used in reference to:

~~(a) “Electronic or electromechanical devices” means a ballot that is voted by the process of electronically designating, including by touchscreen, or marking with a marking device for tabulation by automatic tabulating equipment or data processing equipment.~~

~~(b) “Marksense ballots” means that printed sheet of paper, used in conjunction with an electronic or electromechanical vote tabulation voting system, containing the names of candidates, or a statement of proposed constitutional amendments or other questions or propositions submitted to the electorate at any election, on which sheet of paper an elector casts his or her vote.~~

(10) “Document acceptable as evidence of United States citizenship” means any of the following documents:

(a) An original or certified copy of a United States birth certificate.

(b) A valid, unexpired United States passport.

(c) A naturalization certificate issued by the United States Department of Homeland Security.

(d) A Consular Report of Birth Abroad provided by the United States Department of State.

(e) A current and valid Florida driver license or Florida identification card issued by the Department of Highway Safety and Motor Vehicles, if such license or identification card indicates United States citizenship.

(f) A current and valid photo identification issued by the Federal Government or the state which indicates United States citizenship.

(g) An order from a federal court granting United States citizenship.

If the voter registration applicant's or the voter's legal name is different from the name that appears on the document, official legal documentation providing proof of legal name change is also required to constitute acceptable evidence of United States citizenship.

~~(44)~~(43) "Voter interface device" means any device that communicates voting instructions and ballot information to a voter and allows the voter to select and vote for candidates and issues. A voter interface device may not be used to tabulate votes. Any vote tabulation must be based upon a subsequent scan of the marked ~~marksense~~ ballot or the voter-verifiable paper output after the voter interface device process has been completed.

~~(48)~~(47) "Voting system" means a method of casting and processing votes ~~which that functions wholly or partly by use of electromechanical or electronic apparatus or by use of marksense ballots and~~ includes, but is not limited to, the equipment, hardware, firmware, and software; the ballots; the procedures for casting and processing votes; and the programs, operating manuals, and supplies; and the reports, printouts, and other documentation ~~software~~ necessary for the system's operation.

Section 2. Present paragraphs (q) through (u) of subsection (2) of section 97.052, Florida Statutes, are redesignated as paragraphs (r) through (v), respectively, and a new paragraph (q) is added to that subsection, to read:

97.052 Uniform statewide voter registration application.—

(2) The uniform statewide voter registration application must be designed to elicit the following information from the applicant:

(q) Acknowledgment, by providing a box for the applicant to check, that it is a third degree felony under state and federal law to falsely swear or affirm or otherwise submit false information on a voter registration application.

Section 3. Subsection (4) of section 97.0525, Florida Statutes, is amended to read:

97.0525 Online voter registration.—

(4)(a) The online voter registration system must ~~shall~~ compare the Florida driver license number or Florida identification number submitted pursuant to s. 97.052(2)(n) with information maintained by the Department of Highway Safety and Motor Vehicles to confirm that the name and date of birth on the application are consistent with the records of the Department of Highway Safety and Motor Vehicles.

(b) If the applicant's name and date of birth are consistent with the records of the Department of Highway Safety and Motor Vehicles and the records of the Department of Highway Safety and Motor Vehicles indicate that the applicant has provided a document acceptable as evidence of United States citizenship, the online voter registration system must ~~shall~~ transmit,

using the statewide voter registration system maintained pursuant to s. 98.035, the applicant's registration application, along with the digital signature of the applicant on file with the Department of Highway Safety and Motor Vehicles, to the supervisor of elections. The applicant's digital signature satisfies the signature requirement of s. 97.052(2)(r) s. 97.052(2)(q). The applicant's legal status as a United States citizen must be recorded in the statewide voter registration system.

(c) If the applicant's name and date of birth match the records of the Department of Highway Safety and Motor Vehicles, but the records of the Department of Highway Safety and Motor Vehicles indicate the applicant is not a United States citizen or has not provided a document acceptable as evidence of United States citizenship, the online voter registration system must notify the supervisor of elections that the applicant's legal status as a United States citizen could not be verified and transmit, using the statewide voter registration system maintained pursuant to s. 98.035, the applicant's registration application, along with the digital signature of the applicant on file with the Department of Highway Safety and Motor Vehicles, to the supervisor of elections. The applicant's digital signature satisfies the signature requirement of s. 97.052(2)(r).

(d) If the applicant's name and date of birth cannot be verified by the records of the Department of Highway Safety and Motor Vehicles, or if the applicant indicated that he or she has not been issued a Florida driver license or Florida identification card, the online voter registration system must shall populate the applicant's information, except for the applicant's Florida driver license number, Florida identification card number, or social security number, into a printable voter registration application pursuant to s. 97.052(2) which and direct the applicant may to print, complete, sign, and date, the application and deliver the application to the supervisor of elections for disposition pursuant to s. 97.073.

(e) If the applicant indicates that he or she has not been issued a Florida driver license or identification card, or chooses to use the system to prepopulate an application to print, sign, date, and deliver to the supervisor, the online voter registration system must populate the applicant's information into a printable voter registration application pursuant to s. 97.052(2) and direct the applicant to print, sign, and date the application and deliver the application to the supervisor for disposition under s. 97.073.

Section 4. Subsections (2), (4), and (6) of section 97.053, Florida Statutes, are amended to read:

97.053 Acceptance of voter registration applications.—

(2) A voter registration application is complete and becomes the official voter registration record of that applicant when all information necessary to establish the applicant's eligibility pursuant to s. 97.041 is received by a voter registration official and verified pursuant to subsection (6). Except as provided in subsection (6), if the applicant fails to complete his or her voter

registration application on or before ~~prior to~~ the date of book closing for an election, ~~then~~ such applicant is ~~shall~~ not be eligible to vote in that election.

(4)(a) The registration date for a valid initial voter registration application that has been mailed to a driver license office, a voter registration agency, an armed forces recruitment office, the division, or the office of any supervisor in the state and bears a clear postmark is the date of that postmark. If an initial voter registration application that has been mailed does not bear a postmark or if the postmark is unclear, the registration date is the date the application is received by any supervisor or the division, unless it is received within 5 days after the closing of the books for an election, excluding Saturdays, Sundays, and legal holidays, in which case the registration date is the book-closing date.

(b) The registration date for a valid application to update a voter's record with a change of address or name is the date the application was initially received once the required sufficient evidence is verified.

(c) The registration date for a valid application to update a voter's record with a change of party affiliation is the date the application was initially received, and the registration is effective once the required sufficient evidence is verified unless the registration books are closed for a primary election, in which case the update is effective for the subsequent general election.

(6)(a) A voter registration application, including an application with a change in name, address, or party affiliation, may be accepted as valid only after the department has verified the authenticity or nonexistence of the Florida driver license number, the Florida identification card number, or the last four digits of the social security number provided by the applicant. If a completed voter registration application has been received by the book-closing deadline but the Florida driver license number, the Florida identification card number, or the last four digits of the social security number provided by the applicant cannot be verified, or if the records of the Department of Highway Safety and Motor Vehicles indicate that the applicant is not a United States citizen or has not provided a document acceptable as evidence of United States citizenship, the applicant must ~~shall~~ be notified and that the number cannot be verified and that the applicant must provide evidence to the supervisor sufficient to verify the authenticity of the applicant's Florida driver license number, Florida identification card number, or last four digits of the social security number or, if applicable, must provide a document acceptable as evidence of United States citizenship. If the applicant provides the necessary evidence, the supervisor must ~~shall~~ place the applicant's name on the registration rolls as an active voter. If the applicant has not provided the necessary evidence or the number has not otherwise been verified prior to the applicant presenting himself or herself to vote, the applicant must ~~shall~~ be provided a provisional ballot. The provisional ballot must ~~shall~~ be counted only if the number is verified by the end of the canvassing period or if the applicant presents evidence to the supervisor of elections sufficient to verify the authenticity of the applicant's

Florida driver license number, Florida identification card number, or last four digits of the social security number or, if applicable, presents a document acceptable as evidence of United States citizenship no later than 5 p.m. of the second day following the election.

(b) Upon receipt of a voter registration application, including an application with a change in name, address, or party affiliation, which indicates that the applicant has not been issued a current and valid Florida driver license, Florida identification card, or social security number, or if the records of the Department of Highway Safety and Motor Vehicles indicate that the applicant is not a United States citizen or has not provided a document acceptable as evidence of United States citizenship, the supervisor of elections shall verify the voter's legal status as a United States citizen using available state and federal governmental sources and, if applicable, initiate notice pursuant to s. 98.075(7). If the voter's legal status as a United States citizen is verified, the status must be recorded in the statewide voter registration system. If the applicant provides a document acceptable as evidence of United States citizenship, the type of document presented must be recorded in the statewide voter registration system.

Section 5. Subsections (11) and (13) of section 97.057, Florida Statutes, are amended to read:

97.057 Voter registration by the Department of Highway Safety and Motor Vehicles.—

(11) The Department of Highway Safety and Motor Vehicles shall enter into an agreement with the department to match information in the statewide voter registration system with information in the database of the Department of Highway Safety and Motor Vehicles to the extent required to verify the accuracy of the Florida driver license number, Florida identification number, or last four digits of the social security number and the legal status as a United States citizen, provided on applications for voter registration as required in s. 97.053. The department shall also include in the statewide voter registration system the type of documentary proof that the licensee or cardholder provided as evidence of United States citizenship.

(13) Notwithstanding declinations to register or to update a voter registration pursuant to paragraph (2)(b), the Department of Highway Safety and Motor Vehicles, in accordance with s. 98.093(8), shall ~~must~~ assist the Department of State in ~~regularly~~ identifying changes in residence address on the Florida driver license or Florida identification card or changes in the Florida driver license or Florida identification card number of such persons who may be voters of a voter. ~~The Department of State must report each such change to the appropriate supervisor of elections who must change the voter's registration records in accordance with s. 98.065(4).~~

Section 6. Effective upon becoming a law, subsection (4) of section 98.015, Florida Statutes, is amended to read:

98.015 Supervisor of elections; election, tenure of office, compensation, custody of registration-related documents, office hours, successor, seal; appointment of deputy supervisors; duties.—

(4)(a) At a minimum, the office of the supervisor must be open Monday through Friday, ~~excluding legal holidays~~, for a period of not less than 8 hours per day, beginning no later than 9 a.m.

(b) The office of the supervisor may close to observe legal holidays and other federal, state, or county-approved holidays, if the office is not otherwise required to be open to fulfill official duties under the Florida Election Code.

Section 7. Subsection (1) of section 98.045, Florida Statutes, is amended to read:

98.045 Administration of voter registration.—

(1) ELIGIBILITY OF APPLICANT.—

(a) The supervisor ~~shall~~ must ensure that any eligible applicant for voter registration is registered to vote and that each application for voter registration is processed in accordance with law. The supervisor shall determine whether a voter registration applicant is ineligible based on any of the following:

1.(a) The failure to complete a voter registration application as specified in s. 97.053.

2.(b) The applicant is deceased.

3.(c) The applicant has been convicted of a felony for which his or her voting rights have not been restored.

4.(d) The applicant has been adjudicated mentally incapacitated with respect to the right to vote and such right has not been restored.

5.(e) The applicant does not meet the age requirement pursuant to s. 97.041.

6.(f) The applicant is not a United States citizen.

7.(g) The applicant is a fictitious person.

8.(h) The applicant has provided an address of legal residence that is not his or her legal residence.

9.(i) The applicant has provided a Florida driver license number, Florida identification card number, or the last four digits of a social security number that is not verifiable by the department.

(b) If the latest voter registration records show that a new applicant was previously registered but subsequently removed for ineligibility pursuant to s. 98.075(7), the supervisor must verify the current eligibility of the applicant to register within 13 days after receipt of such records by reviewing the information provided by a governmental entity listed in s. 98.075 or s. 98.093 to determine whether the applicant remains ineligible. If the supervisor determines that the applicant is ineligible, the supervisor must deny the application and notify the applicant pursuant to s. 97.073.

Section 8. Subsection (6) and paragraph (a) of subsection (7) of section 98.075, Florida Statutes, are amended to read:

98.075 Registration records maintenance activities; ineligibility determinations.—

(6) ELIGIBILITY.—

(a) *Citizenship.*—The department shall identify those registered voters who are potentially ineligible based on their legal status regarding United States citizenship by comparing or receiving information from other governmental entities as authorized by s. 98.093. Upon receipt of information from such other governmental entities indicating a voter may be ineligible based on his or her legal status regarding United States citizenship, the department shall review and make an initial determination as to whether the information is credible and reliable. If the department determines that the information is credible and reliable, the department must notify the supervisor and provide a copy of the supporting documentation indicating potential ineligibility of the voter to be registered. Upon receipt of the notice that the department has made a determination of initial credibility and reliability, the supervisor must adhere to the procedures set forth in subsection (7) before the removal of a registered voter's name from the statewide voter registration system. If the voter provides a document acceptable as evidence of United States citizenship, the supervisor must record the type of document in the statewide voter registration system.

(b) *Other bases for ineligibility* OTHER BASES FOR INELIGIBILITY. Subsections ~~(2)-(6)~~ ~~(2)-(5)~~ do not limit or restrict the department or the supervisor in his or her duty to act upon direct receipt of, access to, or knowledge of information from any governmental entity that identifies a registered voter as potentially ineligible. If the department or supervisor receives information from any governmental entity other than those identified in subsections ~~(2)-(6)~~ ~~(2)-(5)~~ that a registered voter is ineligible because the voter is deceased, adjudicated a convicted felon without having had his or her voting rights restored, adjudicated mentally incapacitated without having had his or her voting rights restored, does not meet the age requirement pursuant to s. 97.041, is not a United States citizen, is a fictitious person, or has listed an address that is not his or her address of legal residence, the supervisor must adhere to the procedures set forth in subsection (7) before the removal of the name of a registered voter who is determined to be ineligible from the statewide voter registration system.

## (7) PROCEDURES FOR REMOVAL.—

(a) If the supervisor receives notice or information pursuant to subsections (4)-(6), the supervisor of the county in which the voter is registered must:

1. Notify the registered voter of his or her potential ineligibility by mail within 7 days after receipt of notice or information. The notice must include:

a. A statement of the basis for the registered voter's potential ineligibility and a copy of any documentation upon which the potential ineligibility is based. Such documentation must include any conviction from another jurisdiction determined to be a similar offense to murder or a felony sexual offense, as those terms are defined in s. 98.0751.

b. A statement that failure to respond within 30 days after receipt of the notice may result in a determination of ineligibility and in removal of the registered voter's name from the statewide voter registration system.

c. A return form that requires the registered voter to admit or deny the accuracy of the information underlying the potential ineligibility for purposes of a final determination by the supervisor.

d. A statement that, if the voter is denying the accuracy of the information underlying the potential ineligibility, the voter has a right to request a hearing for the purpose of determining eligibility.

e. Instructions for the registered voter to contact the supervisor of elections of the county in which the voter is registered if assistance is needed in resolving the matter.

f. Instructions for seeking restoration of civil rights pursuant to s. 8, Art. IV of the State Constitution and information explaining voting rights restoration pursuant to s. 4, Art. VI of the State Constitution following a felony conviction, if applicable.

g. A list of the documents acceptable as evidence of United States citizenship.

h. The following statement: "If you attempt to vote at an early voting site or your normal election day polling place, you will be required to vote a provisional ballot. If you vote by mail, your ballot will be treated as a provisional ballot. In either case, your ballot may not be counted until a final determination of eligibility is made. If you wish for your ballot to be counted, you must contact the supervisor of elections office within 2 days after the election and present evidence that you are eligible to vote."

2. If the mailed notice is returned as undeliverable, the supervisor must, within 14 days after receiving the returned notice, either publish notice once in a newspaper of general circulation in the county in which the voter was last registered or publish notice on the county's website as provided in s.

50.0311 or on the supervisor's website, as deemed appropriate by the supervisor. The notice must contain the following:

- a. The voter's name and address.
- b. A statement that the voter is potentially ineligible to be registered to vote.
- c. A statement that failure to respond within 30 days after the notice is published may result in a determination of ineligibility by the supervisor and removal of the registered voter's name from the statewide voter registration system.
- d. An instruction for the voter to contact the supervisor no later than 30 days after the date of the published notice to receive information regarding the basis for the potential ineligibility and the procedure to resolve the matter.
- e. An instruction to the voter that, if further assistance is needed, the voter should contact the supervisor of elections of the county in which the voter is registered.
- f. A statement that, if the voter denies the accuracy of the information underlying the potential ineligibility, the voter has a right to request a hearing for the purpose of determining eligibility.
- g. The following statement: "If you attempt to vote at an early voting site or your normal election day polling place, you will be required to vote a provisional ballot. If you vote by mail, your ballot will be treated as a provisional ballot. In either case, your ballot may not be counted until a final determination of eligibility is made. If you wish for your ballot to be counted, you must contact the supervisor of elections office within 2 days after the election and present evidence that you are eligible to vote."

3. If a registered voter fails to respond to a notice pursuant to subparagraph 1. or subparagraph 2., the supervisor must make a final determination of the voter's eligibility within 7 days after expiration of the voter's timeframe to respond. If the supervisor determines that the voter is ineligible, the supervisor must remove the name of the registered voter from the statewide voter registration system within 7 days. The supervisor shall notify the registered voter of the supervisor's determination and action.

4. If a registered voter responds to the notice pursuant to subparagraph 1. or subparagraph 2. and admits the accuracy of the information underlying the potential ineligibility, the supervisor must, as soon as practicable, make a final determination of ineligibility and remove the voter's name from the statewide voter registration system. The supervisor shall notify the registered voter of the supervisor's determination and action.

5. If a registered voter responds to the notice issued pursuant to subparagraph 1. or subparagraph 2. and denies the accuracy of the

information underlying the potential ineligibility but does not request a hearing, the supervisor must review the evidence and make a determination of eligibility no later than 30 days after receiving the response from the voter. If the supervisor determines that the registered voter is ineligible, the supervisor must remove the voter's name from the statewide voter registration system upon such determination and notify the registered voter of the supervisor's determination and action and that the removed voter has a right to appeal a determination of ineligibility pursuant to s. 98.0755. If such registered voter requests a hearing, the supervisor must send notice to the registered voter to attend a hearing at a time and place specified in the notice. The supervisor shall schedule and issue notice for the hearing within 7 days after receiving the voter's request for a hearing and shall hold the hearing no later than 30 days after issuing the notice of the hearing. A voter may request an extension upon showing good cause by submitting an affidavit to the supervisor as to why he or she is unable to attend the scheduled hearing. Upon hearing all evidence presented at the hearing, the supervisor shall make a determination of eligibility within 7 days. If the supervisor determines that the registered voter is ineligible, the supervisor must remove the voter's name from the statewide voter registration system and notify the registered voter of the supervisor's determination and action and that the removed voter has a right to appeal a determination of ineligibility pursuant to s. 98.0755.

Section 9. Present subsection (9) of section 98.093, Florida Statutes, is redesignated as subsection (10), a new subsection (9) is added to that section, and subsection (8) of that section is amended, to read:

98.093 Duty of officials to furnish information relating to deceased persons, persons adjudicated mentally incapacitated, persons convicted of a felony, and persons who are not United States citizens.—

(8) DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES. The Department of Highway Safety and Motor Vehicles shall furnish weekly to the department the following information:

(a) Information identifying those persons whose names have been removed from the Florida driver license or Florida identification card database during the preceding week because they have been licensed or been issued an identification card in another state. The information must contain the person's name, last known Florida address, date of birth, sex, last four digits of his or her social security number, and Florida driver license number or Florida identification card number and, if available, the address and the state in which the person is now licensed.

(b) Information identifying those persons who during the preceding week presented evidence of non-United States citizenship upon being issued a new or renewed Florida driver license or Florida identification card. The information must contain the person's name; address; date of birth; last four digits of the social security number, if applicable; Florida driver license

number or Florida identification card number, as available; and alien registration number or other legal status identifier.

(c) Information identifying those persons who during the preceding week presented a document acceptable as evidence of United States citizenship upon being issued a new, renewed, or replacement Florida driver license or Florida identification card. The information must contain the person's name; address; date of birth; last four digits of the social security number, if applicable; Florida driver license number or Florida identification card number, as available; type of documentary proof provided in support of citizenship; and, if applicable, alien registration number or other legal status identifier.

(d) Information identifying a change in residence address on the Florida driver license or Florida identification card of any person who declined pursuant to s. 97.057(2) to register or update his or her voter record. The information must contain the person's name; date of birth; last four digits of the social security number, if available; and Florida driver license number or Florida identification card number, as available, in order to identify a voter's registration record. The Department of State must report each such change in residence address to the appropriate supervisor, who must change the voter's registration records in accordance with s. 98.065(4).

(e) Information identifying new, renewed, or replacement Florida driver license or Florida identification card numbers issued to persons who declined pursuant to s. 97.057(2) to register or update their voter record. The information must contain the person's name; date of birth; last four digits of the social security number, if available; and the prior, if applicable, and current Florida driver license number or Florida identification card number in order to identify a voter's registration record. Within 7 days, the Department of State shall report such information to the appropriate supervisor, who must update the voter registration records.

(f) Information identifying those persons for which it has received official information during the preceding week that the person is deceased. The information must contain the name, address, date of birth, last four digits of the social security number, Florida driver license number or Florida identification card number, and date of death of each such person.

(9) FEDERAL COURTS.—Upon receipt of information from a jury coordinator that a person was disqualified or potentially disqualified as a prospective juror from jury service due to not having United States citizenship, being convicted of a felony, being deceased, being a nonresident of this state, or being a nonresident of the county, the department shall use such information to identify registered voters or applicants for voter registration who may be potentially ineligible based on information provided in accordance with s. 98.075.

Section 10. Effective upon this act becoming a law, paragraphs (b), (c), and (d) of subsection (1) of section 99.021, Florida Statutes, are amended, and paragraphs (f) and (g) are added to that subsection, to read:

99.021 Form of candidate oath.—

(1)

(b) In addition, any person seeking to qualify for nomination as a candidate of any political party shall, at the time of subscribing to the oath or affirmation, state in writing:

1. The party of which the person is a member.

2. That the person has been a registered member of the political party for which he or she is seeking nomination as a candidate for at least 365 consecutive days preceding before the beginning of qualifying before preceding the general election for which the person seeks to qualify.

3. That the person has paid the assessment levied against him or her, if any, as a candidate for said office by the executive committee of the party of which he or she is a member.

4. That the person has not legally changed his or her name through a petition pursuant to s. 68.07 during the 365-day period preceding the beginning of qualifying. This subparagraph does not apply to any change of name in proceedings for dissolution of marriage or adoption of children or based on a change of name conducted with a marriage certificate.

(c) In addition, any person seeking to qualify for office as a candidate with no party affiliation shall, at the time of subscribing to the oath or affirmation, state in writing that he or she is registered without any party affiliation and that he or she has not:

1. Been a registered member of any political party for at least 365 consecutive days preceding before the beginning of qualifying before preceding the general election for which the person seeks to qualify.

2. Legally changed his or her name through a petition pursuant to s. 68.07 during the 365-day period preceding the beginning of qualifying. This subparagraph does not apply to any change of name in proceedings for dissolution of marriage or adoption of children or based on a change of name conducted with a marriage certificate.

(d)1. In addition, each candidate, whether a party candidate, a candidate with no party affiliation, or a write-in candidate, shall, at the time of subscribing to the oath or affirmation, state in writing whether he or she owes any outstanding fines, fees, or penalties that cumulatively exceed \$250 for any violations of s. 8, Art. II of the State Constitution; the Code of Ethics for Public Officers and Employees under part III of chapter 112; any local ethics ordinance governing standards of conduct and disclosure

requirements; or chapter 106. If the candidate owes any outstanding fines, fees, or penalties exceeding the threshold amount specified in this paragraph, he or she must also specify the amount owed and each entity that levied such fine, fee, or penalty. For purposes of this paragraph, any such fines, fees, or penalties that have been paid in full at the time of subscribing to the oath or affirmation are not deemed to be outstanding.

2. In addition, each candidate seeking federal office, whether a party candidate, a candidate with no party affiliation, or a write-in candidate, shall, at the time of subscribing to the oath or affirmation, state in writing whether he or she intends to trade stocks, if elected, in a manner other than through a trust or similar mechanism which strictly limits his or her ability to influence or exercise control over decisions regarding the management of assets.

(f) The statements in subparagraphs (b)4. and (c)2. constitute substantive requirements for the person completing the statement, and compliance with those requirements is mandatory. The sole method to enforce compliance with such requirements is contained in this paragraph. Compliance with subparagraphs (b)4. and (c)2. may be challenged by a qualified candidate or a political party with qualified candidates in the same race by filing an action in the circuit court for the county in which the qualifying officer is headquartered. A person may not be qualified as a candidate for nomination or election and his or her name may not appear on the ballot if in an order that has become final, the court determines that the person seeking to qualify has legally changed his or her name through a petition pursuant to s. 68.07 during the 365-day period preceding the beginning of qualifying, unless such change of name occurred in proceedings for dissolution of marriage or adoption of children or was based on a change of name conducted with a marriage certificate.

(g) The statements in subparagraphs (b)2. and (c)1. constitute substantive requirements for the person completing the statement, and compliance with those requirements is mandatory. The sole method to enforce compliance with such requirements is contained in this paragraph. Compliance with subparagraphs (b)2. and (c)1. may be challenged by a qualified candidate or a political party with qualified candidates in the same race by filing an action in the circuit court for the county in which the qualifying officer is headquartered. A person may not be qualified as a candidate for nomination or election, and his or her name may not appear on the ballot, if, in an order that has become final, the court determines that:

1. The person seeking to qualify for nomination as a candidate of any political party has not been a registered member of that party for the 365-day period preceding the beginning of qualifying; or

2. The person seeking to qualify for office as a candidate with no party affiliation has not been registered without party affiliation for, or has been a registered member of any political party during, the 365-day period preceding the beginning of qualifying.

Section 11. Effective upon becoming a law, section 99.0211, Florida Statutes, is created to read:

99.0211 Challenging candidacy.—

(1) A candidate must be able to satisfy all statutory and constitutional requirements for the office for which he or she is seeking nomination or election.

(2) A candidate or a political party with a candidate in the same race, or an affiliated party committee as authorized by s. 103.092, may challenge a candidate's compliance with subsection (1) by filing an action for declaratory and injunctive relief in the circuit court for the county in which the filing officer is headquartered.

(3) A person may not be qualified as a candidate for nomination or election, and his or her name may not appear on the ballot, if, in an order that has become final, the court determines that the candidate will not, at the time of qualification, election, or assumption of office, as applicable, satisfy all statutory and constitutional requirements for the office for which he or she is seeking nomination or election.

(4) A candidate, a political party, or an affiliated party committee bringing an action for declaratory and injunctive relief under subsection (2) is entitled to an expedited final hearing, and any appeal of a final hearing must receive expedited consideration by the appellate court. Upon a final order of the circuit court which contains the determination under subsection (3), the supervisor of elections in each county affected by such candidacy shall remove the name of the candidate from the ballot or, if the ballots have already been printed, include a notice with each vote-by-mail ballot, and post a notice at each early voting location and polling precinct, stating that a vote for such candidate will not be counted.

Section 12. Effective upon becoming a law, paragraph (a) of subsection (7) of section 99.061, Florida Statutes, is amended to read:

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

(7)(a) In order for a candidate to be qualified, the following items must be received by the filing officer by the end of the qualifying period:

1. A properly executed check drawn upon the candidate's campaign account payable to the person or entity as prescribed by the filing officer in an amount not less than the fee required by s. 99.092, unless the candidate obtained the required number of signatures on petitions pursuant to s. 99.095. The filing fee for a special district candidate is not required to be drawn upon the candidate's campaign account. If a candidate's check is returned by the bank for any reason, the filing officer shall immediately notify the candidate and the candidate shall have until the end of qualifying to pay the fee with a cashier's check purchased from funds of the campaign

account. Failure to pay the fee as provided in this subparagraph shall disqualify the candidate.

2. The candidate's oath required by s. 99.021, which must contain the name of the candidate as it is to appear on the ballot; the office sought, including the district or group number if applicable; and the signature of the candidate, which must be verified under oath or affirmation pursuant to s. 92.525(1)(a).

3. If the office sought is partisan, the written statement of political party affiliation required by s. 99.021(1)(b); or if the candidate is running without party affiliation for a partisan office, the written statement required by s. 99.021(1)(c).

4. If the office sought is federal, the written statement required by s. 99.021(1)(d)2.

5. The completed form for the appointment of campaign treasurer and designation of campaign depository, as required by s. 106.021.

~~6.5.~~ The full and public disclosure or statement of financial interests required by subsection (5). A public officer who has filed the full and public disclosure or statement of financial interests with the Commission on Ethics before qualifying for office may file a copy of that disclosure or a verification or receipt of electronic filing as provided in subsection (5) at the time of qualifying.

7. An oath or affirmation in writing that states whether the candidate is a citizen of another country in addition to being a citizen of the United States, and, if so, discloses any other country of which the candidate is also a citizen.

8. For a candidate seeking federal office, whether a party candidate, a candidate with no party affiliation, or a write-in candidate, an oath or affirmation in writing which states whether the candidate previously held a federal office and, if so, discloses whether the candidate traded stocks while in such office in a manner other than through a trust or similar mechanism which strictly limited his or her ability to influence or exercise control over decisions regarding the management of assets.

Section 13. Subsection (1) of section 101.043, Florida Statutes, is amended to read:

101.043 Identification required at polls.—

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

- 1. Florida driver license.
- 2. Florida identification card issued by the Department of Highway Safety and Motor Vehicles.
- 3. United States passport or passport card.
- 4. ~~Debit or credit card.~~
- 5. United States uniformed services or Merchant Marine Military identification.
- 6. ~~Student identification.~~
- 7. ~~Retirement center identification.~~
- 8. ~~Neighborhood association identification.~~
- 9. ~~Public assistance identification.~~
- 5.10. Veteran health identification card issued by the United States Department of Veterans Affairs.
- 6.11. A license to carry a concealed weapon or firearm issued pursuant to s. 790.06.
- 7.12. Any other Employee identification card issued by any branch, department, agency, or entity of the Federal Government, the state, a county, or a municipality, excluding identification cards issued by an educational institution.

(b) If the picture identification does not contain the signature of the elector, an additional identification that provides the elector’s signature is shall be required. The address appearing on the identification presented by the elector may not be used as the basis to challenge an elector’s legal residence. The elector must shall sign his or her name in the space provided on the precinct register or on an electronic device provided for recording the elector’s signature. The clerk or inspector shall compare the signature with that on the identification provided by the elector and enter his or her initials in the space provided on the precinct register or on an electronic device provided for that purpose and allow the elector to vote if the clerk or inspector is satisfied as to the identity of the elector.

Section 14. Paragraph (d) of subsection (6) of section 101.048, Florida Statutes, is amended to read:

101.048 Provisional ballots.—

(6)

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

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

1. In order to cure the missing signature or the signature discrepancy on your Provisional Ballot Voter's Certificate and Affirmation, your affidavit 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 5 p.m. on the 2nd day after the election.

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

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

a. Tier 1 identification.—Current and valid identification that includes your name and photograph: Florida driver license; Florida identification card issued by the Department of Highway Safety and Motor Vehicles; United States passport or passport card; United States uniformed services or Merchant Marine; 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; Florida license to carry a concealed weapon or firearm; or any other employee identification card issued by any branch, department, agency, or entity of the Federal Government, the state, a county, or a municipality, excluding identification cards issued by an educational institution; or

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

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

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

6. Submitting a provisional ballot affidavit does not establish your eligibility to vote in this election or guarantee that your ballot will be counted. The county canvassing board determines your eligibility to vote through information provided on the Provisional Ballot Voter's Certificate

and Affirmation, written evidence provided by you, including information in your cure affidavit along with any supporting identification, and any other evidence presented by the supervisor of elections or a challenger. You may still be required to present additional written evidence to support your eligibility to vote.

Section 15. Subsection (1) of section 101.151, Florida Statutes, is amended to read:

101.151 Specifications for ballots.—

(1)(a) ~~Marksense~~ Ballots ~~must shall~~ be printed on paper of such thickness that the printing cannot be distinguished from the back and ~~must shall~~ meet the specifications of the voting system that will be used to tabulate the ballots.

(b) Polling places and early voting sites may employ a ballot-on-demand production system to print individual ~~marksense~~ ballots, including provisional ballots, for eligible ~~voters~~ electors. Ballot-on-demand technology may be used to produce ~~marksense~~ vote-by-mail, early voting, and election-day ballots.

Section 16. Subsection (4) of section 101.5606, Florida Statutes, is amended to read:

101.5606 Requirements for approval of systems.—No electronic or electromechanical voting system shall be approved by the Department of State unless it is so constructed that:

(4) ~~For systems using marksense ballots,~~ It accepts a rejected ballot pursuant to subsection (3) if a voter chooses to cast the ballot, but records no vote for any office that has been overvoted or undervoted.

Section 17. Section 101.56075, Florida Statutes, is amended to read:

101.56075 Voting methods.—For the purpose of designating ballot selections, all voting must be by official marksense ballot, using a pen compatible with or recommended for use with the voting system, unless a voter requests to vote using marking device ~~or a voter interface device~~ that produces a voter-verifiable paper output and meets the voter accessibility requirements for individuals with disabilities under s. 301 of the federal Help America Vote Act of 2002 and s. 101.56062.

Section 18. Section 101.5608, Florida Statutes, is amended to read:

101.5608 Voting at the polls ~~by electronic or electromechanical method;~~ procedures.—

(1) Each ~~voter~~ elector desiring to vote ~~must shall~~ be identified to the clerk or inspector of the election as a duly qualified voter elector of such election and ~~must shall~~ sign his or her name on the precinct register or other form or

device provided by the supervisor. The inspector shall compare the signature with the signature on the identification provided by the voter elector. If the inspector is reasonably sure that the person is entitled to vote, the inspector must ~~shall~~ provide the person with a ballot.

(2) When an electronic or electromechanical voting system utilizes a ballot ~~card or marksense ballot~~, the following procedures must ~~shall~~ be followed to vote:

(a) After receiving a ballot from an inspector, the voter elector shall, without leaving the polling place, retire to a booth or compartment and mark the ballot. After marking his or her ballot, the voter must ~~elector shall~~ place the ballot in a secrecy envelope so that the ballot will be deposited in the tabulator without exposing the voter's choices.

(b) Any voter who spoils his or her ballot or makes an error may return the ballot to the election official and secure another ballot, except that in no case shall a voter be furnished more than three ballots. If the vote tabulation device has rejected a ballot, the ballot must shall be considered spoiled and a new ballot must shall be provided to the voter unless the voter chooses to cast the rejected ballot. The election official, without examining the original ballot, shall state the possible reasons for the rejection and ~~shall~~ provide instruction to the voter pursuant to s. 101.5611. A spoiled ballot must shall be preserved, without examination, in an envelope provided for that purpose. ~~The stub shall be removed from the ballot and placed in an envelope.~~

(c) The supervisor of elections shall prepare for each polling place at least one ballot box to contain the ballots of a particular precinct, and each ballot box must shall be plainly marked with the name of the precinct for which it is intended.

(3) The Department of State shall promulgate rules regarding voting procedures to be used when an electronic or electromechanical voting system is of a type which does not utilize a ballot ~~card or marksense ballot~~.

(4) In any election in which a write-in candidate has qualified for office, the supervisor of elections shall provide for write-in voting pursuant to rules adopted by the Division of Elections.

Section 19. Subsection (5) of section 101.5612, Florida Statutes, is amended to read:

101.5612 Testing of tabulating equipment.—

(5) Any tests involving ~~marksense~~ ballots pursuant to this section must ~~shall~~ employ test ballots created by the supervisor of elections using actual ballots that have been printed for the election. If ballot-on-demand ballots will be used in the election, the supervisor must shall also create test ballots using the ballot-on-demand technology that will be used to produce ballots in

the election, using the same paper stock as will be used for ballots in the election.

Section 20. Paragraph (d) of subsection (4) of section 101.68, Florida Statutes, is amended to read:

101.68 Canvassing of vote-by-mail ballot.—

(4)

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

**READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE AFFIDAVIT. 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, your affidavit 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 5 p.m. on the 2nd day after the election.

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

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

a. Tier 1 identification.—Current and valid identification that includes your name and photograph: Florida driver license; Florida identification card issued by the Department of Highway Safety and Motor Vehicles; United States passport or passport card; United States uniformed services or Merchant Marine; ~~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 any an employee identification card issued by any branch, department, agency, or entity of the Federal Government, the state, a county, or a municipality, excluding identification cards issued by an educational institution;~~ or

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

4. Place the envelope bearing the affidavit into a mailing envelope addressed to the supervisor. Insert a copy of your identification in the mailing envelope. Mail (if time permits), deliver, or have delivered the completed affidavit along with the copy of your identification to your county

supervisor of elections. Be sure there is sufficient postage if mailed and that the supervisor's address is correct. Remember, your information **MUST** reach your county supervisor of elections no later than 5 p.m. on the 2nd day after the election, or your ballot will not count.

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

Section 21. 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 must 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 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. Note that the later you return your ballot, the less time you will have to cure signature deficiencies, which is authorized until 5 p.m. local time on the 2nd day after 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 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 or passport card; United States uniformed services or Merchant Marine; 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 any an employee identification card issued by any branch, department, agency, or entity of the Federal Government, the state, a county, or a municipality, excluding identification cards issued by an educational institution; 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 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 22. Subsection (2) of section 102.111, Florida Statutes, is amended to read:

102.111 Elections Canvassing Commission.—

(2) The Elections Canvassing Commission shall meet at 9 8 a.m. on the 9th day after a primary election and at 9 8 a.m. on the 14th day after a general election to certify the returns of the election for each federal, state, and multicounty office and for each constitutional amendment. On days the Legislature convenes for organizational session pursuant to s. 3(a), Art. III of the State Constitution, such meeting will begin at 8 a.m. If a member of a county canvassing board that was constituted pursuant to s. 102.141 determines, within 5 days after the certification by the Elections Canvassing Commission, that a typographical error occurred in the official returns of the county, the correction of which could result in a change in the outcome of an election, the county canvassing board must certify corrected returns to the Department of State within 24 hours, and the Elections Canvassing Commission must correct and recertify the election returns as soon as practicable.

Section 23. Subsections (3) through (7) of section 102.141, Florida Statutes, are amended to read:

102.141 County canvassing board; duties.—

(3) The canvass, except the canvass of returned vote-by-mail ballots absent electors' returns and the canvass of provisional ballots, must shall be made from the returns and certificates of the inspectors as signed and filed by them with the supervisor, and the county canvassing board may shall not change the number of votes cast for a candidate, nominee, constitutional amendment, or other measure submitted to the electorate of the county, respectively, in any polling place, as shown by the returns. All returns must shall be made to the board on or before 2 a.m. of the day following any primary, general, or other election. If the returns from any precinct are

missing, if there are any omissions on the returns from any precinct, or if there is an obvious error on any such returns, the canvassing board must shall order a retabulation of the returns from such precinct. Before canvassing such returns, the canvassing board shall examine the tabulation of the ballots cast in such precinct and determine whether the returns correctly reflect the votes cast. If there is a discrepancy between the returns and the tabulation of the ballots cast, the tabulation of the ballots cast must shall be presumed correct and such votes must shall be canvassed accordingly.

(4)(a) The supervisor of elections shall upload into the county's election management system by 7 p.m. local time on the day before the election the results of all early voting and vote-by-mail ballots that have been canvassed and tabulated by the end of the early voting period. Pursuant to ss. 101.5614(8), 101.657, and 101.68(2), the tabulation of votes cast or the results of such uploads may not be made public before the close of the polls on election day.

(b) The supervisor of elections, on behalf of the canvassing board, shall report all early voting and all tabulated vote-by-mail results to the Department of State within 30 minutes after the polls close. Thereafter, ~~the canvassing board shall report,~~ with the exception of provisional ballot results, updated precinct election results shall be uploaded to the department at least every 45 minutes until all results are completely reported. The supervisor of elections shall notify the department immediately of any circumstances that do not permit periodic updates as required. Results must shall be submitted in a format prescribed by the department.

(5) The canvassing board shall submit on forms or in formats provided by the division unofficial returns to the Department of State for each federal, statewide, state, or multicounty office or ballot measure no later than noon on the third day after any primary election and no later than noon on the fourth day after any general or other election. Such returns must shall include the canvass of all ballots, including write-in votes, as required by subsection (2).

(6) If the county canvassing board determines that the unofficial returns may contain a counting error in which the vote tabulation system failed to count votes that were properly marked in accordance with the instructions on the ballot, the county canvassing board must shall:

(a) Correct the error and retabulate the affected ballots with the vote tabulation system; or

(b) Request that the Department of State verify the tabulation software. When the Department of State verifies such software, the department shall compare the software used to tabulate the votes with the software filed with the department pursuant to s. 101.5607 and check the election parameters.

(7) If the unofficial returns reflect that a candidate for any office was defeated or eliminated by one-half of a percent or less of the votes cast for such office, that a candidate for retention to a judicial office was retained or not retained by one-half of a percent or less of the votes cast on the question of retention, or that a measure appearing on the ballot was approved or rejected by one-half of a percent or less of the votes cast on such measure, a recount shall be ordered of the votes cast with respect to such office or measure. The Secretary of State is responsible for ordering recounts in races that are federal or, state races that are, ~~and~~ multicounty and any other multicounty races. The county canvassing board or the local board responsible for certifying the election is responsible for ordering recounts in all other races. A recount need not be ordered with respect to the returns for any office, however, if the candidate or candidates defeated or eliminated from contention for such office by one-half of a percent or less of the votes cast for such office request in writing that a recount not be made.

(a) Each canvassing board responsible for conducting a recount shall put each ~~marksense~~ ballot through automatic tabulating equipment and determine whether the returns correctly reflect the votes cast. If any ~~marksense~~ ballot is physically damaged so that it cannot be properly counted by the automatic tabulating equipment during the recount, a true duplicate shall be made of the damaged ballot pursuant to the procedures in s. 101.5614(4). Immediately before the start of the recount, a test of the tabulating equipment shall be conducted as provided in s. 101.5612. If the test indicates no error, the recount tabulation of the ballots cast shall be presumed correct and such votes shall be canvassed accordingly. If an error is detected, the cause therefor shall be ascertained and corrected and the recount repeated, as necessary. The canvassing board shall immediately report the error, along with the cause of the error and the corrective measures being taken, to the Department of State. No later than 11 days after the election, the canvassing board shall file a separate incident report with the Department of State, detailing the resolution of the matter and identifying any measures that will avoid a future recurrence of the error. If the automatic tabulating equipment used in a recount is not part of the voting system and the ballots have already been processed through such equipment, the canvassing board is not required to put each ballot through any automatic tabulating equipment again.

(b) Each canvassing board responsible for conducting a recount where touchscreen ballots were used shall examine the counters on the precinct tabulators to ensure that the total of the returns on the precinct tabulators equals the overall election return. If there is a discrepancy between the overall election return and the counters of the precinct tabulators, the counters of the precinct tabulators shall be presumed correct and such votes shall be canvassed accordingly.

(c) The canvassing board shall submit on forms or in formats provided by the division a second set of unofficial returns to the Department of State for each federal, statewide, state, or multicounty office or ballot measure. The returns shall be filed no later than 3 p.m. on the 5th day after any primary

election and no later than 3 p.m. on the 9th day after any general election in which a recount was ordered by the Secretary of State. If the canvassing board is unable to complete the recount prescribed in this subsection by the deadline, the second set of unofficial returns submitted by the canvassing board shall be identical to the initial unofficial returns and the submission shall also include a detailed explanation of why it was unable to timely complete the recount. However, the canvassing board shall complete the recount prescribed in this subsection, along with any manual recount prescribed in s. 102.166, and certify election returns in accordance with the requirements of this chapter.

(d) The Department of State shall adopt detailed rules prescribing additional recount procedures for each certified voting system, which shall be uniform to the extent practicable.

Section 24. Subsection (1) of section 102.166, Florida Statutes, is amended to read:

102.166 Manual recounts of overvotes and undervotes.—

(1) If the second set of unofficial returns pursuant to s. 102.141 indicates that a candidate for any office was defeated or eliminated by one-quarter of a percent or less of the votes cast for such office, that a candidate for retention to a judicial office was retained or not retained by one-quarter of a percent or less of the votes cast on the question of retention, or that a measure appearing on the ballot was approved or rejected by one-quarter of a percent or less of the votes cast on such measure, a manual recount of the overvotes and undervotes cast in the entire geographic jurisdiction of such office or ballot measure must ~~shall~~ be ordered unless:

(a) The candidate or candidates defeated or eliminated from contention by one-quarter of 1 percent or fewer of the votes cast for such office request in writing that a recount not be made; or

(b) The number of overvotes and undervotes is fewer than the number of votes needed to change the outcome of the election.

The Secretary of State is responsible for ordering a manual recount for federal or, state aces that are multicounty, and any other multicounty races. The county canvassing board or local board responsible for certifying the election is responsible for ordering a manual recount for all other races. A manual recount consists of a recount of ~~marksense~~ ballots or of digital images of those ballots by a person.

Section 25. Effective July 1, 2026, section 104.042, Florida Statutes, is created to read:

104.042 Time limitation; election fraud.—A prosecution for a felony violation under the Florida Election Code must be commenced within 5 years after the date the violation is committed.

Section 26. Effective upon becoming a law, paragraph (a) of subsection (5) of section 105.031, Florida Statutes, is amended to read:

105.031 Qualification; filing fee; candidate’s oath; items required to be filed.—

(5) ITEMS REQUIRED TO BE FILED.—

(a) In order for a candidate for judicial office or the office of school board member to be qualified, the following items must be received by the filing officer by the end of the qualifying period:

1. Except for candidates for retention to judicial office, a properly executed check drawn upon the candidate’s campaign account in an amount not less than the fee required by subsection (3) or, in lieu thereof, the copy of the notice of obtaining ballot position pursuant to s. 105.035. If a candidate’s check is returned by the bank for any reason, the filing officer shall immediately notify the candidate and the candidate shall, the end of qualifying notwithstanding, have 48 hours from the time such notification is received, excluding Saturdays, Sundays, and legal holidays, to pay the fee with a cashier’s check purchased from funds of the campaign account. Failure to pay the fee as provided in this subparagraph shall disqualify the candidate.

2. The candidate’s oath required by subsection (4), which must contain the name of the candidate as it is to appear on the ballot; the office sought, including the district or group number if applicable; and the signature of the candidate, duly acknowledged.

3. The loyalty oath required by s. 876.05, signed by the candidate and duly acknowledged.

4. The completed form for the appointment of campaign treasurer and designation of campaign depository, as required by s. 106.021. In addition, each candidate for judicial office, including an incumbent judge, shall file a statement with the qualifying officer, within 10 days after filing the appointment of campaign treasurer and designation of campaign depository, stating that the candidate has read and understands the requirements of the Florida Code of Judicial Conduct. Such statement shall be in substantially the following form:

Statement of Candidate for Judicial Office

I, ...(name of candidate)..., a judicial candidate, have received, read, and understand the requirements of the Florida Code of Judicial Conduct.

...(Signature of candidate)...

...(Date)...

5. The full and public disclosure of financial interests required by s. 8, Art. II of the State Constitution or the statement of financial interests required by s. 112.3145, whichever is applicable. A public officer who has filed the full and public disclosure or statement of financial interests with the Commission on Ethics or the supervisor of elections prior to qualifying for office may file a copy of that disclosure at the time of qualifying.

6. An oath or affirmation in writing that states whether the candidate is a citizen of another country in addition to being a citizen of the United States, and, if so, discloses any other country of which the candidate is also a citizen.

Section 27. Effective upon becoming a law, subsection (3) is added to section 106.023, Florida Statutes, to read:

106.023 Statement of candidate.—

(3) At the time of filing the statement of candidacy, a candidate must also provide an oath or affirmation in writing that states that he or she meets, or will meet at the time of election for the office sought or at the time of assuming the office, as applicable, all statutory and constitutional qualifications for the office sought.

Section 28. Effective July 1, 2026, subsection (12) of section 106.08, Florida Statutes, is amended to read:

106.08 Contributions; limitations on.—

(12)(a)1. For purposes of this subsection, the term “foreign national” means:

- a. A foreign government;
- b. A foreign political party;
- c. A foreign corporation, partnership, association, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country;
- d. A person with foreign citizenship; or
- e. A person who is not a citizen or national of the United States and is not lawfully admitted to the United States for permanent residence.

2. The term does not include:

- a. A person who is a dual citizen or dual national of the United States and a foreign country.
- b. A domestic subsidiary of a foreign corporation, partnership, association, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country if:

(I) The donations and disbursements used toward a contribution or an expenditure are derived entirely from funds generated by the subsidiary's operations in the United States; and

(II) All decisions concerning donations and disbursements used toward a contribution or an expenditure are made by individuals who either hold United States citizenship or are permanent residents of the United States. For purposes of this sub-sub-subparagraph, decisions concerning donations and disbursements do not include decisions regarding the subsidiary's overall budget for contributions or expenditures in connection with an election.

(b) A foreign national may not make or offer to make, directly or indirectly, a contribution or expenditure in connection with any election held in the state.

(c) A political party, a political committee, an electioneering communications organization, or a candidate may not knowingly and willfully accept or solicit, directly or indirectly, a contribution from a foreign national in connection with any election held in this state.

Section 29. Section 322.034, Florida Statutes, is created to read:

322.034 Legal status designation on state-issued driver licenses and identification cards.—

(1) By July 1, 2027, a Florida driver license or Florida identification card issued to a qualified applicant who is a United States citizen as last recorded in the system must include his or her legal citizenship status at the time of new issuance, renewal, or replacement.

(2) Notwithstanding any other law, the department must, at no charge, issue a renewal or replacement driver license or identification card if a licensee or cardholder timely updates his or her legal status upon becoming a citizen of the United States as required in s. 322.19.

Section 30. Effective July 1, 2026, paragraphs (a) and (d) of subsection (8) of section 895.02, Florida Statutes, are amended to read:

895.02 Definitions.—As used in ss. 895.01-895.08, the term:

(8) “Racketeering activity” means to commit, to attempt to commit, to conspire to commit, or to solicit, coerce, or intimidate another person to commit:

(a) Any crime that is chargeable by petition, indictment, or information under the following provisions of the Florida Statutes:

1. Section 104.155(2), relating to aiding or soliciting a noncitizen in voting.

2. Section 104.185, s. 104.186, s. 104.187, or s. 104.188, relating to issue petition activities.

3.2. Section 210.18, relating to evasion of payment of cigarette taxes.

4.3. Section 316.1935, relating to fleeing or attempting to elude a law enforcement officer and aggravated fleeing or eluding.

5.4. Chapter 379, relating to the illegal sale, purchase, collection, harvest, capture, or possession of wild animal life, freshwater aquatic life, or marine life, and related crimes.

6.5. Section 403.727(3)(b), relating to environmental control.

7.6. Section 409.920 or s. 409.9201, relating to Medicaid fraud.

8.7. Section 414.39, relating to public assistance fraud.

9.8. Section 440.105 or s. 440.106, relating to workers' compensation.

10.9. Section 443.071(4), relating to creation of a fictitious employer scheme to commit reemployment assistance fraud.

11.10. Section 465.0161, relating to distribution of medicinal drugs without a permit as an Internet pharmacy.

12.11. Section 499.0051, relating to crimes involving contraband, adulterated, or misbranded drugs.

13.12. Part IV of chapter 501, relating to telemarketing.

14.13. Chapter 517, relating to sale of securities and investor protection.

15.14. Section 550.235 or s. 550.3551, relating to dogracing and horse-racing.

16.15. Chapter 550, relating to jai alai frontons.

17.16. Section 551.109, relating to slot machine gaming.

18.17. Chapter 552, relating to the manufacture, distribution, and use of explosives.

19.18. Chapter 560, relating to money transmitters, if the violation is punishable as a felony.

20.19. Chapter 562, relating to beverage law enforcement.

21.20. Section 624.401, relating to transacting insurance without a certificate of authority, s. 624.437(4)(c)1., relating to operating an unauthorized multiple-employer welfare arrangement, or s. 626.902(1)(b), relating to representing or aiding an unauthorized insurer.

~~22.21.~~ Section 655.50, relating to reports of currency transactions, when such violation is punishable as a felony.

~~23.22.~~ Chapter 687, relating to interest and usurious practices.

~~24.23.~~ Section 721.08, s. 721.09, or s. 721.13, relating to real estate timeshare plans.

~~25.24.~~ Section 775.13(5)(b), relating to registration of persons found to have committed any offense for the purpose of benefiting, promoting, or furthering the interests of a criminal gang.

~~26.25.~~ Section 777.03, relating to commission of crimes by accessories after the fact.

~~27.26.~~ Chapter 782, relating to homicide.

~~28.27.~~ Chapter 784, relating to assault and battery.

~~29.28.~~ Chapter 787, relating to kidnapping, human smuggling, or human trafficking.

~~30.29.~~ Chapter 790, relating to weapons and firearms.

~~31.30.~~ Chapter 794, relating to sexual battery, but only if such crime was committed with the intent to benefit, promote, or further the interests of a criminal gang, or for the purpose of increasing a criminal gang member's own standing or position within a criminal gang.

~~32.31.~~ Former s. 796.03, former s. 796.035, s. 796.04, s. 796.05, or s. 796.07, relating to prostitution.

~~33.32.~~ Chapter 806, relating to arson and criminal mischief.

~~34.33.~~ Chapter 810, relating to burglary and trespass.

~~35.34.~~ Chapter 812, relating to theft, robbery, and related crimes.

~~36.35.~~ Chapter 815, relating to computer-related crimes.

~~37.36.~~ Chapter 817, relating to fraudulent practices, false pretenses, fraud generally, credit card crimes, and patient brokering.

~~38.37.~~ Chapter 825, relating to abuse, neglect, or exploitation of an elderly person or disabled adult.

~~39.38.~~ Section 827.071, relating to commercial sexual exploitation of children.

~~40.39.~~ Section 828.122, relating to fighting or baiting animals.

~~41.40.~~ Chapter 831, relating to forgery and counterfeiting.

- ~~42.41.~~ Chapter 832, relating to issuance of worthless checks and drafts.
- ~~43.42.~~ Section 836.05, relating to extortion.
- ~~44.43.~~ Chapter 837, relating to perjury.
- ~~45.44.~~ Chapter 838, relating to bribery and misuse of public office.
- ~~46.45.~~ Chapter 843, relating to obstruction of justice.
- ~~47.46.~~ Section 847.011, s. 847.012, s. 847.013, s. 847.06, or s. 847.07, relating to obscene literature and profanity.
- ~~48.47.~~ Chapter 849, relating to gambling, lottery, gambling or gaming devices, slot machines, or any of the provisions within that chapter.
- ~~49.48.~~ Chapter 874, relating to criminal gangs.
- ~~50.49.~~ Chapter 893, relating to drug abuse prevention and control.
- ~~51.50.~~ Chapter 896, relating to offenses related to financial transactions.
- ~~52.51.~~ Sections 914.22 and 914.23, relating to tampering with or harassing a witness, victim, or informant, and retaliation against a witness, victim, or informant.
- ~~53.52.~~ Sections 918.12, 918.125, and 918.13, relating to tampering with or harassing court official, retaliating against court official, and tampering with evidence.

~~(d) A violation of the Florida Election Code relating to irregularities or fraud involving issue petition activities.~~

Section 31. For the purpose of incorporating the amendment made by this act to section 98.075, Florida Statutes, in a reference thereto, subsection (6) of section 98.065, Florida Statutes, is reenacted to read:

98.065 Registration list maintenance programs.—

(6) The supervisor shall, at a minimum, conduct an annual review of voter registration records to identify registration records in which a voter is registered at an address that may not be an address of legal residence for the voter. For those registration records with such addresses that the supervisor has reasonable belief are not legal residential addresses, the supervisor shall initiate list maintenance activities pursuant to s. 98.075(6) and (7).

Section 32. For the purpose of incorporating the amendments made by this act to sections 99.061 and 105.031, Florida Statutes, in references thereto, paragraph (b) of subsection (1) of section 99.012, Florida Statutes, is reenacted to read:

99.012 Restrictions on individuals qualifying for public office.—

(1) As used in this section:

(b) “Qualify” means to fulfill the requirements set forth in s. 99.061(7)(a) or s. 105.031(5)(a).

Section 33. For the purpose of incorporating the amendment made by this act to section 98.015, Florida Statutes, in a reference thereto, paragraph (a) of subsection (2) of section 101.69, Florida Statutes, is reenacted to read:

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

(2)(a) The supervisor shall allow an elector who has received a vote-by-mail ballot to physically return a voted vote-by-mail ballot to the supervisor by placing the return mail envelope containing his or her marked ballot in a secure ballot intake station. Secure ballot intake stations shall be placed at the main office of the supervisor, at each permanent branch office of the supervisor which meets the criteria set forth in s. 101.657(1)(a) for branch offices used for early voting and which is open for at least the minimum number of hours prescribed by s. 98.015(4), and at each early voting site. Secure ballot intake stations may also be placed at any other site that would otherwise qualify as an early voting site under s. 101.657(1). Secure ballot intake stations must be geographically located so as to provide all voters in the county with an equal opportunity to cast a ballot, insofar as is practicable. Except for secure ballot intake stations at an office of the supervisor, a secure ballot intake station may only be used during the county’s early voting hours of operation and must be monitored in person by an employee of the supervisor’s office. A secure ballot intake station at an office of the supervisor must be continuously monitored in person by an employee of the supervisor’s office when the secure ballot intake station is accessible for deposit of ballots.

Section 34. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect January 1, 2027.

Approved by the Governor April 1, 2026.

Filed in Office Secretary of State April 1, 2026.