

The Florida Senate  
**HOUSE MESSAGE SUMMARY**

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Prepared By: The Professional Staff of the Committee on Ethics and Elections

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[2021s00090.hms]

BILL: CS/CS/CS/SB 90, 1st Eng.  
INTRODUCER: Senator Baxley  
SUBJECT: Election Administration  
DATE: April 28, 2021

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**I. Amendments Contained in Message:**

House Amendment 1 - 107453

**II. Summary of Amendments Contained in Message:**

This amendment revises the Senate bill by:

- Adding new requirements for civil actions challenging the validity of a provision of the Election Code in which a state or county agency or officer is a party in state or federal court.
- Removing a requirement that one of three numeric identifiers for an elector be included in any submission to the online voter registration system.
- Revising the form in which an additional numeric identifier must be provided to a supervisor in order to make a change to a voter registration.
- Removing the requirement that an NPA candidate affirm the same oath as a party candidate.
- Removing a clarification regarding allowable use of voter ID at the poll.
- Revising the frequency with which voter turnout data and vote-by-mail ballot information must be posted online by supervisors.
- Relating to vote-by-mail ballots:
  - Clarifying that the additional numeric identifier of an elector required when a vote-by-mail ballot is requested applies to all requests.
  - Adding to the new categories of information that supervisors must record for each vote-by-mail ballot.
  - Revising processes for duplication of vote-by-mail ballots to clarify circumstances in which a duplicate must be made of an undervoted ballot and to clarify that an observer may view the duplication via screen.
- Relating to drop boxes:
  - Allowing drop boxes to be open at a supervisor's office outside of early voting hours if monitored in person.
  - Requiring drop boxes to be geographically located to provide all voters in the county with an equal opportunity to cast a ballot.
  - Removing the requirement that supervisors' employees comply with statutory requirements for chain of custody of ballots.

- Adding a new requirement for “express designation” in order for a person to lawfully possess another’s vote-by-mail ballot, and creating a written declaration process to serve as evidence of such designation.
- Adding a new criminal penalty and requirements for information to be provided on vote-by-mail ballots to correspond to the new attestation and declaration requirements.
- Revising the expansion of the definition of “solicitation” for no-solicitation zones to prohibit “engaging in any activity with the intent to influence or effect of influencing a voter.”
- Adding repeal of provisions requiring an elective office vacated due to the resign-to run requirement be filled by election and permitting the unexpired term of an elective charter county officer or elective municipal officer required to resign under the resign-to-run law be filled in a manner provided by the county or municipal charter.
- Adding a prohibition against use of private funds for election-related expenses.
- Adding a clarification of a state executive committee’s role in filling certain vacancies.
- Adding provisions revising requirements for identification of a poll watcher.
- Adding voter certificates on mailing envelopes to the records that must be open for public inspection, and creating a new provision granting to specified individuals reasonable access to inspect ballot materials before canvassing or tabulation.