

1 A bill to be entitled
2 An act relating to elections; amending s. 97.052,
3 F.S.; requiring the uniform statewide voter
4 registration application to be accepted for the
5 purpose of vote-by-mail ballot requests; requiring the
6 uniform statewide voter registration application to
7 elicit whether an applicant requests a vote-by-mail
8 ballot; amending s. 97.0525, F.S.; requiring the
9 online voter registration system to permit an
10 applicant to request a vote-by-mail ballot; amending
11 s. 100.111, F.S.; requiring the Governor to consult
12 with affected supervisors of elections in fixing the
13 dates for special elections; requiring the Governor,
14 in the event of a vacancy in a state legislative
15 office, to limit the period of a vacancy during a
16 regular legislative session to the greatest extent
17 possible in fixing special election dates; requiring
18 the Governor to fix the date for a special election to
19 be held within a certain timeframe; revising the
20 minimum time between a special primary election and a
21 special election; amending s. 100.141, F.S.; requiring
22 the Governor to issue an order calling for a special
23 election within a certain timeframe; conforming a
24 provision to changes made by the act; amending s.
25 101.62, F.S.; requiring a supervisor of elections to

26 | accept certain requests for vote-by-mail ballots;
 27 | providing that a request made on a vote-by-mail ballot
 28 | return mailing envelope does not require specified
 29 | identifying information and is sufficient if such
 30 | ballot is counted; amending s. 101.64, F.S.; requiring
 31 | a vote-by-mail ballot return mailing envelope to bear
 32 | a statement and a checkbox that allows an absent
 33 | elector to request a vote-by-mail ballot for all
 34 | elections through a specified timeframe; providing an
 35 | effective date.

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 37 | Be It Enacted by the Legislature of the State of Florida:
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39 | Section 1. Paragraph (a) of subsection (1) of section
 40 | 97.052, Florida Statutes, is amended, and paragraph (v) is added
 41 | to subsection (2) of that section, to read:

42 | 97.052 Uniform statewide voter registration application.—

43 | (1) The department shall prescribe by rule a uniform
 44 | statewide voter registration application for use in this state.

45 | (a) The uniform statewide voter registration application
 46 | must be accepted for any one or more of the following purposes:

- 47 | 1. Initial registration.
- 48 | 2. Change of address.
- 49 | 3. Change of party affiliation.
- 50 | 4. Change of name.

- 51 5. Replacement of a voter information card.
- 52 6. Signature update.
- 53 7. Vote-by-mail ballot request.

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

57 (v) Whether the applicant requests a vote-by-mail ballot,
 58 by including a statement in substantially the following form: "I
 59 request a vote-by-mail ballot." The statement must be followed
 60 by a box for the applicant to check to affirm the statement.

61 Section 2. Paragraph (d) is added to subsection (2) of
 62 section 97.0525, Florida Statutes, to read:

63 97.0525 Online voter registration.—

64 (2) The division shall establish and maintain a secure
 65 Internet website that safeguards an applicant's information to
 66 ensure data integrity and permits an applicant to:

67 (a) Submit a voter registration application, including a
 68 first-time voter registration application, ~~applications and~~
 69 updates to current voter registration records, and a vote-by-
 70 mail ballot request made by checking a box to affirm the
 71 statement that must be included on the uniform statewide voter
 72 registration application pursuant to s. 97.052(2)(v).

73 Section 3. Subsection (2) of section 100.111, Florida
 74 Statutes, is amended to read:

75 100.111 Filling vacancy.—

76 (2) Whenever there is a vacancy for which a special
 77 election is required pursuant to s. 100.101, the Governor, after
 78 consultation with the Secretary of State and the supervisor of
 79 elections of any affected county, shall fix the dates of a
 80 special primary election and a special election. Nominees of
 81 political parties shall be chosen under the primary laws of this
 82 state in the special primary election to become candidates in
 83 the special election. Before ~~Prior to~~ setting the special
 84 election dates, the Governor shall consider any upcoming
 85 elections in the jurisdiction where the special election will be
 86 held and, in the event of a vacancy in a state legislative
 87 office, limit the period of any such vacancy during a regular
 88 legislative session to the greatest extent possible in fixing
 89 such dates. Notwithstanding the foregoing, any special election
 90 may not be held later than 180 days after a vacancy has
 91 occurred. The dates fixed by the Governor must ~~shall~~ be specific
 92 days certain and may ~~shall~~ not be established by the happening
 93 of a condition or stated in the alternative. The dates fixed
 94 must ~~shall~~ provide a minimum of 10 ~~2~~ weeks between each
 95 election. In the event a vacancy occurs in the office of state
 96 senator or member of the House of Representatives when the
 97 Legislature is in regular legislative session, the minimum times
 98 prescribed by this subsection may be waived upon concurrence of
 99 the Governor, the Speaker of the House of Representatives, and
 100 the President of the Senate. If a vacancy occurs in the office

101 of state senator and no session of the Legislature is scheduled
 102 to be held before ~~prior to~~ the next general election, the
 103 Governor may fix the dates for the special primary election and
 104 for the special election to coincide with the dates of the
 105 primary election and general election. If a vacancy in office
 106 occurs in any district in the state Senate or House of
 107 Representatives or in any congressional district, and no session
 108 of the Legislature, or session of Congress if the vacancy is in
 109 a congressional district, is scheduled to be held during the
 110 unexpired portion of the term, the Governor is not required to
 111 call a special election to fill such vacancy.

112 (a) The dates for candidates to qualify in such special
 113 election or special primary election must ~~shall~~ be fixed by the
 114 Department of State, and candidates must ~~shall~~ qualify no ~~not~~
 115 later than noon of the last day so fixed. The dates fixed for
 116 qualifying must ~~shall~~ allow a minimum of 14 days between the
 117 last day of qualifying and the special primary election.

118 (b) The filing of campaign expense statements by
 119 candidates in such special elections or special primaries and by
 120 committees making contributions or expenditures to influence the
 121 results of such special primaries or special elections must
 122 ~~shall~~ be no ~~not~~ later than such dates as ~~shall be~~ fixed by the
 123 Department of State, and in fixing such dates the Department of
 124 State shall take into consideration and be governed by the
 125 practical time limitations.

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126 (c) The dates for a candidate to qualify by the petition
127 process pursuant to s. 99.095 in such special primary or special
128 election must ~~shall~~ be fixed by the Department of State. In
129 fixing such dates the Department of State shall take into
130 consideration and be governed by the practical time limitations.
131 Any candidate seeking to qualify by the petition process in a
132 special primary election must ~~shall~~ obtain 25 percent of the
133 signatures required by s. 99.095.

134 (d) The qualifying fees and party assessments of such
135 candidates as may qualify must ~~shall~~ be the same as collected
136 for the same office at the last previous primary for that
137 office. The party assessment must ~~shall~~ be paid to the
138 appropriate executive committee of the political party to which
139 the candidate belongs.

140 (e) Each county canvassing board shall make as speedy a
141 return of the result of such special primary elections and
142 special elections as time will permit, and the Elections
143 Canvassing Commission likewise shall make as speedy a canvass
144 and declaration of the nominees as time will permit.

145 Section 4. Subsection (1) of section 100.141, Florida
146 Statutes, is amended to read:

147 100.141 Notice of special election to fill any vacancy in
148 office.—

149 (1) Whenever a special election is required to fill any
150 vacancy in office, the Governor, after consultation with the

151 Secretary of State and the supervisor of elections of any
 152 affected county, shall issue an order declaring on what day the
 153 election shall be held and deliver the order to the Department
 154 of State. The Governor shall issue the order within 14 calendar
 155 days after the occurrence of the vacancy or, for vacancies
 156 arising due to a resignation pursuant to s. 99.012, within 14
 157 calendar days after submittal of the written resignation to the
 158 Governor, whichever is sooner.

159 Section 5. Present paragraphs (b) and (c) of subsection
 160 (1) of section 101.62, Florida Statutes, are redesignated as
 161 paragraphs (c) and (d), respectively, a new paragraph (b) is
 162 added to that subsection, and paragraph (a) and present
 163 paragraph (b) of that section are amended, to read:

164 101.62 Request for vote-by-mail ballots.—

165 (1)(a) The supervisor shall accept a request for a vote-
 166 by-mail ballot from an elector in person or in writing,
 167 including:

168 1. A request made by checking the vote-by-mail ballot
 169 request box included on the uniform statewide voter registration
 170 application pursuant to s. 97.052(2)(v) or on an application
 171 submitted online pursuant to s. 97.0525; or

172 2. A request made by checking the vote-by-mail ballot
 173 request box included on a vote-by-mail return mailing envelope
 174 pursuant to s. 101.64(1)(b)2.

175 (b) One request is deemed sufficient to receive a vote-by-

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176 mail ballot for all elections through the end of the calendar
177 year of the next regularly scheduled general election, unless
178 the elector or the elector's designee indicates at the time the
179 request is made the elections within such period for which the
180 elector desires to receive a vote-by-mail ballot. Such request
181 may be considered canceled when any first-class mail sent by the
182 supervisor to the elector is returned as undeliverable.

183 (c)~~(b)~~ The supervisor may accept a written, an in-person,
184 or a telephonic request for a vote-by-mail ballot to be mailed
185 to an elector's address on file in the Florida Voter
186 Registration System from the elector, or, if directly instructed
187 by the elector, a member of the elector's immediate family, or
188 the elector's legal guardian. If an in-person or a telephonic
189 request is made, the elector must provide the elector's Florida
190 driver license number, the elector's Florida identification card
191 number, or the last four digits of the elector's social security
192 number, whichever may be verified in the supervisor's records.
193 If the ballot is requested to be mailed to an address other than
194 the elector's address on file in the Florida Voter Registration
195 System, the request must be made in writing. A written request
196 must be signed by the elector and include the elector's Florida
197 driver license number, the elector's Florida identification card
198 number, or the last four digits of the elector's social security
199 number. However, a request made as provided in subparagraph
200 (1)(a)2. does not require the inclusion of the elector's Florida

201 driver license number, the elector's Florida identification card
 202 number, or the last four digits of the elector's social security
 203 number and is sufficient if the vote-by-mail ballot is counted.

204 However, an absent uniformed service voter or an overseas voter
 205 seeking a vote-by-mail ballot is not required to submit a
 206 signed, written request for a vote-by-mail ballot that is being
 207 mailed to an address other than the elector's address on file in
 208 the Florida Voter Registration System. For purposes of this
 209 section, the term "immediate family" has the same meaning as
 210 specified in paragraph (4)(c). The person making the request
 211 must disclose:

- 212 1. The name of the elector for whom the ballot is
 213 requested.
- 214 2. The elector's address.
- 215 3. The elector's date of birth.
- 216 4. The elector's Florida driver license number, the
 217 elector's Florida identification card number, or the last four
 218 digits of the elector's social security number, whichever may be
 219 verified in the supervisor's records.
- 220 5. The requester's name.
- 221 6. The requester's address.
- 222 7. The requester's driver license number, the requester's
 223 identification card number, or the last four digits of the
 224 requester's social security number, if available.
- 225 8. The requester's relationship to the elector.

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226 9. The requester's signature (written requests only).
 227 Section 6. Paragraph (b) of subsection (1) of section
 228 101.64, Florida Statutes, is amended to read:
 229 101.64 Delivery of vote-by-mail ballots; envelopes; form.—
 230 (1)
 231 (b) Each return mailing envelope must bear the following:
 232 1. The absent elector's name.
 233 2. A statement in substantially the following form: "I
 234 request a vote-by-mail ballot for all elections through the end
 235 of the calendar year of the next regularly scheduled general
 236 election." The statement must be followed by a box that the
 237 absent elector may check to affirm the statement.
 238 3. ~~and~~ Any encoded mark used by the supervisor's office.
 239 Section 7. This act shall take effect July 1, 2022.