



FLORIDA  
DEPARTMENT  
*of* STATE



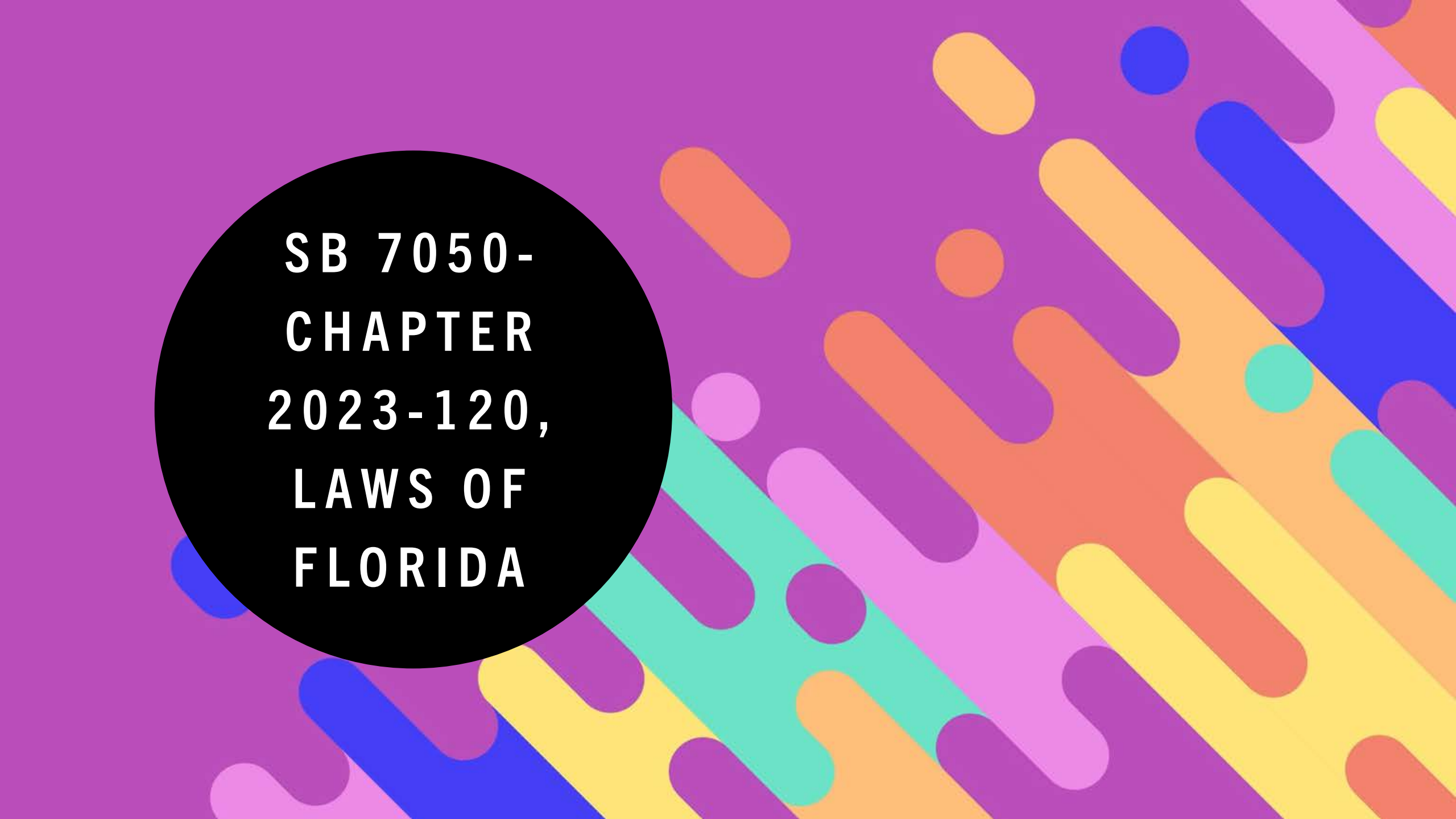
# 2023 LEGISLATION

*Secretary of State Cord Byrd*

Maria Matthews, Esq., Division of Elections

Florida Supervisor of Elections Summer Conference, May 2023

*Updated 5/28/2023 to reflect bills signed into law*



**SB 7050-  
CHAPTER  
2023-120,  
LAWS OF  
FLORIDA**

## BY THE NUMBERS

96 PAGES

52  
SECTIONS

2763  
LINES

# SIGNATURE VERIFICATION TRAINING

- 
- Section 1 amends s. 97.012, FS
  - Makes signature verification training a requirement
    - ✓ SOEs
    - ✓ County Canvassing Boards
    - ✓ Any person whose duties involve signature verification
    - ✓ DOS to adopt rule for procedures and training

# SIGNATURE VERIFICATION TRAINING

- 
- **Next Steps:** Review existing and potential signature verification programs and rule requirements for new rule

# SIGNATURE VERIFICATION - PETITIONS

- 
- Section 17 amends s. 99.097, FS
  - Clarifies the amount supervisors of elections can charge to verify signatures on local issue petitions vs. statewide initiative petitions

# SIGNATURE VERIFICATION – PETITIONS

## NEXT STEPS

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Review existing and potential program processes and formats to simplify recording of verified signatures

# SIGNATURE UPDATES

- 
- Section 10 amends s. 98.077, FS
  - Requires notice of signature update information in general election year before PPP or primary election, whichever occurs first
  - Specifies when signature update is due for it to be used for signature verification on vote-by-mail ballot certificate, provisional ballot certificate, or signed petition
  - Allows older signatures to be used in secondary and tertiary review



## SIGNATURE UPDATES – NEXT STEPS

- 
- ✓ SOEs to review timeline for noticing voters of opportunity for signature update
  - ✓ SOEs to educate voters on updating signatures through notices

## THIRD-PARTY VOTER REGISTRATION ORGANIZATIONS

- 
- Section 2 and 4 of the bill (amending ss. 97.052 and 97.575, FS)
  - Requires 3PVROs to specify election cycle of activity (post 2024 GE)
  - Prohibits convicted felons/noncitizens from collecting applications
  - Requires 3PVRO to provide receipt for collected application
  - Reduces days from 14 to 10 in which application must be turned in or by bookclosing, whichever is sooner
  - Increases fines for untimely return or no return
  - Creates felony for copying information from application if not for 3PVRO purposes under law

## THIRD-PARTY VOTER REGISTRATION ORGANIZATIONS - **NEXT STEPS**

- 
- Initiate rulemaking for Rule 1S-2.042 (3PVR)
  - Draft 3PVRO receipt to incorporate by reference into rule 1S-2.042
  - Initiate rulemaking for Rule 1S-2.040 (statewide voter registration application (DS-DE 39) which includes instructions on 3PVRO receipt and notice of turnaround time for collected applications)

## VOTER INFORMATION CARD

- 
- Sections 5 and 6 of bill amends s. 97.071, FS
  - Adds disclaimer that card is not identification card and not to be relied upon as confirmation of eligibility to vote
  - Requires SOE's weblink to latest polling place location.
  - Requirements apply for card after July 1, 2023
  - *Clarification - law does not specify where on card disclaimer must appear (may be front or back)*

## VOTER INFORMATION CARD – NEXT STEPS

- 
- SOEs to review voter information card to ensure that card reflects new content requirements
  - Applies only to issuance after 7/1/2023

*Clarification - law does not specify where on card disclaimer must appear (may be front or back)*

## ADDRESS LIST MAINTENANCE

- 
- Sections 7 and 8 of bill amends ss. 98.065 and 98.0655, FS
  - Changes procedures for list maintenance for odd and annual years including identifying records with nonresidential address
  - (starting no later than April 1 each year)
  - Streamlines notice by requiring address confirmation final notice instead of address confirmation request for specified targeted mailing
  - Modifies the address confirmation request with requirement for voter to respond or placement in active status

## ADDRESS LIST MAINTENANCE – NEXT STEPS

- 
- Recommend SOEs internal workshop for recommendations on process and notices for rule revision
  - Initiate rulemaking for Rule 1S-2.041 (last revised 8.2011)
  - Recommend procedures be part of an incorporated procedures manual

## ELIGIBILITY LIST MAINTENANCE

- 
- Sections 9 of bill amends s. 98.075, FS
  - Specifies timelines for notice, response, hearings and removals depending on whether voter failed to respond to mailed or published notice, admitted ineligibility or requests a hearing.
  - Revises content of notices to potentially ineligible voter regarding provisional voting in period before determination of eligibility is made
  - Clarifies that SOES and department are not limited by other provisions in law from acting on information received from other governmental entities that identify potentially ineligible voters.



## ELIGIBILITY LIST MAINTENANCE (CONT'D)

- 
- Clarifies that SOES and department are not limited by other provisions in law from acting on information received from other governmental entities that identify potentially ineligible voters.
  - Requires SOEs to coordinate with clerks of courts in their county to receive weekly felony convictions for voters in their county to initiate notice (see also section 11 which amends s. 98.093 re clerk duties)
  - SB 524 required this information to be available to DOS but now will go be sent to counties too (process in development but until then - work with your county clerk)

## ELIGIBILITY LIST MAINTENANCE- NEXT STEPS

- 
- SB 524 required recent felony information to be provided to DOS
  - *SB 7050 requires same information to be available to counties to be available to DOS but now will go be sent to counties too (process/rule revision in development but until then - work with your county clerk to get weekly felony convictions*
  - Notify Division per Rule 1S-2.041 of “county initiated matches”
  - Set up CCIS access if not already established
  - Set up DHSMV David access (s. 51 amends s.322.142 to give you access to DAVID images - pics, signatures, etc.) if not already established
  - Recommend Division/SOE workgroup to discuss proposed rule revision for Rule 1S-2.041 to include a procedures manual
  - Webinars to be offered in future on felon file creation

## ELECTION STATISTICAL REPORTS

- 
- Sections 12 and 21 amend ss. 98.0981 and 101.001, FS respectively
  - Imposes a 10-day deadline for bookclosing stats (contrast with 13 days to enter voter registration information received by mail)
  - Revises timeframes for reporting voting history and precinct-level election results from 30 days after ECC certification to 10 business days
  - Enhances content for post-election reports (e.g., a unique precinct identifier)
  - Requires SOEs to submit for each election GIS map of precinct boundaries per s. 101.001, FS

# ELECTION STATISTICAL REPORTS – NEXT STEPS

- 
- Seeking guidance from legislature on whether uniform map format/file specs
  - Revise Rule 1S-2.053 Election Results, Precinct-Level Election Results, Voting History (last revised 7/2017) (redraft already in progress)

# PUBLIC NOTICE REQUIREMENTS – ONLINE OPTION

- 
- Modernizes notice requirements by allowing online publication instead of newspaper (sections 9, 18, 19, 20, 24, 32, 33, 36 of bill, respectively)
    - ✓ s. 98.075 (notices of potential ineligibility) *(on county website as provided in s. 50.0311, FS., or on SOE website as deemed appropriate by SOE)*
    - ✓ s. 98.077 (signature update - new requirement at least once in each general election year before PPP or primary, whichever occurs first) before every election ) *(on county website as provided in s. 50.0311, FS., or on SOE website as deemed appropriate by SOE)*

## **PUBLIC NOTICE REQUIREMENTS – ONLINE OPTION (CONT'D)**

- 
- ✓ s. 100.021 (notice of general election) (*Notice may be provided*
  - ✓ *alternatively by publishing notice on the division's website, on the county's website as provided in s. 50.0311, or on the supervisor's website, as SOE deems appropriate)*
  - ✓ s. 100.141 (notice of special election) (*on the county's website as provided in s. 50.0311, or on the supervisor's website)*

## PUBLIC NOTICE REQUIREMENTS - ONLINE OPTION (CONT'D)

- 
- ✓ s. 101.5612 (Logic & accuracy test notices) (
  - ✓ s. 101.71 (polling place changes)
  - ✓ s. 101.733 (notice of election under emergency circumstances) *(applies only to affected counties under emergency circumstances)*
  - ✓ s. 102.141 (canvassing board meeting notices)

*On the county website as provided in s. 50.0311, on the supervisor of elections' website, or and once in one or more newspapers of general circulation in the county*

# **PUBLIC NOTICE REQUIREMENTS - ONLINE OPTION – NEXT STEPS**

- 
- ✓ Give thanks to the Legislature
  - ✓ Review processes for publication and determine best methodology



## PROVISIONAL VOTING

- 
- Section 22 amends s. 101.048
  - Clarifies that a provisional ballot voter includes a voter who has received notice of potential ineligibility but for which determination of ineligibility has not yet been made

## PROVISIONAL VOTING - NEXT STEPS

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Review Rule 1S-2.037 to determine if revision to rule text or incorporated form (uniform certificate) is required

## VOTE BY MAIL

- 
- Sections 25 - 31 amends a number of VBM provisions
  - Conforms the deadline by which provisional, special vote-by-mail ballots must be cured to the deadline for other provisional ballots
  - Implements Department of State's vote-by-mail report to:
    - ✓ Requires a uniform statewide application form to request a vote-by-mail ballot
    - ✓ Requires a vote-by-mail ballot mailing envelope to be clearly marked "Do Not Forward"

## VOTE BY MAIL (CONT'D)

- 
- Requires personal identifying number provided for VBM request to be added to voter record if not already in the record
  - Changes deadline to request ballot to be mailed from 12 days instead of 10 days before election day
  - Requires emergency affidavit for vote-by-mail pickup once mandatory early voting starts
  - Provides that if two or more vote-by-mail ballots for the same election are returned in one mailing envelope, none shall be counted

## VOTE BY MAIL – NEXT STEPS

- 
- ✓ Revise election day affidavit (DS-DE 136)/R1S-2.052
  - ✓ Revise designee pickup form (DS-DE 37)
  - ✓ Create uniform VBM request application
  - ✓ Revise reference guides DE 001 and DE 002 relating to vote by mail

## CANVASSING BOARD DUTIES/REPORTING

- 
- Changes start time for ECC from 9 to 8 am (s. 34 amends s. 102.111, FS)
  - Changes deadline to report election results to extend ½ day more to report in primary and another extra day to report in general (s. 35 amends s. 102.112, FS)

## CANVASSING BOARD DUTIES/REPORTING

- 
- Requires minimum of 2 alternates to be appointed and allows them to serve in any seat (s. 36 amends s. 102.141)
  - Extends deadline to submit conduct of elections report to 20 business days after official results due and require to report VBM mailing errors

# CANVASSING DUTIES/REPORTING

## – NEXT STEPS

- 
- Revise Election Dates publication
  - Revise SOE Results Reporting Guide
  - Revise Reference Guide 0020
  - For SOEs, review and revise procedural manuals including canvassing board manuals



## CANDIDATE QUALIFYING

- 
- Sections 13 and 14 amend s. 99.012, and provide legislative intent language to clarify resign-to-run requirements do not apply to persons seeking the office of President or Vice President
  - Section 39 amens s. 103.091 allows state committeemen and state committeewomen to prequalify

## CANDIDATE QUALIFYING – NEXT STEPS

- 
- ✓ Update qualifying handbooks (already in progress)

## CANDIDATE QUALIFYING (CONT'D)

- Section 15 amends s. 99.021, FS, to require candidate oaths to disclose outstanding fines and fees exceeding \$250
- Section 16 creates new s. 99.0215, FS regarding use of nicknames
- Section 23 amends s. 101.151, FS, to require “incumbent” next to name in general election ballot (as occurs in primary) if two or more candidates with same or similar name on ballot
- Section 42 amends s. 105.031, FS, to require judicial candidate oath to disclose outstanding fines and fees exceeding \$250

## CANDIDATE QUALIFYING – NEXT STEPS

- 
- ✓ Revise applicable candidate oath forms and qualifying manuals (already in progress)
  - ✓ Initiate rulemaking for Rule 1S-2.001 (Qualifying officer) to reflect new forms
  - ✓ Initiate rulemaking for Rule 1S-2.032 (Uniform ballot)

# PRESIDENTIAL ELECTORS

- 
- Sections 37-38 amend s. 103.021 and 103.022, FS
  - Requires submission of specified information for presidential electors
  - Revises qualifications for presidential electors, and addresses replacement process for “faithless electors.”
  - Changes deadline to submit names for PPP ballot and for certification be certified from September 1 to noon, August 24
  - Adds time deadlines to dates by when qualifying or name submission must be made. (presidential electors).

## PRESIDENTIAL ELECTORS – NEXT STEPS

- 
- Develop electronic submission form
  - Revise election dates publication to reflect changes in timelines

# FRAUD VIOLATIONS

- Sections 40-42 amend ss. 104.16, 104.18, 104.42, FS
- Adds that felony violation does not apply to voter who votes provisionally before determination of ineligibility
- Clarifies that prosecution of double voting and cross may occur in any jurisdiction and provides 3 scenarios for what constitutes voting more than one ballot in an election
- Requires SOEs to reporting findings of voter registration voting fraud to the Office of Election Crimes instead of Florida Election Commission

# CAMPAIGN FINANCE

- 
- Sections 44 - 50 amends provisions in chapter 106, FS
  - Adjusts fines that may be imposed and the collection and payment of fines for violations of specified election laws.
  - Addresses fines and payment process
  - Reduces campaign finance reporting frequency from monthly to quarterly
  - Preempts local governments reporting schedules in conflict w state
  - Adds text messages to the types of services and costs that do not constitute contributions that count toward specified limit
  - Creates new framework regulating use of "voter guides" -direct mail



## CAMPAIGN FINANCE – NEXT STEPS

- 
- Revise handbooks (in progress)
  - Initiate rulemaking for Rule 1S-2.021 (pertaining to section 44 of bill re payment of fines before cancellation of party registration)

SB 7050 AMENDED EVERY CHAPTER  
OF THE FLORIDA ELECTION CODE.

True or false

WHAT IS THE EFFECTIVE DATE OF SB 7050/CHAPTER  
2023-120, LAWS OF FLORIDA?

# EFFECTIVE DATES

            
Signed 5/25/2023 but effective 7/1/2023 except as follows:

**Section 4:** Deadline for Department of State to prescribe by rule a uniform format for receipt of collected applications by a 3PVRO (10/1/2023)

Beginning 11/6/2023, 3PVRO must indicate election cycle for which it is registering persons

**Sections 13 and 14:** Effective upon becoming law (relating to persons seeking president or vice-president office)(5/25/2023)

**Section 26:** Deadline for Department of State to prescribe by rule a statewide uniform form for vote-by-mail ballot requests (10/1/2023)



**OTHER  
LEGISLATION**

# JOINT RESOLUTION/ AMENDMENTS FOR 2024 BALLOT

Bill	History	Subject/Impact
<a href="#"><u>HJR 31</u></a>	Last Action: 4/19/2023 H Ordered enrolled	Legislative joint resolution/constitutional amendment proposal. Once filed with Secretary will be assigned ballot position for 2024 GE ballot.  Requires partisan elections for district school board members. If voters pass it, effective for 2026 election
<a href="#"><u>HJR 1157</u></a>	Last Action: 4/28/2023 H Ordered enrolled	Legislative joint resolution/constitutional amendment proposal. Once filed with Secretary will be assigned ballot position for 2024 GE ballot.  Creating a constitutional right to fish and hunt.

# PUBLIC RECORDS EXEMPTIONS FOR IDENTIFICATION/LOCATION INFORMATION

Bill	Status	Subject/Impact
<a href="#"><u>SB 50</u></a>	<i>Chapter law</i> 2023-131, LOF on 5/26/2023	Public records exemption for identification and location information for judicial assistants, their spouses and children. (s. 119.071(4)(d), FS)
<a href="#"><u>HB 1215</u></a>	<i>Chapter law</i> 2023-153, LOF on 5/26/2023	Public records exemption for identification and location information for inspectors/investigators with Department of Agriculture and Consumer Services, their spouses and children. (s. 119.071(4)(d), FS)
<a href="#"><u>SB 7000</u></a>	Last Action: 5/2/2023 S Ordered enrolled	This bill saves from repeal the current exemption for former and public guardians' identification and location information under s. 744.21031 and revamped the exemption too.

This exemption requires a written request to be made to each agency holding information in records. If bills become law, exemptions apply retroactively to information held before, on or after July 1, 2023. DOS Public Records Exemption form will be reviewed and revised.

# PUBLIC RECORDS EXEMPTIONS FOR IDENTIFICATION/LOCATION INFORMATION – NEXT STEPS

- These types of exemptions require a written request to be made to each agency holding information in records
- If bills become law, exemptions apply retroactively to information held before, on or after July 1, 2023
- DOS Public Records Exemption form will be reviewed and revised to reflect new classes of high risk professionals who can seek this protective exemption
- For SOEs, review your procedures and forms to reflect these new classes



# SCHOOL BOARD DISTRICT CANDIDATES/MEMBERS

Bill	Status	Subject/Impact
<a href="#"><u>HB 411</u></a>	Chapter 2023-101, Laws of Florida	Changes residency requirements for school board candidates. Provides a 270-day moratorium before a general election to make any changes to commission districts, municipal districts, and school board districts are created or to be created. Voids any local ordinance that conflicts. (effective July 1, 2023)
<a href="#"><u>HB 477</u></a>	Chapter No. 2023-37, Laws of Florida	Reduces school board term limits from 12 to 8 years and applies to terms of office beginning on or after November 8, 2022 (effective July 1, 2023)

# QUALIFYING PAPERWORK – OATH/FINANCIAL DISCLOSURES

Bill	Status	Subject/Impact
<a href="#"><u>SB 666</u></a>	Chapter 2023-46, Laws of Florida	Revises required oath format for non-federal Florida offices to require the candidate's address of legal residence including judges
<a href="#"><u>CS/CS/S B 774</u></a>	Chapter 2023-49, Laws of Florida	Commission on Ethics bill containing a number of revised ethics requirements relating to financial disclosure including increasing penalty from \$10K to \$20K. Review for impact. Allows for submission of a verification or receipt of filing to the qualifying officer at time of qualifying (effective 5/11/2023)

# LEGISLATIVE HOUSEKEEPING

Bill	Status	Subject/Impact
<a href="#"><u>SB 32</u></a>	Chapter 2023-32, Laws of Florida	<p>Reviser's bill.</p> <p>Some provisions in the Florida Election Code have been re-ordered alphabetically without substantive change or had their statutory cross-reference corrected or editorial insert-for clarity. ss. 97.021, 98.065, 101.019, 101.292, 101.69, 106.08, FS</p> <p>Review documents, rules, website and publications for conformance.</p>



**LOCAL BILLS**

# Local bills

- Research Senate and House website for local bills with election impact for your county
- Examples
  - ✓ Creation or change in of special districts, port, or airport authority
  - ✓ Change in election process for municipality or district, port, or airport authority
- For search select bill type “Local bills”

# LEGISLATIVE SENATE WEBSITE- SEARCH

The screenshot displays the Florida Senate website's search interface. At the top, there is a navigation bar with the Florida Senate logo and a search bar. Below the navigation bar, there are several filter options for searching bills, including Session, Chamber, Bill Number, Bill Range, Search Term, Citation, Filed By, Bill Type, Location, Referred to, In Committee, and On Agenda. The search results section shows 29 bills found, with a table listing the bill number, title, filed by, last action and location, and a track bill button.

**Search Filters:**

- Session: 2023
- Chamber: Senate and House
- Bill Number: [ ]
- Bill Range: [ ]
- Search Term: [ ]
- Citation: [ ] FL Statutes [ ]
- Filed By: [ ]
- Bill Type: Local Bills
- Location: All
- Referred to: [ ]
- In Committee: [ ]
- On Agenda: [ ]

**Search Results:**


Searching: 2023, Senate and House Bills, Local Bills

29 Bills Found

NUMBER	TITLE	FILED BY	LAST ACTION AND LOCATION	TRACK BILL
<a href="#">HB 227</a>	Lee Memorial Health System, Lee County	Rep. Botana	Last Action: 5/4/2023 H Ordered enrolled	
<a href="#">HB 567</a>	Lake Padgett Estates Independent Special District, Pasco County	Rep. Steele, Yarkosky	Last Action: 5/4/2023 H Ordered enrolled	
<a href="#">HB 773</a>	Hernando County School District, Hernando County	Local Administration, Federal Affairs & Special Districts Subcommittee	Last Action: 5/4/2023 H Ordered enrolled	
<a href="#">HB 815</a>	Ocean City-Wright Fire Control District, Okaloosa County	State Affairs Committee	Last Action: 5/4/2023 H Ordered enrolled	
<a href="#">HB 923</a>	Sarasota County	Local Administration, Federal Affairs & Special Districts Subcommittee	Last Action: 5/5/2023 H Died in Ways & Means Committee	
<a href="#">HB 943</a>	ACME Improvement District and Pine Tree Water Control District, Palm Beach County	Rep. Waldron	Last Action: 5/4/2023 H Ordered enrolled	

# LEGISLATIVE WEBSITE- HOUSE

Bill 2023  Bill Text  Statute 2022  Chapter  Site

 **FLORIDA HOUSE OF REPRESENTATIVES** [Home](#) [Bills](#) [Representatives](#) [Committees](#) [Leadership](#) [House Schedule](#) [Publications](#) [Tracking](#)

[Home](#) > [Bills](#)

## Bills for Regular Session 2023

Chamber  House  Senate  Both

Session

Bill Number

Bill Text

Statute Amended

Bill Type

Bill List

Sponsor

Referred to

Select Viewable Bill Range   **1828 Bills Found**

**CS/CS/CS/CS/HB 1 - Education**

- **General Bill by** Education Quality Subcommittee, Education & Employment Committee, PreK-12 Appropriations Subcommittee, Choice & Innovation Subcommittee, Tuck, Plasencia

- **Last Event:** Tuesday, March 28, 2023 - Chapter No. 2023-16



**WHAT ELSE  
LIES AHEAD**



## VOTING SYSTEM TESTING



-New addition–  
DS300 Poll place  
scanner and DS950  
Central Count  
Scanner (high-  
speed)  
Final report pending  
“Approved”

DOMINION  
VOTING



Application  
submitted  
(testing next)



Application  
submitted  
(testing next)

## AUTOMATED INDEPENDENT AUDIT

- Final report pending
- “Approved” for use as automated independent audit



Clear Ballot

## MINIMUM SECURITY REVIEW

- 
- Bi-annual review -started in mid-January
    - ✓ 52 security procedures have been reviewed and are complete.
    - ✓ 7 are going through their first review
    - ✓ 8 are going through their second review.
  - After the review is complete, a checklist of compliant/noncompliant items is provided to the county.
  - Rule 1S-2.015 in rule revision

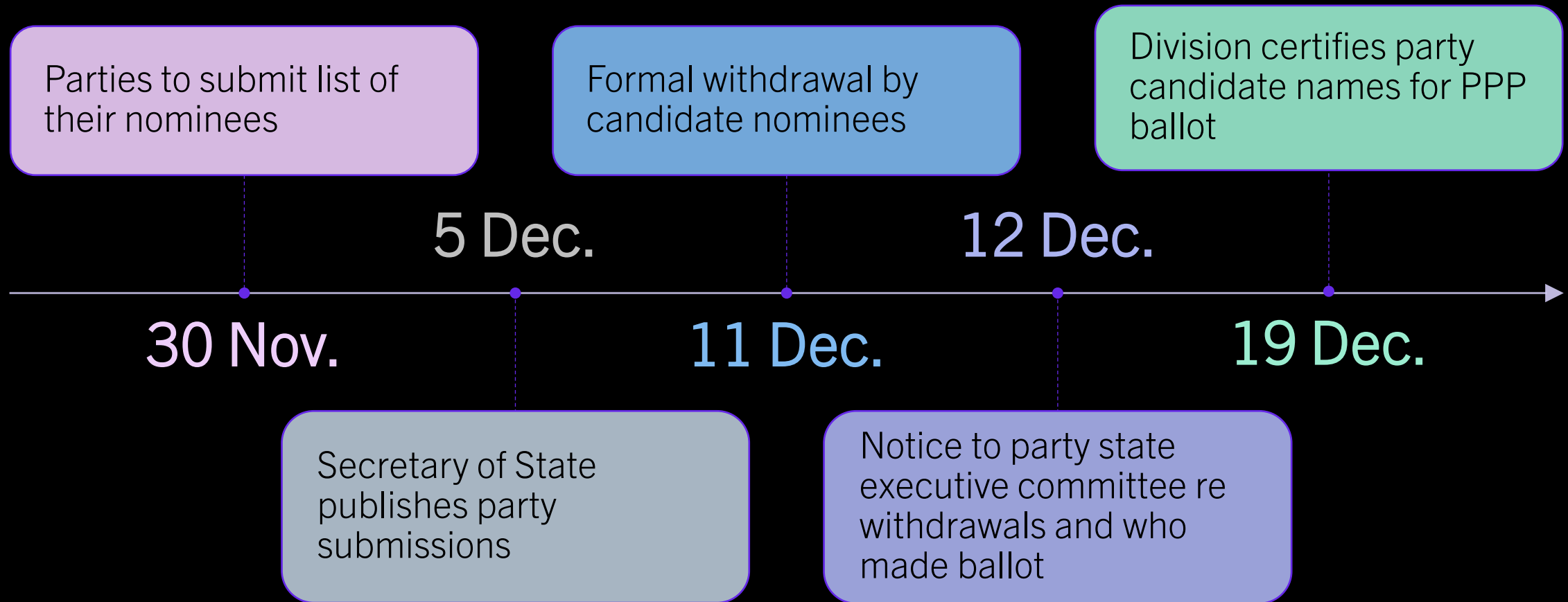
# ELECTION SECURITY GRANTS/ASSESSMENT

- 
- Grant distribution and final reports
  - Cybersecurity navigator county assessments

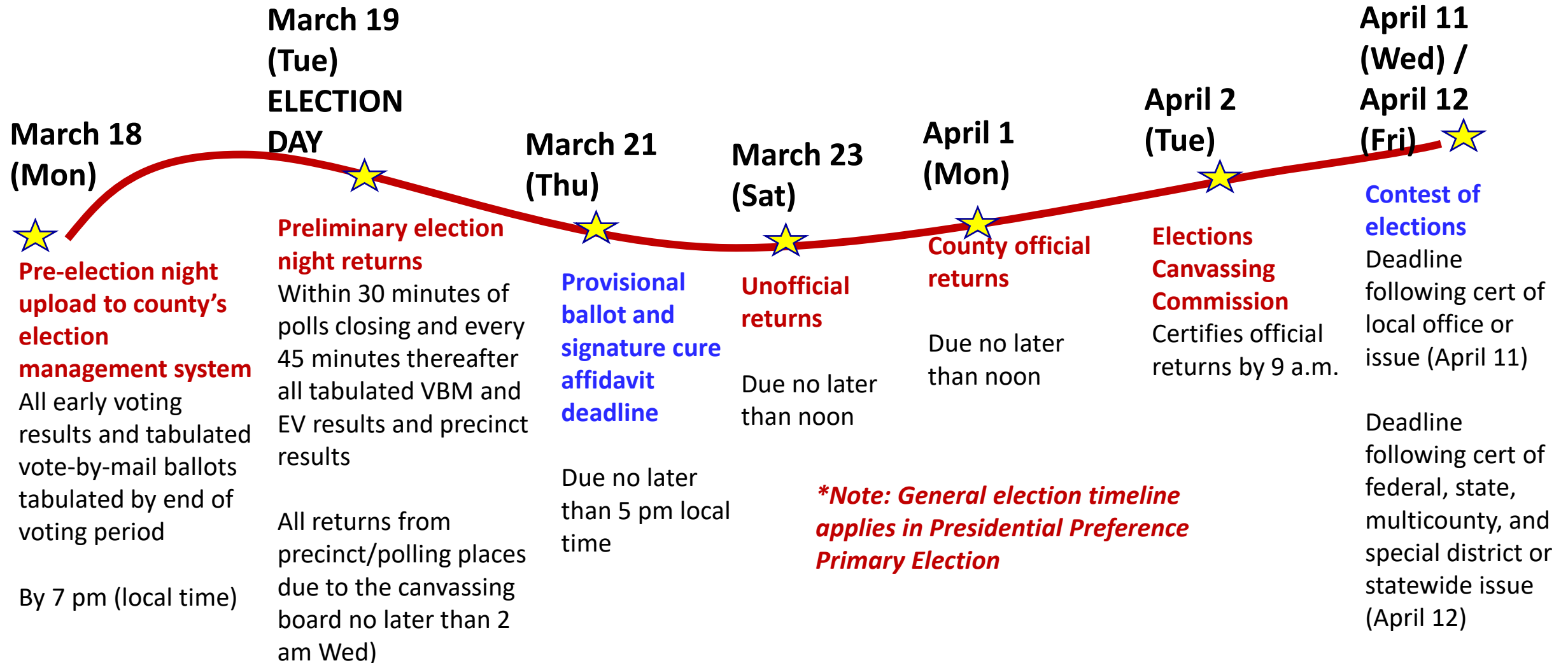
## OTHER RULES

Rule	Title	Status
1S-2.034	Polling Place Procedures Manual <ul style="list-style-type: none"><li>• <i>DS-DE 11</i></li></ul>	Next: Rule draft ready for rule development workshop
R1S-2.039	FVRS Voter Registration Procedures	Last revised in 2012

# PPP BALLOT/PRESIDENTIAL CANDIDATE NOMINEE DEADLINES - SECTION 103.101, F.S.



# PPP Election Results Reporting Timeline – 2024\*





**FLORIDA**  
**DEPARTMENT**  
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