Defend Florida
Interim Report On
Election Integrity Risks in the State of Florida
2 February 2022
Revision 0.9 (Final Due May 2022)

Prepared by Citizens of Florida Who Volunteered Their Time and Expertise to Identify Election Integrity Issues

This Report was developed by Florida Residents who are concerned about election integrity in the state of Florida. For our republic, trust in government begins with trust in our elections. It is our goal to ensure our representatives, their appointees, and state elections staff lawfully administer elections. Lawful administration means lawful management of the voter registration rolls, lawful and faithful adherence to election process policy and procedure, and that only lawful US Citizens who are residents of Florida vote in Florida elections.

This is an <u>Interim Report</u> to provide election Integrity data to the Public, state legislators, and Florida state and local election staff during the active Florida legislatives session to address election integrity risks prior to the Florida State 2022 Election. A FINAL REPORT will be issued in May 2022.

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Interim Report Executive Summary

Defend Florida is a volunteer citizens group that seek to ensure every legal resident of Florida can legally vote in Florida elections. We are non-partisan and focused exclusively on ensuring that our leaders are lawfully elected using lawful procedures by legal, Florida citizens residing in Florida.

This report focuses on the Florida laws, policies, procedures, and operations used to manage lawful election in Florida. We are not focused on who won the 2020 election. That is the focus of many others - that is NOT a focus of Defend Florida or the work that Defend Florida has done and will continue to do. We are focused on ensuring that the voice of every Floridan - democrat, republican, independent, libertarian is not just heard and lawfully voted in 2022 and beyond.

Defend Florida is a group of business owners, moms, dads, grandparents, data analysts, IT professionals, government operations experts, economic analysts, and entrepreneurs that observed the significant election and election trust issues emerging from recent elections. Defend Florida does not raise money. No one profits in any way from our work. Defend Florida includes 11,070 active citizens in Florida and 14,013 citizens outside the state, with a mailing list in excess of 100,000 citizens interested in Election Integrity.

In the state of Florida, there are 14.9M registered voters. 11.1M voted in 2020 which is a 74.5% participation rate. Floridians Vote. They are deserving of election processes and election results that can be trusted, so that we can trust that our representatives were lawfully given power to govern and administer the various executive departments from taxation to law enforcement to environmental concerns.

In Florida, there are laws, policies, and procedures to manage the registration of database of legal voters, removing voters who do not maintain their registrations, manage the conduct of elections, and ensure that all voters who vote are truly Florida voters. As part of our assessment of the 2020 election, our data analysts examined the universe of registered voters in Florida.

We discovered that there are more than 800,000 voters who have not voted in 10 years or more. By Florida law, the Florida Supervisors of Elections are required to set a voter to "inactive" after two years of not voting and remove the voter who is inactive if they remain inactive for 4 additional years. Some Supervisors of Elections have stated that the law is unclear and that they cannot remove inactive voters from the voting rolls. This conflict between the Florida law, its interpretation, and procedures and processes will likely require legislative action to address technical fixes in the law, administrative fixes in the executive branch of the Florida government, and changes within the Supervisor of Elections offices.

Defend Florida examined the 800,000 inactive voters. We discovered that 110,000 of these inactive voters who should not be on the rolls, voted in 2020. We attempted contact with 26,453 voters. We succeeded in gathering information on 14,631 voters, which is a small percent (0.13%) of the whole. We discovered significant problems with the subset of voters who we could contact. The body of our report presents this information.

In addition to reviewing the data, we examined the various statutes impacting the registration database and the laws impacting the administration of elections in Florida. We have assessed those laws, and in the appendices of this report, we have a preliminary set of recommendation for technical law changes that should be considered in the current 2022 legislative session.

This is an interim report, and the work Defend Florida is currently doing will continue through the legislative session into the spring of 2022. We are providing our information at this time to help

the legislature address the issues we have discovered. At the conclusion of the legislative session, we will assess the new legislation. After our assessment, we will provide an update in May 2022.

1.0 Purpose of This Report and Goals

This report has been developed to provide the preliminary results of Defend Florida's effort to assess election integrity issues within Florida. We examined Florida law and presented our findings to the Florida executive branch, Legislative branch, and the Offices of the Supervisors of Elections. It is our hope that this information, prepared by citizen volunteers will inform our elected representatives on issues of election integrity that can be addressed in the current legislative session. Our findings show that we have issues requiring legislative action, administrative action, and actions in procedure by Supervisors of Elections.

2.0 Federal Law, Election Integrity and the Help America Vote Act (HAVA)

The authority to administer state and federal elections is the sole prerogative of the Florida state legislature. In 2000, the Florida election and the issues uncovered in that election, fostered the federal, Help America Vote Act (HAVA) of 2002. The HAVA law enables the federal government to provide funds for state and local governments to administer elections.

Each state is required to have a state HAVA plan. Florida's current state HAVA plan was written in 2006, with selective updates in 2009, all available on the Florida Secretary of State web site. That web site is https://www.dos.myflorida.com/elections/laws-rules/help-america-vote-act/

States who receive Help America Vote Act (HAVA) funding enact policies, support county and municipal officials in their individual precincts, and have a responsibility to administer policy in accordance with the HAVA requirements. The mechanism for ensuring electoral policy administration at the state and county level is the legislatively appointed state HAVA implementation plan.

The state HAVA implementation plans contain specific requirements and protocols for: 1) ensuring the security and integrity of voter information systems; 2) effecting voter communication; 3) recruiting and training poll workers; 4) enacting plans to improve voter access; and 5) auditing and reporting under HAVA funding programs.

Preparation and revision of State HAVA implementation plans are subject to the Administrative Procedure Act (APA) of the individual states. State APA procedures impose public notification, opportunities for public comment, and other protective, procedural constraints on electoral commissions before HAVA implementation plans may legitimately be enacted or substantively modified. Promoting or undertaking activities outside the HAVA system bypasses state APA procedures and violates state APA requirements.

Defend Florida anticipates the changes that are not legislative in nature will necessarily require coordination and updates to the Florida State HAVA Plan.

3.0 What Defend Florida Did to Assess Florida Election Integrity

Defend Florida has an extremely large number of volunteers. We organized a group of our volunteers into data analysis teams and door-to-door canvasing teams. Our teams canvassed 34 counties asking voters questions. Examples include:

    a. Did you vote in the 2020 election?

    b. What method did you vote, in person, by mail, etc.?

We used certified voter rolls obtained from the Secretary of State's office to compare the responses of our canvas teams with the state data from the Secretary of State's Office. A note on the voter data. We always use the latest voter roll extract provided monthly by the SOS.

We gathered information on over 14,000 Florida voters, finding 5,571 instances of voter or voting irregularities including deceased voters, voters registered at addresses where they have never lived, voters registered at non-residential addresses, and voters attesting to casting their vote in person but a vote by mail ballot was recorded as their official vote. The sections below provide the results of these data reviews and selected representative examples that illustrate the data.

3.1 Meetings With Elected Leaders and Their Staff

Defend Florida has invested time in meeting with our elected representatives in the executive and legislative branches of our state government. We presented our information in a number of formats and venues. The meetings were initiated by Defend Florida with the objective of ensuring that our representatives understood the irregularities and maladministration of elections in the State of Florida.

We have also met with local law-enforcement, county supervisors, and other organizations interested in election integrity. Defend Florida always works to address our issues cooperatively with our elected leaders to fix identified problems.

3.2 Legislative Review

Defend Florida invested effort analyzing the laws and policies and procedures as we reviewed the data from the Secretary of State's office. We have observed that our election laws create ambiguities which lead to differences in the application of election laws.

Often, our election laws are ineffectively enforced. We have provided marked up statute, correcting many of the glaring inconsistencies to our elected representatives and asked that these changes be addressed legislatively. Those changes are in Appendices of this short, interim report.

4.0 Issues of Concern, and Potential Risks to Election Integrity

4.1 Data Analysis Results (As of February 2022)

In the following charts, we will present our initial assessment of how well our elections are managed based on publicly available data and Florida Sunshine Law information requests. This analysis represents thousands of volunteer hours (300+ volunteers, 20-30 hrs/week/volunteer, for more than 20 weeks, which is more than 150,000 labor hours).

These hours are the hours we believe that state election management staff and Supervisors of Elections staff SHOULD be doing to properly administer the registration database of voters and manage our elections.

Phantom Voters – A key issue we have identified is the phenomena of phantom voters. Phantom voters are defined by Defend Florida as a voter who cast a vote in the 2020 election where the voter was either deceased, did not live at the registered address or where the registered address was not a residential address. These voters should not be on the Florida voter rolls. Figure 1 below shows how many votes were cast in person and by mail. Within these two universes of voters, we identify the phantom voters.

A review of the data shows that there are far more Phantom Voters in the Vote by Mail universe than the In-person universe. Within this universe of Phantom Voters, Defend Florida attempted more than 17,000 canvassing attempts. Within those attempts we had more than 8,600 canvassing Interactions, with 2,000 Phantom voters identified. Given the small number of voters we canvassed shows that if we applied our findings to the whole of the voting universe, we recognize there are significant risks to voter integrity.
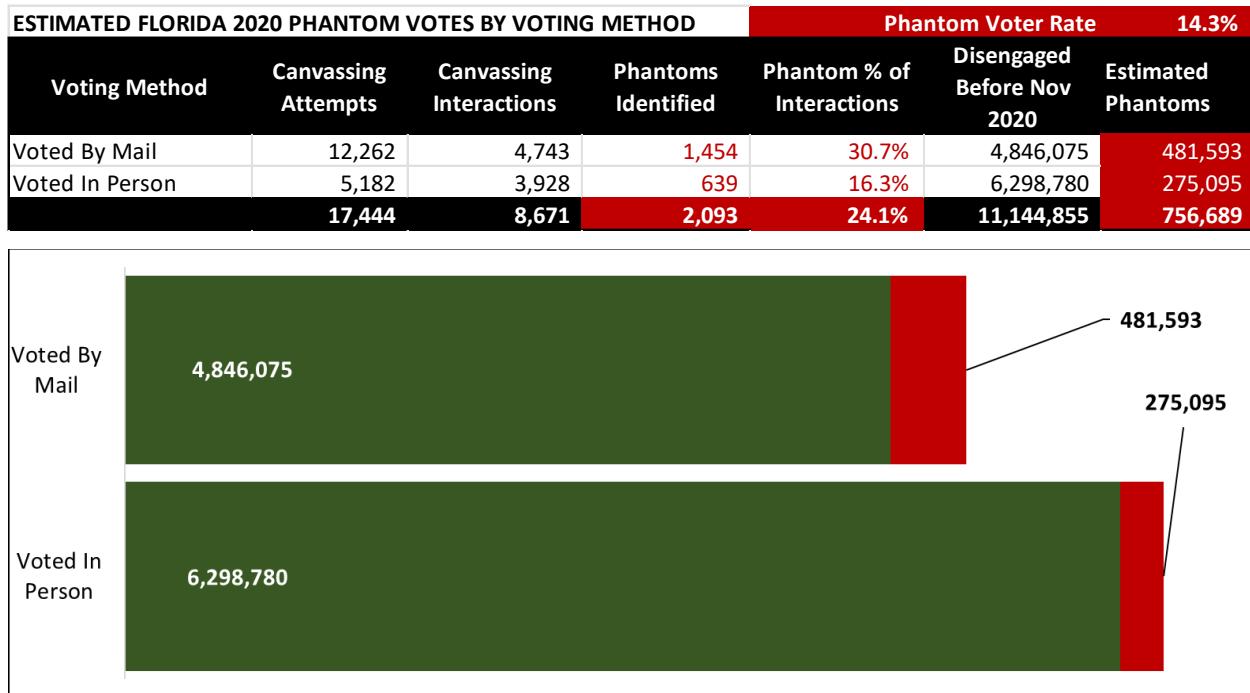
ESTIMATED FLORIDA 2020 PHANTOM VOTES BY VOTING METHOD				Phantom Voter Rate		14.3%
Voting Method	Canvassing Attempts	Canvassing Interactions	Phantoms Identified	Phantom % of Interactions	Disengaged Before Nov 2020	Estimated Phantoms
Voted By Mail	12,262	4,743	1,454	30.7%	4,846,075	481,593
Voted In Person	5,182	3,928	639	16.3%	6,298,780	275,095
	17,444	8,671	2,093	24.1%	11,144,855	756,689

Figure 1: The universe of Florida voters and the number of Phantom Voters.

Below, we present specific, representative cases which we found in data analysis and canvassing effort. These representative examples are provided to demonstrate the real-world voting problems existing in Florida.

4.2 Representative Issues Discovered in our Review of Votes Cast

4.2.1 Double Voter Examples

In the 2020 election, a voter in Alachua County cast their vote in person. In theory, this voter is done and has voted. However, apparently this person then then traveled to Broward County, a distance of 300 miles and cast their vote again. The Supervisors of Elections in both Broward and Alachua counted this vote in their respective counties. We have seen this breakdown in procedure repeatedly, in 2/3rds of Florida counties and also between Florida and other states.

In a cross-state voting case, a former Hillsborough County man who moved to Pennsylvania in 2018 voted in Florida. This individual asked on multiple occasions to have his registration removed from the Hillsborough voter roll. In 2020 he voted in Pennsylvania. A mail-in ballot vote was also cast and counted in his name from his old address in Hillsborough County. He's signed an affidavit attesting he did NOT vote in Florida in 2020. Clearly this man's vote has been misappropriated.

4.2.2 Mail-in Ballot Signature Matching to Validate Lawful Voting Examples

Regarding mail-in ballots, we had significant concerns resulting from citizen canvassing efforts that left us with more questions than answers. When talking with the residents in our canvassed counties they were shocked to learn that people they did not know were using their address to vote. We chose a small cross section of these irregularities and made a request to the Supervisor of Elections to perform a signature examination.

For this request we compared the signatures for five voter IDs. In our sample, we found one signature out of the five that did not match any previous signature on file. That signature was accepted, and that vote was counted. This signature is now permanently associated with the voter

ID and may be used in all subsequent elections. For those who believe that signature rejections lead to voters losing their vote, consider this fact: Less than 3 tenths of 1% of the mail in ballots were rejected in the 2020 election. Supervisors of Elections believe they have no requirement to compare the signatures for mail-on ballot requests. During this part of our review, we discovered you can request a mail-in ballot over the phone, and there is no opportunity to signature check the request against the signature on file with the voter registration database.

4.2.3 Non-Residential Address Use in Florida

The Supervisors of Elections are allowing people to register with residential addresses that are Virtual Offices, UPS/USPS postal boxes, Hotels, Marinas/RV Parks. In the cases where Marinas and RV Parks are used as addresses, we discovered there are more people using these addresses than there are dock berths of Camping sites. Supervisors of Elections are allowing these types of "addresses."

Defend Florida discovered tens of thousands of people registered at "residential addresses" that are NOT, in fact, actual residential addresses. We found vacant lots, commercial businesses, incomplete addresses, Courthouses, Supervisor of Elections Offices, and more where a voter did not, does not and cannot live. A residence plainly is not a place where people do not have a physical presence to reside. You cannot put a pillow in a 3x4 postal mailbox. In cases where a Courthouse or a Supervisor of Elections Office is used as an address, it's doubtful cots are there for these "residents."

In addition, we found incomplete addresses in the registration database which are in conflict with Florida Statute, Title IX, Chapter 97, which states, "*Address of legal residenc*e" means the legal residential address of the elector and includes all information necessary to differentiate one residence from another, including, but not limited to, a distinguishing apartment, suite, lot, room, or dormitory room number or other identifier.

In cases where voters have no actual "residential" address, the Supervisor of Elections can and often does allow them to use an alternate mailing address for their ballot to be forwarded, quite often out of the state and out of the country. Generally, we have found most of these voters, who are voting by mail, are untraceable. Untraceable voters demonstrate significant risks to election integrity. These phantom voters are indeterminate. Questions about their status include:

    a. Are they still alive or dead?

    b. Are they a real person or a ghost voter?

In 2018, the Director for the Division of Elections addressed the use of third-party mailings. Maria Matthews, Director for the Division of Elections, issued an opinion in 2018 that spelled out a clear legal interpretation of the law that many Supervisors of Elections are choosing to disregard.

Her written opinion noted, "In order to become a registered voter in Florida, a person must, among other things, be a "legal resident" of a Florida county. "A legal residence is a place where a person has a fixed abode with the present intention of making it their permanent home." In her summary conclusion, she noted that a person who meets parts of the residency requirements without having a past or present physical presence and intent to establish permanent residency in the county is not sufficient to establish residency for voter registration purposes and are most likely not legal residents of the county."

For voters registered at Courthouses and Supervisor of Elections Offices, Defend Florida observed Supervisors of Elections appear to be mis-applying or potentially subverting a statute intended for those who are in transition or temporarily out of the area, who have a past or present physical

presence and intent to establish permanent residency in the county. These registrations are not being properly vetted and there is no timeline for this "temporary" status. Many are "temporarily" in this status for years, possibly decades since "temporary" is not defined…(pause)

This means Floridian's votes are being effectively canceled by people who DO NOT live in our county. They are voting for our School Boards, our County Commissioners, our local officials including our Supervisor of Elections, our State Representatives and our Governor, and have a voice in our local county issues while they often actually reside in other counties, in other states, and sometimes in other countries.

The numbers for registered voters are significantly higher for Supervisors of Elections that allow the practice of Courthouses and Supervisor of Elections (SOE) offices as 'residences.' For example, we found:

    a.   Over 9100 registered at the Crestview Courthouse;

    b.   Over 1900 registered at the Hillsborough Supervisor of Elections;

    c.   Over 2800 registered at the Pinellas Courthouse;

    d.   Over 2300 registered at the Escambia Supervisor of Elections;

    e.   Over 1600 registered at the Key West Courthouse;

    f.   Over 3100 registered at a Marina in Green Cove Springs with only 70 slips; and over 2900 registered at an RV Park with only 129 lots…

Statutes and guidelines might allow voters to register when they're temporarily out of the area, it's the responsibility of the Supervisors of Elections to determine if each voter's situation is valid. The statutes assign the task of maintaining accurate voter rolls is the responsibility of the Supervisors of Elections. For this circumstance, where the Supervisors of Elections are incorrectly applying the law, the Secretary of State's office needs to provide guidance, or take responsibility for managing the voter registration database.

4.2.4   *Voter Registration Database Management for Lawful Voting*

A key component of ensuring election integrity is ensuring the registration database has only legal, eligible voters with unique voter IDs. Unfortunately, the Florida voter registration system allows a person with a single voter ID to register and vote in multiple counties. Furthermore, the voter registration system allows a person to have multiple voter ID's with the same driver's license. The system should check if a Voter ID, Driver's License, State ID or Social Security Number (all identifying documents for individuals) is being used somewhere else.

Registration Dumps: In addition to voter registration system problems, in 2020 SOE's allowed people to register to vote after the Book Closing deadline which was Oct. 5. The deadline was extended to Oct 6 however 57,000 voter registrations were accepted after Oct 6th. 3rd party voter registration services are allowed to flood and overwhelm the SOE's with voter registrations on and after the deadline. This 'high volume dump' of registrations which tend to overwhelm the Supervisors of Elections' staff, giving them little time to validate the registrations..

a.   *Citizenship Checks*: Citizen checks are supposed to happen at the time of voter registration. However, we have found this is not always being done and the Supervisors of Election believe it is the responsibility of the Secretary of State and the Secretary of State points to the Supervisor of Election. Non-citizens are given Social Security Numbers, Drivers Licenses and Florida State ID cards. In Florida, in order to register to vote, you are asked to provide a Driver's License, Florida State ID or Social Security Number and an address in the county. None of these forms of

identification prove citizenship. Citizenship is not being checked when a person submits a voter registration to the Supervisor of Election whether online, through a 3rd party voter registration service or by application. No one is checking to confirm voters are in fact US citizens which is required by law to register to vote in Florida.

Votes cast by Mail is a major problem and the root of most misappropriated votes. 31% of the canvassed votes cast by mail were irregular - meaning the voter did not reside at their registered address, they were deceased, or the registered address was not a residential address.

In a state with 14.9 million voters, with a team of 300 volunteers we only looked at a very small sample of Florida voters, a little over 14,000. Our J3 report provides a partially redacted list on our website. Figure 2 provides the type of registration database issues we found with our teams.

IRREGULARITY VERIFICATION RATES						
Irregularity	Canvassed	Verified	Disproved	Undetermined	Verification Rate	Dissproved Rate
Registration Irregulariy	14,809	3,151	-	6,451	37.7%	62.3%
Registration Needing Removal	3,324	1,458	427	1,439	77.3%	22.7%
Disengaged Then Voted	7,031	687	2,961	3,383	18.8%	81.2%
Voted Out of State	712	231	178	303	56.5%	43.5%
Cloned Voter Registrations	173	29	64	80	31.2%	68.8%
Deceased Registration Voting	403	15	222	166	6.3%	93.7%
Voted Then Removed	1	-	1	-	0.0%	100.0%
	26,453	5,571	3,853	11,822	32.6%	67.4%
		Affidavits			Verification Rate = Verified / (Canvassed - Undetermined)	

Figure 2: Voter registration database irregularities

5.0 Recommendations as of February 2022

This report was generated to impact the 2022 legislative session. We believe there are two critical actions required immediately. First, Senate President Wilton Simpson as leader of the Florida Senate can introduce an election integrity bill that clarifies the law by removing inconsistencies and issues we found in our review. Second, President Simpson can add language to Florida Statures to force Supervisors of Elections and the Secretary of State's Office to remove voters from Florida's voter rolls as stated in FLS 98.065.

The issues we have identified have been communicated to the Secretary of State, the Legislative leaders in the Florida House, including the Speaker, and to President Simpson in the Senate. Senator Simpson needs to act in the current 2022 legislative session.

Appendix A: Candidate Legislative Language Changes

This appendix outlines the changes Defend Florida believes need to be made to address the issues we have uncovered with our data analysis of the Florida voter rolls and the 2020 Florida vote which we have reviewed using publicly available information and Florida Sunshine laws.

A.1   Voter Registration

1. The Supervisor of Elections shall only accept a VERIFIED voter registration on the statewide uniform voter registration (SUVR) form. Verification to include **all** of the following
    1. A valid Florida Driver's license or Florida State Identification Card.
    2. Current utility bill showing complete address within the county.
    3. Evidence of US citizenship to include:
        a. Certified United States Birth Certificate, including territories and District of Columbia
        b. Valid United States Passport or Passport Card
        c. Consular Report of Birth Abroad
        d. Certificate of Naturalization, Form N-550 or Form N-570
        e. Certificate of Citizenship, Form N-560 or Form N-561

    4. Third-party voter registers and voter registration agencies must use the SUVR form. Third-parties and voter registration agencies who knowingly submit false registrations are subject to penalties.
    5. For voters registered out of state (or out of country), voter must prove current or past residence in the state of Florida for at least 6 months within the last 10 years, and cannot be registered to vote in another state or country.
2. All changes in voter registration information must use the statewide uniform voter registration **(SUVR)** form.
3. Any Address for multiunit properties must be a complete mailable address
    a. The voter registration computers shall be upgraded to minimum commercial standards by making sure that the apartment/lot/unit address identifiers are required and have the correct syntax. Penalties are added for fraudulent actions.
    b. Voter registration databases must be upgraded to comply with this constraint.
    c. SOS shall, at a minimum, semi-annually evaluate addresses in VR database to ensure compliance.
        i. Upon SOS review, addresses found with no unit number shall be removed from the VR database and a mailer shall be sent to the voter at the incomplete address notifying them of the removal.
4. Require Wet Signature for All Voter Registrations and changes to Voter Registrations.
a. On-premises registrations must be wet signed.
b. Off-premises registrations must be wet signed.
c. Online registrations must be wet signed, notarized and uploaded.
d. Retroactive requirement for voters to provide wet signature to replace digital one

e.   The Motor Vehicles Department must use the SUVR form to register voters. This form requires a wet signature.

5.   Simplify process to remove electors, Removal of electors

a.   Mandatory removal of registrations that have not voted in 6+ years, with no exceptions.

b.   Removed electors must re-register using SUVR.

c.   Prosecute voters making any false statements on the SUVR form or any online source.

d.   Florida State/County Department of Health must provide a monthly list of deceased persons who died that live in their jurisdiction to the county SOE.

e.   The SOE must immediately remove said deceased persons from their voting rolls and update records prior to the monthly update sent to the Division of Elections.

f.   SOE must make available to the public the monthly report of removed voters with records of maintenance performed to initiate removal

g.   Simplify the removal process through the following:

i.Require immediate removal for voters who do not live at registered address and voters registered at address that is not a complete residential address.

6.   Establish standards for accuracy in maintaining the registration database and penalties for the SOE's who do not maintain the database accurately.

a.   Make it mandatory that the Department Of State provides monthly voter roll maintenance activity logs in a publicly available extract disc, at the same time that the State produces the Voter Roll Extract Disc.

A.2   Vote By Mail

1.   Require Notarized signatures on all VBM ballots and limit VBM ballots to military, medically disabled, first responders and out of country voters.
It is the intention of this document to cancel all current vote by mail privileges. Any elector would be required to apply for vote by mail subject to the new requirements prior to the 2022 elections

2.   All voter registration change requests and requests for vote-by-mail ballots must include proper identification and wet signatures

3.   Designate Election Day as a Legal Holiday.

A.3   Secure Ballot Paper/Chain of Custody of Ballots and related Votes

4.   Establish Chain of Custody, Standards and Compliance for all ballots.

5.   All ballots must be printed on securitized and encoded paper

> *AZ Model Legislation - 16-504. Antifraud ballot paper; vendor certification; antifraud measures*
> Notwithstanding any other statute, any vendor that provides fraud countermeasures that are contained in and on the paper used for ballots shall be ISO 27001 certified, ISO 17025 certified or ISO 9001:2015 certified. Ballot fraud countermeasures shall include the use of at least three of the following:

- 1. Unique, controlled-supply watermarked clearing bank specification 1 security paper.
- 2. Secure holographic foil that acts as a visual deterrent and anti-copy feature.
- 3. Branded overprint of any hologram that personalizes the hologram with customer logo.
- 4. Custom complex security background designs with banknote-level security.
- 5. Secure variable digital infill.
- 6. Thermochromic, tri-thermochromic, photochromic or optically variable inks.
- 7. Stealth numbering in ultraviolet, infrared or taggant inks.
- 8. Multicolored micro-numismatic invisible ultraviolet designs.
- 9. Unique forensic fraud detection technology that is built into security inks.

6. Unique bar code or QR code that is accessible only to the voter and that tracks the voter's ballot as it is processed

7. Signature check barcode must always be included on the ballot return envelope (printing house and ballot on demand issue)

8. Factory settings pre-set for printers (both on and off premise) must be consistent across the state and tested daily during election season prior to daily voting.

9. All ballots printed must be inventoried and made available to the public. The totals for each of the following categories must be recorded and made available to the public for review:
    a. Requested
    b. Mailed
    c. To SOE
    d. To Voter
    e. By SOE
    f. Returned
    g. Overprinted
    h. Damaged
    i. Duplicated

10. Financial reconciliation for all ballots must be required to be disclosed to the public of transactions for printing, postage, SOE and political party costs within 72 hours of receipt of the purchase order.

11. All VBM Ballots that are considered DUNS (Damaged, Undeliverable, No-such-address) must be returned unopened by the USPS to the SOE.

12. Returned ballots must be retained in the state that they were returned, unopened, for 22 months.

13. All VBM ballots may only be delivered to an address with a physical mail receptacle.

14. Standardize all ballot scanners sensitivity settings to be consistent in all precincts statewide. This includes Ovid settings.

15. Make it a crime to read a blank ballot into a voting machine

16. The precinct level data shall include the digital images for all ballots and envelopes of VBM ballots cast in each precinct.

a. Each precinct shall report results of all votes for all candidates prior to submitting to central tabulation center AND Post results publicly at the precinct before submitting final tally to county elections

b. To prevent loss of data, each precinct shall maintain backups in 3 separate locations

c. Establish penalties for noncompliance

A.4   Secure Computer Voting Systems

1. Prior to county vote certification, redundant systems such as Clear Ballot should be used to separately confirm the votes.
2. Operating systems employed on all computers used in the voting process must have all current security updates installed.
3. Time and date settings, final security tests, as well as signature calibration settings must be approved and locked by the Chief Information Officer
4. Computers employed in the voting process may not contain any wireless communications hardware or software

A.5   Voter Identification/Closing Loopholes

1. Require proper Identification at the polls including address of voter.
2. If the address on the voter's identification does not match the registered address or the mailing address the voter may only cast a provisional ballot and provide backup documentation to the canvassing board to prove residency. Neighborhood association identifications are not permitted. All signature identification must be based on wet signatures.
3. Require bi-partisan poll watchers to observe the signature verification process of vote-by-mail ballots.
4. Canvassing Board membership should be limited to elected officials only.

A.6   Designate Election Day as a Legal Holiday.

Designate election day a holiday, with schools made available as in-person voting locations

A.7   Empower Precinct Voters and Enhance Voting Transparency

1. Make voting precincts small to facilitate citizen canvassing for EI.
    a. Limit number of electors per precinct to under 1,000
2. Allow electors to request audit within a voting precinct – A Require a comprehensive audit shall occur, upon delivery of a petition signed by 8% of the precinct voters, to include all paper ballots, all vote by mail paper envelopes, all digital ballots, all digital signatures in voter roll file alongside their counterpart digital signatures of the VBM envelopes, all voter rolls and any and all other equipment used in the given precinct election being audited. The auditors for said audit shall must be chosen by the petitioning voters.
3. Require public reporting of the total ballots adjudicated per precinct within 24 hours of adjudication, where adjudications are observed by a bi-partisan body.

4. Require public reporting of the number of duplicate ballots requested and sent.
5. Apply the existing counterfeit laws and mail fraud laws to the election laws.
6. Limit number of electors per precinct to under 1,000
7. Establish an Election Integrity Unit separate from the Division of Elections responsible for investigating precincts whose operations deviate from the standard norm and to respond to citizen-initiated complaints and verify out of country electors.
8. Require public reporting of the total ballots adjudicated per precinct within 24 hours of adjudication, where adjudications are observed by a bi-partisan body.
9. Require public reporting of the number of duplicate ballots requested and sent.
10. Apply the existing counterfeit laws and mail fraud laws to the election laws.

Appendix B: Legislative Priorities, Candidate Statute Markups
(As of 31 Jan 2022)

Markup Key:
   Comments: Black
   Original Law: Blue, bold blue
   Additions: Underline and in red
   Deletions: Strike through and in red

1. Designate Election Day as a Legal Holiday.

683.01   Legal holidays.—
(1)   The legal holidays, which are also public holidays, are the following:
(a)   Sunday, the first day of each week.
(b)   New Year's Day, January 1.
(c)   Birthday of Martin Luther King, Jr., January 15.
(d)   Birthday of Robert E. Lee, January 19.
(e)   Lincoln's Birthday, February 12.
(f)   Susan B. Anthony's Birthday, February 15.
(g)   Washington's Birthday, the third Monday in February.
(h)   Good Friday.
(i)   Pascua Florida Day, April 2.
(j)   Confederate Memorial Day, April 26.
(k)   Memorial Day, the last Monday in May.
(l)   Birthday of Jefferson Davis, June 3.
(m)   Flag Day, June 14.
(n)   Independence Day, July 4.
(o)   Labor Day, the first Monday in September.
(p)   Columbus Day and Farmers' Day, the second Monday in October.
(q)   Veterans' Day, November 11.
(r)   General Election Day.
(s)   Thanksgiving Day, the fourth Thursday in November.
(t)   Christmas Day, December 25.
(u)   Shrove Tuesday, sometimes also known as "Mardi Gras," in counties where carnival associations are organized for the purpose of celebrating the same.
(2)   Whenever any legal holiday shall fall upon a Sunday, the Monday next following shall be deemed a public holiday for all and any of the purposes aforesaid.

683.333   Election Days in Florida. —
Public Schools will not be in session on Election Day but will be available as polling locations.

2.   Require a comprehensive audit, upon delivery of a petition signed by 8% of the precinct voters, to include all paper ballots, all vote by mail paper envelopes, all digital ballots, all digital signatures in voter roll file alongside their counterpart digital signatures of the VBM envelopes, all voter rolls and any and all other equipment used in the given precinct election being audited. The auditors for said audit must be chosen by the petitioning voters.

101.591   Voting system audit.—

(A)   (1)   Immediately following the certification of each election, the county canvassing board or the local board responsible for certifying the election shall conduct a manual audit or an automated, independent audit of the voting systems used in randomly selected precincts.

(2)(a)   A manual audit shall consist of a public manual tally of the votes cast in one randomly selected race that appears on the ballot. The tally sheet shall include election-day, vote-by-mail, early voting, provisional, and overseas ballots, in at least 1 percent but no more than 2 percent of the precincts chosen at random by the county canvassing board or the local board responsible for certifying the election. If 1 percent of the precincts is less than one entire precinct, the audit shall be conducted using at least one precinct chosen at random by the county canvassing board or the local board responsible for certifying the election. Such precincts shall be selected at a publicly noticed canvassing board meeting.

(b)   If the voting district's electors' petition concerns the votes cast across every race that appears on the ballot, an automated audit shall consist of a public automated tally of the votes cast across every race that appears on the ballot. The tally sheet shall include election day, vote-by-mail, early voting, provisional, and overseas ballots in at least 20 percent of the precincts chosen at random by the county canvassing board or the local board responsible for certifying the election. Such precincts shall be selected at a publicly noticed canvassing board meeting.

(c)   The division shall adopt rules for approval of an independent audit system which provide that the system, at a minimum, must be:

1.   Completely independent of the primary voting system.

2.   Fast enough to produce final audit results within the timeframe prescribed in subsection (4).

3.   Capable of demonstrating that the ballots of record have been accurately adjudicated by the audit system.

(3)   The canvassing board shall post a notice of the audit, including the date, time, and place, in four conspicuous places in the county and on the home page of the county supervisor of elections website.

(4)   The audit must be completed and the results made public no later than 11:59 p.m. on the 7th day following certification of the election by the county canvassing board or the local board responsible for certifying the election.

(5)   By December 15 of each general election year, the county canvassing board or the board responsible for certifying the election shall provide a report with the results of the audit to the Department of State in a standard format as prescribed by the department. The report must be consolidated into one report with the overvote and undervote report required under s. 101.595(1). The report shall contain, but is not limited to, the following items:

(a)   The overall accuracy of audit.

(b)   A description of any problems or discrepancies encountered.

(c)   The likely cause of such problems or discrepancies.

(d)   Recommended corrective action with respect to avoiding or mitigating such circumstances in future elections.

(6)   If a manual recount is undertaken pursuant to s. 102.166, the canvassing board is not required to perform the audit provided for in this section.

(B) Upon delivery to the appropriate election official of a petition signed by 8% of the electors in a voting district, the county canvassing board or the local board responsible for certifying the election shall conduct a manual audit or an automated, independent audit of the voting systems used.

(1)(a)   If the electors' petition concerns a single race, a manual audit shall consist of a public manual tally of the votes cast in that race appearing on the ballot. The tally sheet shall include election-day, vote-by-mail, early voting, provisional, and overseas ballots, and all paper ballots. In addition, the audit shall include data collection and signature comparison, whether in paper or electronic form, of all vote by mail envelopes, all ballots, all signatures including all signatures in voter registration files, all voter roll files and all other equipment used in the voting district being audited.

(b)   If the electors' petition concerns the votes cast across every race that appears on the ballot, an automated audit shall consist of a public automated tally of the votes cast across every race appearing on the ballot. The tally sheet shall include election day, vote-by-mail, early voting, provisional, and overseas ballots, and all paper ballots. In addition, the audit shall include data collection and signature comparison, whether in paper or electronic form, of all vote by mail envelopes, all ballots, all signatures including all signatures in voter registration files, all voter roll files and all other equipment used in the voting district being audited.

(c)   The division shall adopt rules for approval of an independent audit system which provide that the system, at a minimum, must be:

1.   Completely independent of the primary voting system.

2.   Fast enough to produce final audit results within the timeframe prescribed in subsection (4).

3.   Capable of demonstrating that the ballots of record have been accurately adjudicated by the audit system.

(3)   The canvassing board shall post a notice of the audit, including the date, time, and place, in four conspicuous places in the county and on the home page of the county supervisor of elections website.

(4)   The audit must be completed and the results made public no later than 11:59 p.m. on the 7th day following certification of the election by the county canvassing board or the local board responsible for certifying the election.

(5)   By December 15 of each general election year, the county canvassing board or the board responsible for certifying the election shall provide a report with the results of the audit to the Department of State in a standard format as prescribed by the department. The report must be consolidated into one report with the overvote and undervote report required under s. 101.595(1). The report shall contain, but is not limited to, the following items:

(a)   The overall accuracy of audit.

(b)   A description of any problems or discrepancies encountered.

(c)   The likely cause of such problems or discrepancies.

(d)   Recommended corrective action with respect to avoiding or mitigating such circumstances in future elections.

(6)   If a manual recount is undertaken pursuant to s. 102.166, the canvassing board is not required to perform the audit provided for in this section.

3.   Require Notarized signatures on all VBM ballots and limit VBM ballots to military, medically disabled, first responders and out of country voters.
It is the intention of this document to cancel all current vote by mail privileges. Any elector would be required to apply for vote by mail subject to the new requirements prior to the 2022 elections

101.62 Request for vote-by-mail ballots.—

(b) The supervisor may accept a written~~, an in-person, or a telephonic~~ request for a vote-by-mail ballot to be mailed to an elector's address on file in the Florida Voter Registration System from ~~the~~ an elector who is medically disabled, a first responder, an absent uniformed service member or who is overseas or out of the country, or, if directly instructed by ~~the~~ such elector, from a member of ~~the~~ such elector's immediate family, or from ~~the~~ such elector's legal guardian. ~~If an in-person or a telephonic request is made,~~ Tthe elector must provide the elector's Florida driver license number, the elector's Florida identification card number, or the last four digits of the elector's social security number, whichever may be verified in the supervisor's records. ~~If the ballot is requested to be mailed to an address other than the elector's address on file in the Florida Voter Registration System, the request must be made in writing~~. A The written request must be signed by the elector and include the elector's Florida driver license number, the elector's Florida identification card number, or the last four digits of the elector's social security number. ~~However, an absent uniformed service voter or an overseas voter seeking a vote-by mail ballot is not required to submit a signed, written request for a voteby-mail ballot that is being mailed to an address other than the elector's address on file in the Florida Voter Registration System.~~ For purposes of this section, the term "immediate family" has the same meaning as specified in paragraph (4)(c). The person making the request must disclose:
1. The name of the elector for whom the ballot is requested.
2. The elector's address.
3. The elector's date of birth.
4. The elector's Florida driver license number, the elector's Florida identification card number, or the last four digits of the elector's social security number, whichever may be verified in the supervisor's records.
5. The requester's name.
6. The requester's address.
7. The requester's driver license number, the requester's identification card number, or the last four digits of the requester's social security number~~, if available~~.
8. The requester's relationship to the elector.
9. The requester's signature (written requests only).
(c) Upon receiving a request for a vote-by-mail ballot from an absent voter, the supervisor of elections shall notify the voter of the free access system that has been designated by the department for determining the status of his or her vote-by-mail ballot.

(2) A request for a vote-by-mail ballot to be mailed to a voter must be received no later than 5 p.m. on the 33rd day before the election by the supervisor. The supervisor shall mail vote-by-mail ballots to voters requesting ballots by such deadline no later than 8 days before the election.

(3) For each request for a vote-by-mail ballot received, the supervisor shall record: the date the request was made; the identity of the voter's designee making the request, if any; the Florida driver license number, Florida identification card number, or last four digits of the social security number of the elector ~~provided with a written request;~~ the date the vote-by-mail ballot was delivered to the voter or the voter's designee or the date the vote-by-mail ballot was delivered to the post office or other carrier; the address to which the ballot was mailed or the identity of the voter's designee to whom the ballot was delivered; the date the ballot was received by the supervisor; the absence of the voter's signature on the voter's certificate, if applicable; whether the voter's certificate contains a signature that does not match the elector's signature in the registration books or precinct register; and such other information he or she may deem necessary. This information shall be provided in electronic format as provided by division rule. The information shall be updated and made available no later than 8 a.m. of each day, including weekends, beginning 90 days before the primary until 90 days after the general election and shall be contemporaneously provided to the division. ~~This information shall be confidential and exempt from s. 119.07(1) and shall be made available to or reproduced only for the voter requesting the ballot, a canvassing board, an election official, a political party or official thereof, a candidate who has filed qualification papers and is opposed in an upcoming election, and registered political committees for political purposes only.~~

(4)(a) No later than 45 days before each presidential preference primary election, primary election, and general election, the supervisor of elections shall send a vote-by-mail ballot as provided in subparagraph (c)2. to each absent uniformed services voter and to each overseas voter who has requested a vote-by-mail ballot.

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(b) The supervisor shall mail a vote-by-mail ballot to each absent qualified voter, other than those listed in paragraph (a), who has requested such a ballot, between the 40th and 33rd days before the presidential preference primary election, primary election, and general election. Except as otherwise provided in subsection (2) and after the period described in this paragraph, the supervisor shall mail vote-by-mail ballots within 2 business days after receiving a request for such a ballot.

(c) The supervisor shall provide a vote-by-mail ballot to each elector by whom a request for that ballot has been made by one of the following means:

1. By nonforwardable, return-if-undeliverable mail to the elector's

registration address or current mailing address on file with the supervisor. If the elector does not specify, the current mailing address, the vote-by-mail ballot shall be sent to the current registration address. If the elector wants to have the ballot sent to any other address, they must update their mailing address by submitting a uniform statewide voter registration form or any other address the elector specifies in the request.

2. By forwardable mail, e-mail, or facsimile machine transmission to absent uniformed services voters. The absent uniformed services voter may designate in the vote-by mail ballot request the preferred method of transmission. If the absent uniform services voter does not designate the method of transmission, the vote-by-mail ballot shall be mailed. If the absent voter is an overseas voter and is not a uniformed service member, the vote-by-mail ballot shall be mailed to the overseas address.

3. By personal delivery before 7 p.m. on election day to the elector, upon presentation of the identification required in s. 101.043.

4. By delivery to a designee on election day or up to 9 days before the day of an election. Any elector may designate in writing a person to pick up the ballot for the elector; however, the person designated may not pick up more than two vote-by-mail ballots per election, other than the designee's own ballot, except that additional Bballots may be picked up for members of the designee's immediate family. For purposes of this section, "immediate family" means the designee's spouse or the parent, child, grandparent, grandchild, or sibling of the designee or of the designee's spouse. The designee shall provide to the supervisor the written authorization by the elector and a picture identification of the designee and must complete an affidavit. The designee shall state in the affidavit that the designee is authorized by the elector to pick up that ballot and shall indicate if the elector is a member of the designee's immediate family and, if so, the relationship. The department shall prescribe the form of the affidavit. If the supervisor is satisfied that the designee is authorized to pick up the ballot and that the signature of the elector on the written authorization matches the signature of the elector on file, the supervisor shall give the ballot to that designee for delivery to the elector.

5. Except as provided in s. 101.655, the supervisor may not deliver a vote-by-mail ballot to an elector or an elector's immediate family member on the day of the election unless there is an emergency, to the extent that the elector will be unable to go to his or her assigned polling place. If a vote-by-mail ballot is delivered, the elector or his or her designee shall execute an affidavit affirming to the facts which allow for delivery of the vote-by-mail ballot. The department shall adopt a rule providing for the form of the affidavit.

(5) If the department is unable to certify candidates for an election in time to comply with paragraph (4)(a), the Department of State is authorized to prescribe rules for a ballot to be sent to absent uniformed

services voters and overseas voters.
(6) Only the materials necessary to vote by mail may be mailed or delivered with any vote-by-mail ballot.
(7) Except as expressly authorized for voters having a disability under s. 101.662, for overseas voters under s. 101.697, or for local referenda under ss. 101.6102 and 101.6103, a county, municipality, or state agency may not send a vote-by-mail ballot to a voter unless the voter has requested a vote-by-mail ballot in the manner authorized under this section.

101.64   Delivery of vote-by-mail ballots; envelopes; form.—
   (1)(a)   The supervisor shall enclose with each vote-by-mail ballot two envelopes: a secrecy envelope, into which the absent elector shall enclose his or her marked ballot; and a mailing envelope, into which the absent elector shall then place the secrecy envelope, which shall be addressed to the supervisor and also bear on the back side a certificate in substantially the following form:

Note: Please Read Instructions Carefully Before
Marking Ballot. Then Complete and Sign the Voter's Certificate

as Directed in Person in Front of a Notary

VOTER'S CERTIFICATE
   I, , do solemnly swear or affirm that I am a qualified and registered voter of County, Florida, and that I have not and will not vote more than one ballot in this election. I understand that if I commit or attempt to commit any fraud in connection with voting, vote a fraudulent ballot, or vote more than once in an election, I can be convicted of a felony of the third degree and fined up to $5,000 and/or imprisoned for up to 5 years. I also understand that failure to sign this certificate will invalidate my ballot.
  (Date)   (Voter's Signature)
  (E-Mail Address)   (Home Telephone Number)
                                                                    (Mobile Telephone Number)

   And under said voter's certificate, shall bear the notarial affidavit in substantially the following form:
   STATE OF FLORIDA COUNTY OF _____
   Before me this day personally appeared _____ who, being duly sworn, deposes and says: that all above statements made in the voter's certificate are true. Signature of Affiant Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20____ , by _____.
   Personally known_____OR Produced Identification_____
   Type of Identification Produced_____
   (SEAL) Notary Signature
   PRINT, TYPE OR STAMP NAME OF NOTARY
   (b)   Each return mailing envelope must bear the absent elector's name and any encoded mark used by the supervisor's office.

(c)   A mailing envelope or secrecy envelope may not bear any indication of the political affiliation of an absent elector.

(2)   The certificate shall be arranged on the back of the mailing envelope so that the line for the signature of the absent elector is across the seal of the envelope; however, no statement shall appear on the envelope which indicates that a signature of the voter must cross the seal of the envelope. The absent elector shall execute the certificate on the envelope.

(3)   In lieu of the voter's certificate provided in this section, the supervisor of elections shall provide each person voting absentee under the Uniformed and Overseas Citizens Absentee Voting Act with the standard oath prescribed by the presidential designee.

(4)   The supervisor shall mark, code, indicate on, or otherwise track the precinct of the absent elector for each vote-by-mail ballot.

(5)   The secrecy envelope must include, in bold font, substantially the following message:

IN ORDER FOR YOUR VOTE-BY-MAIL BALLOT TO COUNT, YOUR SUPERVISOR OF ELECTIONS MUST RECEIVE YOUR BALLOT BY 7 P.M. ON ELECTION DAY. IF YOU WAIT TO MAIL YOUR BALLOT, YOUR VOTE MIGHT NOT COUNT. TO PREVENT THIS FROM OCCURRING, PLEASE MAIL OR TURN IN YOUR BALLOT AS SOON AS POSSIBLE.

4.   Any Address for multiunit properties must be a complete mailable address

a.   The voter registration computers shall be upgraded to minimum commercial standards by making sure that the apartment/lot/unit address identifiers are required and have the correct syntax. Penalties are added for fraudulent actions.

b.   Voter registration databases must be upgraded to comply with this constraint.

c.   SOS shall, at a minimum, semi-annually evaluate addresses in VR database to ensure compliance.

i.Upon SOS review, addresses found with no unit number shall be removed from the VR database and a mailer shall be sent to the voter at the incomplete address notifying them of the removal.

97.012   Secretary of State as chief election officer.—The Secretary of State is the chief election officer of the state, and it is his or her responsibility to:

(1)   Obtain and maintain uniformity in the interpretation and implementation of the election laws. In order to obtain and maintain uniformity in the interpretation and implementation of the election laws, the Department of State may, pursuant to ss. 120.536(1) and 120.54, adopt by rule uniform standards for the proper and equitable interpretation and implementation of the requirements of chapters 97 through 102 and 105 of the Election Code.

(2)   Provide uniform standards for the proper and equitable implementation of the registration laws by administrative rule of the Department of State adopted pursuant to ss. 120.536(1) and 120.54.

(3)   Actively seek out and collect the data and statistics necessary to knowledgeably scrutinize the effectiveness of election laws.

(4)   Provide technical assistance to the supervisors of elections on voter education and election personnel training services.

(5)   Provide technical assistance to the supervisors of elections on voting systems.

(6)   Provide voter education assistance to the public.

(7)   Coordinate the state's responsibilities under the National Voter Registration Act of 1993.

(8)   Provide training to all affected state agencies on the necessary procedures for proper implementation of this chapter.

(9)   Ensure that all registration applications and forms prescribed or approved by the department are in compliance with the Voting Rights Act of 1965 and the National Voter Registration Act of 1993.

(10)   Coordinate with the United States Department of Defense so that armed forces recruitment offices administer voter registration in a manner consistent with the procedures set forth in this code for voter registration agencies.

(11)   Create and administer a statewide voter registration system as required by the Help America Vote Act of 2002. The secretary may delegate voter registration duties and records maintenance activities to voter registration officials. Any responsibilities delegated by the secretary shall be performed in accordance with state and federal law.

(12)   Maintain a voter fraud hotline and provide election fraud education to the public.

(13)   Designate an office within the department to be responsible for providing information regarding voter registration procedures and vote-by-mail ballot procedures to absent uniformed services voters and overseas voters.

(14)   Bring and maintain such actions at law or in equity by mandamus or injunction to enforce the performance of any duties of a county supervisor of elections or any official performing duties with respect to chapters 97 through 102 and 105 or to enforce compliance with a rule of the Department of State adopted to interpret or implement any of those chapters.

(a)   Venue for such actions shall be in the Circuit Court of Leon County.

(b)   When the secretary files an action under this section and not more than 60 days remain before an election as defined in s. 97.021, or during the time period after the election and before certification of the election pursuant to s. 102.112 or s. 102.121, the court, including an appellate court, shall set an immediate hearing, giving the case priority over other pending cases.

(c)   Prior to filing an action to enforce performance of the duties of the supervisor of elections or any official described in this subsection, the secretary or his or her designee first must confer, or must make a good faith attempt to confer, with the supervisor of elections or the official to ensure compliance with chapters 97 through 102 and 105 or the rules of the Department of State adopted under any of those chapters.

(15)   Conduct preliminary investigations into any irregularities or fraud involving voter registration, voting, candidate petition, or issue petition activities and report his or her findings to the statewide prosecutor or the state attorney for the judicial circuit in which the alleged violation occurred for prosecution, if warranted. The Department of State may prescribe by rule requirements for filing an elections-fraud complaint and for investigating any such complaint.

(16)   Provide written direction and opinions to the supervisors of elections on the performance of their official duties with respect to the Florida Election Code or rules adopted by the Department of State.

(17)   Provide formal signature matching training to supervisors of elections and county canvassing board members.

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

(3)   "Address of legal residence" means the legal residential address of the elector and includes all information necessary to differentiate one residence from another, including, but not limited to, a distinguishing apartment, suite, lot, room, or dormitory room number or other identifier.

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). If the applicant fails to complete his or her voter registration application prior to the date of book closing for an election, then such applicant shall not be eligible to vote in that election.

(5)(a) A voter registration application is complete if it contains the following information necessary to establish the applicant's eligibility pursuant to s. 97.041, including:

1. The applicant's name.

2. The applicant's address of legal residence, including a distinguishing apartment, suite, lot, room, or dormitory room number or other identifier, if appropriate. Failure to include a distinguishing apartment, suite, lot, room, or dormitory room or other identifier on a voter registration application does not impact a voter's eligibility to register to vote or cast a ballot, and such an omission may not serve as the basis for a challenge to a voter's eligibility or reason to not count a ballot. 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 applicant's stated legal residence including distinguishing apartment, suite, lot, room, or dormitory room number or other identifier, if appropriate, and make any corrections to cure any errors as appropriate.

(6) 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 driver license number, the Florida identification card number, or the last four digits of the social security number provided by the applicant. The Supervisor of Elections shall not accept a voter registration based on the identification on either a Florida Driver's License or a Florida State Identification card without first determining that the identification was issued to a United States Citizen. For any person to knowingly register a non-citizen to vote shall be considered a third-degree felony and subject to the same perjury penalties that are on the standard voter registration form. If a completed voter registration application has been received by the book-closing deadline but the 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, the applicant shall be notified 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 driver license number, Florida identification card number, or last four digits of the social security number. If the applicant provides the necessary evidence, the supervisor shall place the applicant's name on the registration rolls as an active voter. If the applicant does not provide the necessary evidence, the applicant's name will not be entered on the registration rolls, or if the applicant's name is already entered entered on the registration rolls, the application's name shall be removed from the registration rolls. 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 shall be provided a provisional ballot. The provisional ballot 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 driver license number, Florida identification card number, or last four digits of the social security number no later than 5 p.m. of the second day following the election.

97.0535 Special requirements for certain applicants.—

(1) Each applicant who registers by mail and who has never previously voted in the state and who the department has verified has not been issued a current and valid Florida driver license, Florida identification card, or social security number, but who does have valid proof of citizenship, shall be required to provide a copy of a current and valid identification, as provided in subsection (3) or indicate that he or she is exempt from the requirements prior to voting. Such identification or indication may be provided at the time of registering in person, or at any time prior to voting for the first time in the state. If the voter registration application clearly provides information from which a voter registration official can determine that the applicant meets at least one of the exemptions in subsection (4), the voter registration official shall make the notation on the registration records of the statewide voter registration system and the applicant shall not be required to provide the identification required by this section.
(2) The voter registration official shall, upon accepting the voter registration application submitted pursuant to subsection (1), determine if the applicant provided the required identification at the time of registering. If the required identification was not provided, the supervisor shall notify the applicant that he or she must provide the identification prior to voting the first time in the state.
(3)(a) The following forms of identification shall be considered current and valid if they contain the name and photograph of the applicant and have not expired:
1. United States passport.

2. Debit or credit card.
3. Military identification.
4. Student identification.
5. Retirement center identification.
6. Neighborhood association identification.
7. Public assistance identification.
8. Veteran health identification card issued by the United States Department of Veterans Affairs.
9. A license to carry a concealed weapon or firearm issued pursuant to s. 790.06.
10. Employee identification card issued by any branch, department, agency, or entity of the Federal Government, the state, a county, or a municipality.
(b) The following forms of identification shall be considered current and valid if they contain the name and current residence address of the applicant:
1. Utility bill.
2. Bank statement.
3. Government check.
4. Paycheck.
5. Other government document (excluding voter identification card).
(4) The following persons are exempt from the identification requirements of this section:
(a) Persons 65 years of age or older.
(b) Persons with a temporary or permanent physical disability.
(c) Members of the uniformed service on active duty who, by reason of such active duty, are absent from the county on election day.
(d) Members of the Merchant Marine who, by reason of service in the Merchant Marine, are absent from the county on election day.
(e) 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, is absent from the county on election day.
(f) Persons currently residing outside the United States who are eligible to vote in Florida.
History.—s. 6, ch. 2003-415; s. 7, ch. 2005-278; s. 4, ch. 2008-95; s. 1, ch. 2016-167

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

(1) The Department of Highway Safety and Motor Vehicles shall provide the opportunity to register to vote or to update a voter registration record to each individual who comes to an office of that department to:
(a) Apply for or renew a driver license;
(b) Apply for or renew an identification card pursuant to chapter 322; or

(c) Change an address on an existing driver license or identification card.

(2) The Department of Highway Safety and Motor Vehicles shall:

(a) Notify each individual, orally or in writing, that:

1. ~~Information gathered for the completion of a driver license or identification card application, renewal, or change of address can be automatically transferred to a voter registration application;~~

2. ~~If additional information and a signature are provided, the voter registration application will be completed and sent to the proper election authority;~~

3. ~~Information provided can also be used to update a voter registration record;~~

4. ~~All declinations will remain confidential and may be used only for voter registration purposes; and~~

5. The particular driver license office in which the person applies to register to vote or updates a voter registration record will remain confidential and may be used only for voter registration purposes.

(b) Require a driver license examiner to inquire orally or, if the applicant is hearing impaired, inquire in writing whether the applicant wishes to register to vote or update a voter registration record during the completion of a driver license or identification card application, renewal, or change of address.

1. ~~If the applicant chooses to register to vote or to update a voter registration record:~~

~~a. All applicable information received by the Department of Highway Safety and Motor Vehicles in the course of filling out the forms necessary under subsection (1) must be transferred to a voter registration application.~~

~~b. The additional necessary information must be obtained by the driver license examiner and must not duplicate any information already obtained while completing the forms required under subsection (1).~~

~~c. A voter registration application with all of the applicant's voter registration information required to establish the applicant's eligibility pursuant to s. 97.041 must be presented to the applicant to review and verify the voter registration information received and provide an electronic signature affirming the accuracy of the information provided.~~

2. If the applicant declines to register to vote, update the applicant's voter registration record, or change the applicant's address ~~by either orally declining or~~ by failing to sign the voter registration application, the Department of Highway Safety and Motor Vehicles must note such declination on its records and shall forward the declination to the statewide voter registration system.

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~~(3) For the purpose of this section, the Department of Highway Safety and Motor Vehicles, with the approval of the Department of State, shall prescribe:~~

(a) A voter registration application that is the same in content, format, and size as the uniform statewide voter registration application prescribed under s. 97.052; and

(b) A form that will inform applicants under subsection (1) of the information contained in paragraph (2)(a).

(4) The Department of Highway Safety and Motor Vehicles must electronically transmit completed voter registration applications within 24 hours after receipt to the statewide voter registration system. Completed paper voter registration applications received by the Department of Highway Safety and Motor Vehicles shall be forwarded within 5 days after receipt to the supervisor of the county where the office that processed or received that application is located.

(5) The Department of Highway Safety and Motor Vehicles must send, with each driver license renewal extension application authorized pursuant to s. 322.18(8), a uniform statewide voter registration application., the voter registration application prescribed under paragraph (3)(a), or a voter registration application developed especially for the purposes of this subsection by the Department of Highway Safety and Motor Vehicles, with the approval of the Department of State, which must meet the requirements of s. 97.052.

5. Require Wet Signature for All Voter Registrations and changes to Voter Registrations.
a. On-premises registrations must be wet signed.
b. Off-premises registrations must be wet signed.
c. Online registrations must be wet signed, notarized and uploaded.
d. Retroactive requirement for voters to provide wet signature to replace digital one
e. The Motor Vehicles Department must use the SUVR form to register voters. This form requires a wet signature.

97.021 Definitions.—For the purposes of this code, except where the context clearly indicates otherwise, the term:
(48) "Wet Signature" A wet signature is any signature affixed to a hard copy with a pen or other writing device. Wet signatures can be electronically obtained using commercial software Adobe Sign as follows:
1. The signer downloads a document with the field requiring their wet signature or personal seal.
2. The signer prints the document.
3. The signer physically signs the document.
4. The signer scans the document back into a digital form with a smartphone or other device.
5. The signer uploads the file and sends it back to the requester.

97.052 Uniform statewide voter registration application.—
(1) (b) 3.

3. The Department of Highway Safety and Motor Vehicles must use the statewide voter registration form with a wet signature instead of a signature on a tablet.

97.0525   Online voter registration.—
   (1)   An applicant may submit an online voter registration application using the procedures set forth in this section.
   (2)   The division shall establish and maintain a secure Internet website that safeguards an applicant's information to ensure data integrity and permits an applicant to:
   (a)   Submit a voter registration application, including first-time voter registration applications and updates to current voter registration records.
   (b)   Submit information necessary to establish an applicant's eligibility to vote, pursuant to s. 97.041, which includes the information required for the uniform statewide voter registration application pursuant to s. 97.052(2).
   (c)   Swear to the oath required pursuant to s. 97.051.
   (3)(a)   The online voter registration system shall comply with the information technology security provisions of s. 282.318 and shall use a unique identifier for each applicant to prevent unauthorized persons from altering a voter's registration information.
   (b)   The division shall conduct a comprehensive risk assessment of the online voter registration system every 2 years. The comprehensive risk assessment must comply with the risk assessment methodology developed by the Department of Management Services for identifying security risks, determining the magnitude of such risks, and identifying areas that require safeguards. In addition, the comprehensive risk assessment must incorporate all of the following:
   1.   Load testing and stress testing to ensure that the online voter registration system has sufficient capacity to accommodate foreseeable use, including during periods of high volume of website users in the week immediately preceding the book-closing deadline for an election.
   2.   Screening of computers and networks used to support the online voter registration system for malware and other vulnerabilities.
   3.   Evaluation of database infrastructure, including software and operating systems, in order to fortify defenses against cyberattacks.
   4.   Identification of any anticipated threats to the security and integrity of data collected, maintained, received, or transmitted by the online voter registration system.
   (4)(a)   The online voter registration system 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, the online voter registration system shall transmit the uniform statewide voter registration application that complies with s. 97.052 (2) and an in-person notarial affidavit consistent with s. 101.64 (1)(a) attesting to the signature, using the statewide voter registration application system maintained pursuant to s. 98.035, ~~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)(q)~~.

(c)   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 shall 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 of elections for disposition pursuant to s. 97.073.

(d)   All digital signatures of any applicant on file with the Department of Highway Safety and Motor Vehicles shall not satisfy the signature requirement of s. 97.052(2)(q) and all electors who have digital signatures on file shall be given notice by the Supervisor of Elections in their respective County that they have 90 days to update their signature on file with the Supervisor of Elections using the uniform statewide voter registration application that complies with s. 97.052(2) or be removed from the voter roll.

(5)   Upon submission of a completed online voter registration application, the website must generate an immediate electronic confirmation that the supervisor of elections has received the application and provide instructions regarding the ability of a registrant to check the status of the application thereafter.

(6)   Except as otherwise provided in this section, the supervisor of elections shall process the application pursuant to s. 97.053.

(7)   The online voter registration system must conform to nationally accepted standards for accessibility for individuals with disabilities, including s. 508 of the Rehabilitation Act of 1973, s. 255 of the Telecommunications Act of 1996, and the Web Content Accessibility Guidelines of the World Wide Web Consortium, to ensure equal access for voters with disabilities.

(8)   A legal distinction may not be made between online voter registration under this section and voter registration in person, by mail, or by other methods provided by general law.

97.053   Acceptance of voter registration applications.—
(1)   Voter registration applications, changes in registration, and requests for a replacement voter information card must be accepted in the office of any supervisor, the division, a driver license office, a voter registration agency, or an armed forces recruitment office when hand delivered by the applicant or a third party during the hours that office is open or when mailed.

(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). If the applicant fails to complete his or her voter registration application prior to the date of book closing for an election, then such applicant shall not be eligible to vote in that election.

(3)   The registration date for a valid initial voter registration application that has been hand delivered is the date that the application is received by a driver license office, a voter registration agency, an armed forces recruitment office, the division, or the office of any supervisor in the state.

(4)   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.

(5)(a) A voter registration application is complete if it contains the following information necessary to establish the applicant's eligibility pursuant to s. 97.041, including:

1. The applicant's name.

2. The applicant's address of legal residence, including a distinguishing apartment, suite, lot, room, or dormitory room number or other identifier, if appropriate. Failure to include a distinguishing apartment, suite, lot, room, or dormitory room or other identifier on a voter registration application does not impact a voter's eligibility to register to vote or cast a ballot, and such an omission may not serve as the basis for a challenge to a voter's eligibility or reason to not count a ballot.

3. The applicant's date of birth.

4. A mark in the checkbox affirming that the applicant is a citizen of the United States.

5.a. The applicant's current and valid Florida driver license number or the identification number from a Florida identification card issued under s. 322.051, or

b. If the applicant has not been issued a current and valid Florida driver license or a Florida identification card, the last four digits of the applicant's social security number.

In case an applicant has not been issued a current and valid Florida driver license, Florida identification card, or social security number, the applicant shall affirm this fact in the manner prescribed in the uniform statewide voter registration application.

6. A mark in the checkbox affirming that the applicant has not been convicted of a felony or that, if convicted, has had his or her voting rights restored.

7. A mark in the checkbox affirming that the applicant has not been adjudicated mentally incapacitated with respect to voting or that, if so adjudicated, has had his or her right to vote restored.

8. The original signature ~~or a digital signature~~ transmitted by the Department of Highway Safety and Motor Vehicles of the applicant swearing or affirming under the penalty for false swearing pursuant to s. 104.011 that the information contained in the registration application is true and subscribing to the oath required by s. 3, Art. VI of the State Constitution and s. 97.051.

(b) An applicant who fails to designate party affiliation must be registered without party affiliation. The supervisor must notify the voter by mail that the voter has been registered without party affiliation and that the voter may change party affiliation as provided in s. 97.1031.

(6) 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 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 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, the applicant shall be notified 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 driver license number, Florida identification card number, or last four digits of the social security number. If the applicant provides the necessary evidence, the supervisor 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 shall be provided a provisional ballot. The provisional ballot 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 driver license number, Florida identification card number, or last four digits of the social security number no later than 5 p.m. of the second day following the election.

(7)   All voter registration applications received by a voter registration official shall be entered into the statewide voter registration system within 13 days after receipt. Once entered, the application shall be immediately forwarded to the appropriate supervisor of elections.

98.077 Update of voter signature.—
(1) A registered voter may update his or her signature on file in the statewide voter registration system at any time using ~~a~~ <u>the standard statewide</u> voter registration application form submitted to a voter registration official. <u>This form must include the wet signature of the voter.</u>