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Proposed Bill Signals Changes for Voters

With the opening of the legislative session on March 5, 2019, the Florida State Association of Supervisors of Elections (FSASE) is actively monitoring SPB 7066, a proposed bill that if passed will impact voters in the 2020 election cycle. The legislation proposes several changes to deadlines and timelines to mitigate ballot processing issues which surfaced during the 2018 recounts. FSASE is most interested in those parts of the bill that a). move the Primary Election date from 10 to 11 weeks prior to the General Election, b). the changes in the initial and final mailing dates and canvassing of vote-by-mail ballots, and c). the efficiency of using provisional and vote-by-mail cure affidavits as an automatic voter signature update.

Moving the Primary Election to an earlier date buys more time to count, cure, and recount (if necessary) ballots cast in the Primary before the cycle of the General Election begins. An additional day would also be added to the timeframe in which county canvassing boards are required to submit their first unofficial results for a Primary Election.

The legislation also proposes change for the bulk mailing of vote-by-mail requests on file. The prior law designated overseas ballots be mailed at least 45 days prior to an election, and domestic ballots between the 28th to 35th day prior. The new legislation changes the timeframe of domestic ballots to "not later than" 28 days before an election. This measure gives supervisors flexibility to mail ALL vote-by-mail ballots earlier than later, takes advantage of savings on bulk mailing rates, and administratively streamlines the process. The advantage to domestic voters is that they will receive their ballots earlier in the cycle, and hopefully, return them earlier. The legislation moves the start date of vote-by-mail canvassing from 15 to 22 days before an election allowing more time for ballot processing.

In 2017, new legislation was passed for vote-by-mail voters to "cure" a mismatched signature. The 2019 legislation introduces a similar process for provisional ballot voters. The new law also clarifies an oversight in the 2017 legislation that disallowed supervisors to use signature affidavits to permanently update the signature on a voter's registration record. Voters will no longer be required to complete a voter registration application for a signature update in addition to the already-completed affidavit.

The final bill currently known as SPB7066 will take effect January 1, 2020. We will continue to monitor the process as it makes its way through the committees to the senate floor. The House of Representatives State of Affairs Committee has proposed a bill which the association will follow once introduced. The legislative session is expected to end on May 3, 2019.

