

Hillsborough County Canvassing Board Meeting

July 7, 2022

3:30 PM

1. **Welcome and Introductions**
 - a. Administrative Order A-2022-004
2. **Meeting Guidelines**
 - a. Review and adopt
3. **Meeting and Activities Schedule**
 - a. Review *DE Reference Guide 0020: Canvassing Board Membership and Activities*
 - b. Adopt meeting schedule and public notice
4. **Testing of Voting Systems**
 - a. Review *DE Reference Guide 0019: Guidelines for Logic and Accuracy (L&A) Testing*
 - b. Adopt public L&A Testing equipment allocation
5. **Canvassing of Vote By Mail (VBM) Ballots**
 - a. VBM Ballot Types and Timelines
 - b. Review *DE Reference Guide 002: Federal Write-in and State Write-in Vote By Mail Ballots*
 - c. Review Guidelines for Vote By Mail for First Time Mail-in Registrant Voters
 - d. Absentee Total Report (FS 101.68(2)(b))
 - e. Review and adopt signature verification training and certification requirement
 - f. Review and adopt Canvassing Board VBM Ballot Criteria Chart
6. **Canvassing Provisional Ballots**
 - a. Review and adopt Canvassing Board Provisional Ballot Criteria Chart
 - b. Review *DE Reference Guidelines 0009: Voter Challenges*
7. **Signature Cure Affidavits for VBM and Provisional Ballots**
 - a. Review and Adopt Guidelines for Accepting or Rejecting Signature Cure Affidavits
8. **Inspection, Examination, Review and Observation Guidelines and Protocols**
 - a. Public inspection or examination of ballots and certificates, FS 101.572(1)
 - b. Review or inspection of certain materials by authorized persons, FS 101.572(2)
 - c. Observation of tabulation, FS 101.5612(2)
 - d. Observation of duplication, FS 101.5614(4)(a)
 - e. Observation of opening
 - f. Filing a Protest to a VBM Ballot, FS101.68(2)(c)(4)
9. **Voter Intent**
 - a. Review rule 1S-2.027 and adopt criteria
10. **Duplication**
 - a. Review and adopt Duplication Policy and Guidelines
11. **Recount**
 - a. Review *DE Reference Guidelines 0010: Recount Procedure Summary*
12. **Post-election audit**
 - a. Review *DE Reference Guidelines 0011: Post-Election Voting System Audit Procedures Summary*
 - b. Authorize use of Automated Independent Audit system
13. **Adjourn**

**IN THE THIRTEENTH JUDICIAL CIRCUIT
HILLSBOROUGH COUNTY, FLORIDA**

**ADMINISTRATIVE ORDER A-2022-009
(Supersedes Administrative Order A-2022-004)**

**HILLSBOROUGH COUNTY
CANVASSING BOARD APPOINTMENTS**

Section 102.141, Florida Statutes, provides for the appointment and duties of the county canvassing board. The chief judge is empowered by this statute to appoint a county judge to serve on the canvassing board and to appoint substitute and alternate members of the canvassing board. It is necessary to update the judicial appointments to the Hillsborough Canvassing Board in preparation for the 2022 primary and general elections.

By the power vested in the chief judge under article V, section 2(d), Florida Constitution; sections 43.26 and 102.141, Florida Statutes; and Florida Rule of General Practice and Judicial Administration 2.215(b)(2), it is ORDERED:

1. County Court Judge Appointment

Hillsborough County Court Judge Margaret R. Taylor is appointed to continue serving as the county court judge member of the Hillsborough County Canvassing Board.

2. Substitute Appointment

If Judge Taylor is unable to serve for any reason, then Hillsborough County Court Judge Miriam V. Valkenburg is appointed as the county court judge member of the Hillsborough County Canvassing Board in Judge Taylor's stead. If neither Judge Taylor nor Judge Valkenburg is able to serve for any reason, then Hillsborough County Court Judge Daryl M. Manning is appointed as the county court judge member of the Hillsborough County Canvassing Board.

3. Alternate Appointment

In accordance with section 102.141(1)(e), Florida Statutes, if Judge Valkenburg is not serving on the canvassing board under section 2 of this administrative order, then she is appointed to serve as the alternate member of the Hillsborough County Canvassing

Board. If Judge Valkenburg is serving on the canvassing board under section 2 of this administrative order, then Judge Manning is appointed to serve as the alternate member of the Hillsborough County Canvassing Board.

4. Substitute or Alternate Appointment

If Judge Valkenburg is not serving as a member of the canvassing board in Judge Taylor's stead, and a substitute or alternate member of the canvassing board is needed under section 102.141(1)(d), then Judge Valkenburg is appointed as the substitute or alternate member of the Hillsborough County Canvassing Board. If Judge Valkenburg is serving as a member of the canvassing board in Judge Taylor's stead or if she is otherwise not available to serve as the substitute or alternate member under section 102.141(1)(d), then Judge Manning is appointed as the substitute or alternate member of the Hillsborough County Canvassing Board.

5. Additional Substitute or Alternate Board Member

If Judges Taylor, Valkenburg and Manning are all unavailable to serve on the canvassing board under the provisions above, then Hillsborough County Court Judge Frances M. Perrone, Hillsborough County Judge Jessica G. Costello, and Hillsborough County Court Judge Jack Gutman are appointed to serve as substitute or alternate members of the Hillsborough County Canvassing Board.

6. Previous Administrative Order Superseded

This administrative order supersedes Administrative Order A-2022-004 (*Hillsborough County Canvassing Board Appointments*).

7. Effective Date

This administrative order is effective immediately.

ENTERED on May 6, 2022.



Ronald N. Ficarrota, Chief Judge

Original: Cindy Stuart, Clerk of the Circuit Court
Copy: The Honorable Margaret R. Taylor
The Honorable Miriam V. Valkenburg
The Honorable Daryl M. Manning
The Honorable Frances M. Perrone
The Honorable Jessica G. Costello
The Honorable Jack Gutman
Craig Latimer, Hillsborough County Supervisor of
Elections
Kimberly Overman, Chair, Hillsborough County Board of
County Commissioners
Christine Beck, County Attorney

2005 Voluntary Voting System Guidelines (VVSG) **definition of canvass**: Compilation of election returns and validation of the outcome that forms the basis of the official results by political subdivision (VVSG Volume 1, Version 1.0, A-6). These guidelines are available at www.eac.gov.

The **purpose of the canvass** is to account for every ballot cast and to ensure that each valid vote is included in the official results. For an election official, the canvass means aggregating or confirming every valid ballot cast and counted—absentee, early voting, Election Day, provisional, challenged, and uniformed and overseas citizen. The canvass enables an election official to resolve discrepancies, correct errors, and take any remedial actions necessary to ensure completeness and accuracy before certifying the election.

Hillsborough County Canvassing Board

Meeting Guidelines

1. Members will be identified with name tags and their names will be posted on the website and in legal notices.
2. A deputy from the Hillsborough County Sheriff's Office will be present at all meetings.
3. Attendees will sign in upon arrival and may sign up for public comment up until the time the meeting is scheduled to begin.
4. At the start of each meeting, the Canvassing Board will allow for a total of 5 minutes for public comment for Canvassing Board meetings. Public comment is limited to matters or issues within the authority of the Canvassing Board.
5. Images of ballots and signatures will be projected for the public to see when reviewing voter intent and signature matches.
6. No photos or videos may be taken.
7. Agendas will be posted on the Supervisor of Elections website by 6 PM the day before the meeting.
8. Minutes will be posted on the Supervisor of Elections website within one day after the meeting.



Canvassing Board Membership and Activities

DE Reference Guide 0020 (Updated 03-2022)(supersedes all prior versions)

These guidelines are for reference only. They are not to be construed as legal advice or representation. For any particular set of facts or circumstances, refer to the applicable state, federal law, and case law, and/or consult a private attorney before drawing any legal conclusions or relying upon this information.

OVERVIEW

- Membership.
 - The Board is composed of three members: the supervisor of elections a county court judge who acts as the chair, and the chair of the board of county commissioners.
- Substitute.
 - Substitutes must be appointed whenever a member is disqualified or unable to serve in accordance with section [102.141](#)(1), Fla. Stat.
 - A substitute cannot be a candidate with opposition in the election being canvassed and cannot be an active participant in the campaign or candidacy of any candidate with opposition in the election being canvassed. For what constitutes active participation in the campaign or candidacy of a candidate, see Division of Elections Advisory Opinion [DE 09-07](#).
- Alternate.
 - The board must have two alternates designated. *The long-term service on a canvassing board can place an undue burden on a volunteer member's other professional and personal obligations. Therefore, an alternate serves as a back-up in the event a member is unable to participate in a meeting of the board.*
 - The alternates should be appointed when the canvassing board membership is designated.
 - If not otherwise serving as one of the three canvassing board members, the alternate can be present, observe and communicate with the other board members but cannot vote in the board's decisions or determinations. The process for appointing alternates is set out in section [102.141](#)(1), Fla. Stat.
- Duties.
 - Board members are required to undergo training including signature verification training. The canvassing board is responsible for a number of activities in the conduct of elections and results processing and reporting.
 - Duties begin as early as the pre-election (public logic and accuracy) testing of voting equipment is scheduled which must be within the 25 days before early voting starts in the respective county¹. Duties include but are not limited to canvassing of vote-by-mail ballots which can start as soon after the L&A testing. Duties continue through election night reporting and certification of elections results, and end with the post-election voting system audit, which must be completed no later than the 7th day following the board's certification of the election.
 - This reference guide focuses specifically on the membership requirement for those activities.
- Disqualification and/or removal of members.
 - Authority to remove a canvassing board member. See Division of Elections' Advisory Opinion DE [15-03](#)
 - 'Active participation' by a canvassing board member. See Division of Elections' Advisory Opinion DE [08-10](#).

¹ § 101.657, Fla. Stat. – The minimum mandatory EV period is 8 days beginning 10 days before election day with no less than 8 hours and no more than 12 hours per day. Counties can offer additional days of EV up to the 15th day before Election Day and/or the 2nd day before Election day.

REQUISITE MEMBERSHIP FOR CANVASSING BOARD ACTIVITIES

- Unless otherwise specified in law or rule, the canvassing board may act when two members are present, thereby constituting a majority. The majority must agree in order to take action. See also DE Advisory Opinion [05-08](#). The chart below details required membership for each category of activity.

Activity	Number of Board Members to be Present	Citation: law(s) and/or rule(s)
Public logic & accuracy testing	<ul style="list-style-type: none"> At least one member for test All members to certify the accuracy of test 	Section 101.5612 (2), Fla. Stat.
Duplication of ballot	<ul style="list-style-type: none"> Majority to be present to approve ballots to be duplicated At least one member to be present during duplication of ballots 	Sections 101.5614 (5), 101.68 , and 102.141 (8), Fla. Stat.
Canvassing vote-by-mail ballots	<ul style="list-style-type: none"> Majority to approve and order the opening of the ballots At least one member to be present at all times during opening and running of the ballots through tabulation system 	Sections 101.68 , 101.6925 , and 102.141 (2) & (8), Fla. Stat.
Determination to count or reject vote-by-mail ballots	<ul style="list-style-type: none"> Majority to determine whether to count or reject a ballot 	Sections 101.68 , 101.6925 , and 102.141 (2), Fla. Stat.
Finding signatures on provisional ballot or vote-by-mail ballot certificate/cure affidavit and voter record do not match signature	<ul style="list-style-type: none"> Majority and beyond reasonable doubt 	Sections 101.048 and 101.68 , Fla. Stat.
Canvassing of provisional ballots	<ul style="list-style-type: none"> Majority to determine whether to count or reject (which latter must be by preponderance of the evidence) 	Sections 101.048 , 101.049 , 101.6925 , and 102.141 (2), Fla. Stat.; Rule 1S-2.037 , Fla. Admin. Code
Recount	<ul style="list-style-type: none"> Majority at all times during recount process All members for determination or decision to resolve a discrepancy during a recount 	Sections 102.141 and 102.166 , Fla. Stat.; Rules 1S-2.027 , and 1S-2.031 , Fla. Admin. Code
Certification of election results and conduct of elections report	<ul style="list-style-type: none"> Majority to certify results 	Section 102.141 , Fla. Stat.
Post-election certification audit of voting system	<ul style="list-style-type: none"> Majority at all times during audit process 	Section 101.591 , Fla. Stat.; Rule 1S-5.026 (4)(e), Fla. Admin. Code

Day	Date	Time	Length	Event	Description
Thu	21-Jul	11:00 AM	3 hrs	Board meeting	Pre-Election Logic and Accuracy Testing. Includes testing of the voting equipment used to tabulate Vote-by-Mail, Early Voting, and Election Day ballots, and recount/audit system
Mon	25-Jul	8:00 AM	30 min	Observation	Public inspection of ballots and certificates
Mon	25-Jul	8:00 AM	45 min	Observation, by appt. if requested	Review/inspection of certain materials by authorized persons
Mon	25-Jul	9:00 AM	until done	Processing, if needed	Processing of accepted VBM ballots
Tue	26-Jul	8:00 AM	30 min	Observation	Public inspection of ballots and certificates
Tue	26-Jul	8:00 AM	45 min	Observation, by appt. if requested	Review/inspection of certain materials by authorized persons
Tue	26-Jul	9:00 AM	until done	Processing, if needed	Processing of accepted VBM ballots
Wed	27-Jul	8:00 AM	30 min	Observation	Public inspection of ballots and certificates
Wed	27-Jul	8:00 AM	45 min	Observation, by appt. if requested	Review/inspection of certain materials by authorized persons
Wed	27-Jul	9:00 AM	until done	Processing, if needed	Processing of accepted VBM ballots
Thu	28-Jul	8:00 AM	30 min	Observation	Public inspection of ballots and certificates
Thu	28-Jul	8:00 AM	45 min	Observation, by appt. if requested	Review/inspection of certain materials by authorized persons
Thu	28-Jul	9:00 AM	until done	Processing, if needed	Processing of accepted VBM ballots
Fri	29-Jul	8:00 AM	30 min	Observation	Public inspection of ballots and certificates
Fri	29-Jul	8:00 AM	45 min	Observation, by appt. if requested	Review/inspection of certain materials by authorized persons
Fri	29-Jul	9:00 AM	until done	Processing, if needed	Processing of accepted VBM ballots
Mon	1-Aug	8:00 AM	30 min	Observation	Public inspection of ballots and certificates
Mon	1-Aug	8:00 AM	45 min	Observation, by appt. if requested	Review/inspection of certain materials by authorized persons
Mon	1-Aug	9:00 AM	until done	Processing, if needed	Processing of accepted VBM ballots
Tue	2-Aug	8:00 AM	30 min	Observation	Public inspection of ballots and certificates
Tue	2-Aug	8:00 AM	45 min	Observation, by appt. if requested	Review/inspection of certain materials by authorized persons
Tue	2-Aug	9:00 AM	until done	Processing, if needed	Processing of accepted VBM ballots
Wed	3-Aug	8:00 AM	30 min	Observation	Public inspection of ballots and certificates
Wed	3-Aug	8:00 AM	45 min	Observation, by appt. if requested	Review/inspection of certain materials by authorized persons
Wed	3-Aug	9:00 AM	until done	Processing, if needed	Processing of accepted VBM ballots
Thu	4-Aug	11:00 AM	2 hrs	Board meeting, if held	Canvass mail ballots
Thu	4-Aug	8:00 AM	30 min	Observation	Public inspection of ballots and certificates
Thu	4-Aug	8:00 AM	45 min	Observation, by appt. if requested	Review/inspection of certain materials by authorized persons
Thu	4-Aug	9:00 AM	until done	Processing, if needed	Processing of accepted VBM ballots
Fri	5-Aug	8:00 AM	30 min	Observation	Public inspection of ballots and certificates
Fri	5-Aug	8:00 AM	45 min	Observation, by appt. if requested	Review/inspection of certain materials by authorized persons
Fri	5-Aug	9:00 AM	until done	Processing, if needed	Processing of accepted VBM ballots
Mon	8-Aug	1:30 PM	until done	Duplication, if needed	Duplication of ballots
Mon	8-Aug	8:00 AM	30 min	Observation	Public inspection of ballots and certificates
Mon	8-Aug	8:00 AM	45 min	Observation, by appt. if requested	Review/inspection of certain materials by authorized persons

Day	Date	Time	Length	Event	Description
Mon	8-Aug	9:00 AM	until done	Processing, if needed	Processing of accepted VBM ballots
Mon	8-Aug	9:00 AM	until done	Tabulation, if needed	Tabulation. Scanning of ballots into recount/audit system
Tue	9-Aug	8:00 AM	30 min	Observation	Public inspection of ballots and certificates
Tue	9-Aug	8:00 AM	45 min	Observation, by appt. if requested	Review/inspection of certain materials by authorized persons
Tue	9-Aug	9:00 AM	until done	Processing, if needed	Processing of accepted VBM ballots, scanning of ballots into recount/audit system.
Tue	9-Aug	9:00 AM	until done	Tabulation, if needed	Tabulation. Scanning of ballots into recount/audit system
Wed	10-Aug	1:30 PM	until done	Duplication, if needed	Duplication of ballots
Wed	10-Aug	8:00 AM	30 min	Observation	Public inspection of ballots and certificates
Wed	10-Aug	8:00 AM	45 min	Observation, by appt. if requested	Review/inspection of certain materials by authorized persons
Wed	10-Aug	9:00 AM	until done	Processing, if needed	Processing of accepted VBM ballots, scanning of ballots into recount/audit system.
Wed	10-Aug	9:00 AM	until done	Tabulation, if needed	Tabulation. Scanning of ballots into recount/audit system
Thu	11-Aug	11:00 AM	2 hrs	Board meeting, if held	Canvass of mail ballots and adjudication of voter Intent
Thu	11-Aug	8:00 AM	30 min	Observation	Public inspection of ballots and certificates
Thu	11-Aug	8:00 AM	45 min	Observation, by appt. if requested	Review/inspection of certain materials by authorized persons
Thu	11-Aug	9:00 AM	until done	Processing, if needed	Processing of accepted VBM ballots, scanning of ballots into recount/audit system.
Thu	11-Aug	9:00 AM	until done	Tabulation, if needed	Tabulation. Scanning of ballots into recount/audit system
Fri	12-Aug	1:30 PM	until done	Duplication, if needed	Duplication of ballots
Fri	12-Aug	8:00 AM	30 min	Observation	Public inspection of ballots and certificates
Fri	12-Aug	8:00 AM	45 min	Observation, by appt. if requested	Review/inspection of certain materials by authorized persons
Fri	12-Aug	9:00 AM	until done	Processing, if needed	Processing of accepted VBM ballots, scanning of ballots into recount/audit system.
Fri	12-Aug	9:00 AM	until done	Tabulation, if needed	Tabulation. Scanning of ballots into recount/audit system
Sat	13-Aug	9:00 AM	until done	Processing, if needed	Scanning of ballots into recount/audit system
Sun	14-Aug	9:00 AM	until done	Processing, if needed	Scanning of ballots into recount/audit system
Mon	15-Aug	1:30 PM	until done	Duplication, if needed	Duplication of ballots
Mon	15-Aug	9:00 AM	until done	Tabulation, if needed	Tabulation. Scanning of ballots into recount/audit system
Mon	15-Aug	8:00 AM	30 min	Observation	Public inspection of ballots and certificates
Mon	15-Aug	8:00 AM	45 min	Observation, by appt. if requested	Review/inspection of certain materials by authorized persons
Mon	15-Aug	9:00 AM	until done	Processing, if needed	Processing of accepted VBM ballots, scanning of ballots into recount/audit system.
Tue	16-Aug	9:00 AM	until done	Tabulation, if needed	Tabulation. Scanning of ballots into recount/audit system
Tue	16-Aug	8:00 AM	30 min	Observation	Public inspection of ballots and certificates
Tue	16-Aug	8:00 AM	45 min	Observation, by appt. if requested	Review/inspection of certain materials by authorized persons
Tue	16-Aug	9:00 AM	until done	Processing, if needed	Processing of accepted VBM ballots, scanning of ballots into recount/audit system.
Wed	17-Aug	1:30 PM	until done	Duplication, if needed	Duplication of ballots

Day	Date	Time	Length	Event	Description
Wed	17-Aug	9:00 AM	until done	Tabulation, if needed	Tabulation. Scanning of ballots into recount/audit system
Wed	17-Aug	8:00 AM	30 min	Observation	Public inspection of ballots and certificates
Wed	17-Aug	8:00 AM	45 min	Observation, by appt. if requested	Review/inspection of certain materials by authorized persons
Wed	17-Aug	9:00 AM	until done	Processing, if needed	Processing of accepted VBM ballots, scanning of ballots into recount/audit system.
Thu	18-Aug	11:00 AM	2 hrs	Board meeting, if held	Canvass of mail ballots and adjudication of voter Intent
Thu	18-Aug	9:00 AM	until done	Tabulation, if needed	Tabulation. Scanning of ballots into recount/audit system
Thu	18-Aug	8:00 AM	30 min	Observation	Public inspection of ballots and certificates
Thu	18-Aug	8:00 AM	45 min	Observation, by appt. if requested	Review/inspection of certain materials by authorized persons
Thu	18-Aug	9:00 AM	until done	Processing, if needed	Processing of accepted VBM ballots, scanning of ballots into recount/audit system.
Fri	19-Aug	1:30 PM	until done	Duplication, if needed	Duplication of ballots
Fri	19-Aug	9:00 AM	until done	Tabulation, if needed	Tabulation. Scanning of ballots into recount/audit system
Fri	19-Aug	8:00 AM	30 min	Observation	Public inspection of ballots and certificates
Fri	19-Aug	8:00 AM	45 min	Observation, by appt. if requested	Review/inspection of certain materials by authorized persons
Fri	19-Aug	9:00 AM	until done	Processing, if needed	Processing of accepted VBM ballots, scanning of ballots into recount/audit system.
Sat	20-Aug	9:00 AM	until done	Processing, if needed	Scanning of ballots into recount/audit system
Sun	21-Aug	9:00 AM	until done	Processing, if needed	Scanning of ballots into recount/audit system
Mon	22-Aug	11:00 AM	2 hrs	Board meeting, if held	Canvass of mail ballots and adjudication of voter Intent
Mon	22-Aug	1:30 PM	until done	Duplication, if needed	Duplication of ballots
Mon	22-Aug	9:00 AM	until done	Tabulation, if needed	Tabulation. Scanning of ballots into recount/audit system
Tue	23-Aug	4:00 PM	2 hrs	Board meeting	Canvass of mail ballots and adjudication of voter Intent
Tue	23-Aug	7:00 PM	until done	Board meeting	Canvass mail ballots, adjudicate voter intent and begin reporting election results
Tue	23-Aug	1:30 PM	until done	Duplication, if needed	Duplication of ballots
Tue	23-Aug	9:00 AM	until done	Tabulation, if needed	Tabulation. Scanning of ballots into recount/audit system
Wed	24-Aug	9:00 AM	until done	Processing, if needed	Processing of accepted VBM ballots, scanning of ballots into recount/audit system.
Thu	25-Aug	5:00 PM	3 hrs	Board meeting	Canvass mail ballot affidavits, canvass provisional ballots, adjudicate voter intent, and certify Unofficial Results
Thur	25-Aug	1:30 PM	until done	Duplication, if needed	Duplication of ballots
Thu	25-Aug	9:00 AM	until done	Processing, if needed	Scanning of ballots into recount/audit system
Fri	26-Aug	1:00 PM	until done	Board meeting, if held	Machine recount with manual recount to follow (if needed)
Sat	27-Aug	9:00 AM	until done	Board meeting, if held	Machine recount with manual recount to follow (if needed)
Sun	28-Aug	11:00 AM	2 hrs	Board meeting, if held	If recount conducted, 2nd Unofficial Results certified
Tue	30-Aug	10:00 AM	2hrs	Board meeting	Certify official results, conduct and certify post-election audit (conducted if a manual recount was not performed)
Wed	31-Aug	11:00 AM	2 hrs	Board meeting, if held	Continue post election audit, held only if audit not completed in prior meeting, and certify audit

July 18, 2022 - July 24, 2022

July 2022							August 2022						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
					1	2		1	2	3	4	5	6
3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30	31			
31													

Monday, July 18

Tuesday, July 19

Wednesday, July 20

Thursday, July 21

11:00am - 2:00pm Public L and A Test (Board Meeting)

Friday, July 22

Saturday, July 23

Sunday, July 24

July 25, 2022 - July 31, 2022

July 2022							August 2022						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
					1	2		1	2	3	4	5	6
3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30	31			
31													

Monday, July 25

- 8:00am - 8:30am Public Inspection of ballots & voter certificates ↻
- 8:00am - 8:45am Review/inspection of certain materials by authorized persons (By appt. if requested) ↻
- 9:00am - 5:00pm Processing VBM Ballots (If needed) ↻

Tuesday, July 26

- 8:00am - 8:30am Public Inspection of ballots & voter certificates ↻
- 8:00am - 8:45am Review/inspection of certain materials by authorized persons (By appt. if requested) ↻
- 9:00am - 5:00pm Processing VBM Ballots (If needed) ↻

Wednesday, July 27

- 8:00am - 8:30am Public Inspection of ballots & voter certificates ↻
- 8:00am - 8:45am Review/inspection of certain materials by authorized persons (By appt. if requested) ↻
- 9:00am - 5:00pm Processing VBM Ballots (If needed) ↻

Thursday, July 28

- 8:00am - 8:30am Public Inspection of ballots & voter certificates ↻
- 8:00am - 8:45am Review/inspection of certain materials by authorized persons (By appt. if requested) ↻
- 9:00am - 5:00pm Processing VBM Ballots (If needed) ↻

Friday, July 29

- 8:00am - 8:30am Public Inspection of ballots & voter certificates ↻
- 8:00am - 8:45am Review/inspection of certain materials by authorized persons (By appt. if requested) ↻
- 9:00am - 5:00pm Processing VBM Ballots (If needed) ↻

Saturday, July 30

Sunday, July 31

August 1, 2022 - August 7, 2022

August 2022						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

September 2022						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

Monday, August 1

- 8:00am - 8:30am Public Inspection of ballots & voter certificates ↻
- 8:00am - 8:45am Review/inspection of certain materials by authorized persons (By appt. if requested) ↻
- 9:00am - 5:00pm Processing VBM Ballots (If needed) ↻

Tuesday, August 2

- 8:00am - 8:30am Public Inspection of ballots & voter certificates ↻
- 8:00am - 8:45am Review/inspection of certain materials by authorized persons (By appt. if requested) ↻
- 9:00am - 5:00pm Processing VBM Ballots (If needed) ↻

Wednesday, August 3

- 8:00am - 8:30am Public Inspection of ballots & voter certificates ↻
- 8:00am - 8:45am Review/inspection of certain materials by authorized persons (By appt. if requested) ↻
- 9:00am - 5:00pm Processing VBM Ballots (If needed) ↻

Thursday, August 4

- 8:00am - 8:30am Public Inspection of ballots & voter certificates ↻
- 8:00am - 8:45am Review/inspection of certain materials by authorized persons (By appt. if requested) ↻
- 9:00am - 5:00pm Processing VBM Ballots (If needed) ↻
- 11:00am - 1:00pm Canvassing Board Meeting, if held (Board Meeting)

Friday, August 5

- 8:00am - 8:30am Public Inspection of ballots & voter certificates ↻
- 8:00am - 8:45am Review/inspection of certain materials by authorized persons (By appt. if requested) ↻
- 9:00am - 5:00pm Processing VBM Ballots (If needed) ↻

Saturday, August 6

Sunday, August 7

August 8, 2022 - August 14, 2022

August 2022							September 2022							
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	
		1	2	3	4	5	6					1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10	
14	15	16	17	18	19	20	11	12	13	14	15	16	17	
21	22	23	24	25	26	27	18	19	20	21	22	23	24	
28	29	30	31				25	26	27	28	29	30		

Monday, August 8

- 8:00am - 8:30am Public Inspection of ballots & voter certificates ↻
- 8:00am - 8:45am Review/inspection of certain materials by authorized persons (By appt. if requested) ↻
- 9:00am - 5:00pm Processing VBM Ballots (If needed) ↻
- 9:00am - 5:00pm Tabulation (If needed) ↻
- 1:30pm - 5:00pm Duplication (if needed) ↻

Tuesday, August 9

- 8:00am - 8:30am Public Inspection of ballots & voter certificates ↻
- 8:00am - 8:45am Review/inspection of certain materials by authorized persons (By appt. if requested) ↻
- 9:00am - 5:00pm Processing VBM Ballots (If needed) ↻
- 9:00am - 5:00pm Tabulation (If needed) ↻

Wednesday, August 10

- 8:00am - 8:30am Public Inspection of ballots & voter certificates ↻
- 8:00am - 8:45am Review/inspection of certain materials by authorized persons (By appt. if requested) ↻
- 9:00am - 5:00pm Processing VBM Ballots (If needed) ↻
- 9:00am - 5:00pm Tabulation (If needed) ↻
- 1:30pm - 5:00pm Duplication (if needed) ↻

Thursday, August 11

- 8:00am - 8:30am Public Inspection of ballots & voter certificates ↻
- 8:00am - 8:45am Review/inspection of certain materials by authorized persons (By appt. if requested) ↻
- 9:00am - 5:00pm Processing VBM Ballots (If needed) ↻
- 9:00am - 5:00pm Tabulation (If needed) ↻
- 11:00am - 1:00pm Canvassing Board Meeting (If needed)

Friday, August 12

- 8:00am - 8:30am Public Inspection of ballots & voter certificates ↻
- 8:00am - 8:45am Review/inspection of certain materials by authorized persons (By appt. if requested) ↻
- 9:00am - 5:00pm Processing VBM Ballots (If needed) ↻
- 9:00am - 5:00pm Tabulation (If needed) ↻
- 1:30pm - 5:00pm Duplication (if needed) ↻

Saturday, August 13

- 9:00am - 5:00pm Processing (If needed)

Sunday, August 14

- 9:00am - 5:00pm Processing (If needed)

August 15, 2022 - August 21, 2022

August 2022							September 2022							
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	
		1	2	3	4	5	6					1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10	
14	15	16	17	18	19	20	11	12	13	14	15	16	17	
21	22	23	24	25	26	27	18	19	20	21	22	23	24	
28	29	30	31				25	26	27	28	29	30		

Monday, August 15

- 8:00am - 8:30am Public Inspection of ballots & voter certificates ↻
- 8:00am - 8:45am Review/inspection of certain materials by authorized persons (By appt. if requested) ↻
- 9:00am - 5:00pm Processing VBM Ballots (If needed) ↻
- 9:00am - 5:00pm Tabulation (If needed) ↻
- 1:30pm - 5:00pm Duplication (if needed) ↻

Tuesday, August 16

- 8:00am - 8:30am Public Inspection of ballots & voter certificates ↻
- 8:00am - 8:45am Review/inspection of certain materials by authorized persons (By appt. if requested) ↻
- 9:00am - 5:00pm Processing VBM Ballots (If needed) ↻
- 9:00am - 5:00pm Tabulation (If needed) ↻

Wednesday, August 17

- 8:00am - 8:30am Public Inspection of ballots & voter certificates ↻
- 8:00am - 8:45am Review/inspection of certain materials by authorized persons (By appt. if requested) ↻
- 9:00am - 5:00pm Processing VBM Ballots (If needed) ↻
- 9:00am - 5:00pm Tabulation (If needed) ↻
- 1:30pm - 5:00pm Duplication (if needed) ↻

Thursday, August 18

- 8:00am - 8:30am Public Inspection of ballots & voter certificates ↻
- 8:00am - 8:45am Review/inspection of certain materials by authorized persons (By appt. if requested) ↻
- 9:00am - 5:00pm Processing VBM Ballots (If needed) ↻
- 9:00am - 5:00pm Tabulation (If needed) ↻
- 11:00am - 1:00pm Canvassing Board Meeting

Friday, August 19

- 8:00am - 8:30am Public Inspection of ballots & voter certificates ↻
- 8:00am - 8:45am Review/inspection of certain materials by authorized persons (By appt. if requested) ↻
- 9:00am - 5:00pm Processing VBM Ballots (If needed) ↻
- 9:00am - 5:00pm Tabulation (If needed) ↻
- 1:30pm - 5:00pm Duplication (if needed) ↻

Saturday, August 20

- 9:00am - 5:00pm Processing (If needed)

Sunday, August 21

- 9:00am - 5:00pm Processing (If needed)

August 22, 2022 - August 28, 2022

August 2022							September 2022							
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	
		1	2	3	4	5	6					1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10	
14	15	16	17	18	19	20	11	12	13	14	15	16	17	
21	22	23	24	25	26	27	18	19	20	21	22	23	24	
28	29	30	31				25	26	27	28	29	30		

Monday, August 22

- 9:00am - 5:00pm Processing VBM Ballots (If needed) ↻
- 9:00am - 5:00pm Tabulation (If needed) ↻
- 11:00am - 1:00pm Canvassing Board Meeting (If needed)
- 1:30pm - 5:00pm Duplication (if needed) ↻

Tuesday, August 23

- 9:00am - 5:00pm Tabulation (If needed) ↻
- 1:30pm - 5:00pm Duplication (If needed)
- 4:00pm - 6:00pm Canvassing Board Meeting
- 7:00pm - 11:00pm Canvassing Board Meeting (Until done)

Wednesday, August 24

- 9:00am - 9:30am Processing (If needed)

Thursday, August 25

- 9:00am - 5:00pm Processing (If needed)
- 1:30pm - 2:00pm Duplication (If needed)
- 5:00pm - 8:00pm Canvassing Board Meeting

Friday, August 26

- 1:00pm - 7:00pm Canvassing Board Meeting (If needed)

Saturday, August 27

- 9:00am - 11:00am Canvassing Board Meeting (If needed)

Sunday, August 28

- 11:00am - 1:00pm Canvassing Board Meeting (If needed)

August 29, 2022 - September 4, 2022

August 2022

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

September 2022

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

Monday, August 29

Tuesday, August 30

10:00am - 12:00pm Canvassing Board Meeting

Wednesday, August 31

11:00am - 1:00pm Canvassing Board Meeting (If needed)

Thursday, September 1

Friday, September 2

Saturday, September 3

Sunday, September 4



Guidelines for Logic and Accuracy (L&A) Testing

DE Reference Guide 0019 (Updated 08/2020)

These guidelines are for reference only. They are not to be construed as legal advice or representation. For any particular set of facts or circumstances, refer to the applicable state, federal law, and case law, and/or consult a private attorney before drawing any legal conclusions or relying upon this information.

OVERVIEW

- **100% Logic and Accuracy (L&A) Testing.** After completing maintenance and programming of voting equipment, the law requires a logic and accuracy (L&A) testing to be conducted on all of the voting equipment to be used in an election (100% L&A). This test:
 - Is done to ensure that the system is properly programmed, the election is accurately defined on the voting system, and the input, output, and communication devices are working correctly.¹
 - May be conducted before or after the public L&A test (details below). Best practice is before public L&A.
 - Involves testing:
 - ✓ All programmed precinct voting devices
 - ✓ All programmed voter interface devices
 - ✓ All tabulators that will be used for vote-by-mail ballots
- **Public L&A Testing.** A sample of the automatic tabulation equipment² to be used in an election must be publicly tested to ensure equipment will correctly count the votes cast for all candidates, in all offices, and on all measures.
 - Publish public notice at least 48 hours in advance of the event.³ See more details in the “NOTICE REQUIREMENTS” section.
 - Complete on any day within the 25-day period⁴ before early voting (EV)⁵ is scheduled to begin in the county.
 - Requires canvassing board to convene for public L&A testing, certify to the accuracy of the test, and witness resetting and sealing of each device that passed to a pre-election state of readiness in such a manner as to secure its state of readiness until the opening of the polls (Canvassing board may designate one member to be http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=101.657&URL=0100-0199/0101/Sections/0101.657.html its representative).
 - Test within presence of attending political party representatives and candidates or their representatives.

NOTICE REQUIREMENTS

- The public L&A date, time, and place must be posted at least 48-hours in advance on the supervisor of elections website and once in the newspaper. If no newspaper is available, then notice may be posted in four conspicuous locations in the county.
- The applicable qualifying officer (supervisor of elections or the municipal elections official) may, at the time of qualifying, give written notice of the public L&A test’s date, time, and location to each candidate and obtain a signed receipt that the notice has been given.
- At least 30 days before early voting is scheduled to begin in the county, the applicable qualifying officer must send via certified mail written notice of the test date, time, and location to the county party chair of each political party

¹ § [101.5612](#)(1), Fla. Stat.

² “Automatic tabulation equipment” is defined as the apparatus necessary to automatically examine, count, and record votes.

³ § [101.5612](#)(2), Fla. Stat.

⁴ See s.2 of chapter [2020-109](#), Laws of Florida, which amends subsection 101.5612(2), Fla. Stat.

⁵ § 101.657, Fla. Stat. – The minimum mandatory EV period is 8 days beginning 10 days before election day with no less than 8 hours and no more than 12 hours per day. Counties can offer additional days of EV up to the 15th day before Election Day and/or the 2nd day before Election day.

and to all candidates other than those for statewide office whose names appear on the ballot in the county and who did not receive written notification from the applicable qualifying officer at the time of qualifying.⁶

TESTING REQUIREMENTS

- Public L&A testing may include all or a sample of the tabulation equipment. If the county chooses to publicly test only a sample, the requirements⁷ are:
 - A random selection of at least 5% or 10 precinct optical scan devices, whichever is greater
 - Ballot marking devices, the overall number of which is at the discretion of the supervisor, to ensure that they satisfy accessibility requirements as described in subsections [101.56062\(1\)\(n\)](#) and (2), Fla. Stat.
 - Early voting device(s), the overall number of which is at the discretion of the supervisor
 - All central count (vote-by-mail) tabulators
- Testing requires producing/processing a set of pre-determined valid votes for each candidate and for each measure, as well as one or more overvoted ballots for each contest. This is commonly called a test deck. See additional test deck details in the “**TEST DECK REQUIREMENTS AND RECOMMENDATIONS**” section.
- After the test deck has been processed through the tabulation equipment, a comparison is made between the pre-determined test deck results and a printout of tabulator results to ensure that the “expected” vote counts matched the actual vote counts.
- If a tested tabulation device is found to have an error in tabulation, it is deemed unsatisfactory and the canvassing board must take, at least, the following steps⁸:
 - Determine the cause of the error
 - Identify and test other devices that could reasonably be assumed to have the same error
 - Test a sufficient number of devices to determine that all other devices are satisfactory
- If the canvassing board deems any device to be unsatisfactory, it may require all devices to be tested or may declare that all devices are unsatisfactory.
- If an error is found in the operation or output of a particular device, such as with spelling or the order of candidates on a report, the canvassing board must determine whether this is cause to deem a device to be unsatisfactory.⁹
- Mandatory additional step for public testing of equipment used to tabulate vote-by-mail ballots - If any error is detected on electronic or electromechanical voting systems configured to tabulate vote-by-mail ballots at a central or regional site, the statutes call for the error to be corrected, and for testing to be repeated until an errorless count is achieved immediately before the start of the official count of the ballots and again after the completion of the official count.¹⁰
- When the public L&A testing has been satisfactorily completed, the canvassing board or its representative, the representatives of the political parties, and the candidates or their representatives who attended the test shall be allowed to witness the resetting to a pre-election state of readiness of each device that passed and the sealing of each device that passed to secure its state until the opening of the polls.¹¹
- The canvassing board or its representative shall execute a written statement identifying the tabulation devices that were tested, the results of the testing, the device’s protective counter numbers (if applicable) the number of the

⁶ See s. 2 of chapter [2020 – 109](#), Laws of Florida, which amends subsection [101.5612\(2\)](#), Fla. Stat.

⁷ § [101.5612\(4\)\(a\)1.](#), Fla. Stat.

⁸ § [101.5612\(4\)\(a\)2.](#), Fla. Stat.

⁹ § [101.5612\(4\)\(a\)3.](#), Fla. Stat.

¹⁰ § [101.5612\(3\)](#), Fla. Stat.

¹¹ § [101.5612\(4\)\(b\)](#), Fla. Stat.

seal securing each tabulation device at the conclusion of testing, any problems reported to the board as a result of the testing, and whether each device tested was deemed to be satisfactory or unsatisfactory.¹²

- If any tabulating device is deemed to be unsatisfactory, it must be recoded, repaired, or replaced and must then be made available for retesting. **Such device must be determined by the canvassing board or its representative to be satisfactory before it may be used in any election.** The canvassing board or its representative shall announce at the close of the first testing the date, place, and time that any unsatisfactory device will be retested or may, at the option of the board, notify by telephone each person who was present at the first testing as to the date, place, and time that the retesting will occur.¹³
- Records must be kept of all pre-election testing of electronic or electromechanical tabulation devices used in any election. These records must be available for inspection and/or reference during public L&A testing. Records must include the name of the person who tested each device, along with the date, place, time, and results of each test.¹⁴
- Test records must be retained as part of the official records of the election.¹⁵
- Once the logic and accuracy test is completed, canvassing boards may begin to canvass returned vote-by-mail ballots pursuant to [Executive Order 20-149](#) for the 2020 Election cycle only.

TEST DECK REQUIREMENTS AND RECOMMENDATIONS

- A test deck is a set of ballots with pre-audited results, meaning that they have a pre-determined number of valid votes for each candidate on each measure, with at least one or more overvoted ballots for each contest (to ensure that voting device will alert voter that overvoted races will not be counted)¹⁶.
- Pre-audited results are used to verify the accuracy of the public L&A test by comparing the pre-audited results to the public test results. The pre-audited results may be manually determined, electronically generated (i.e. using a spreadsheet), or produced during pre-public L&A testing.
- L&A tests must include actual ballots that will be used in the election; and if the county uses ballot-on-demand, these ballots, using the same paper stock as will be used for the election, must be included.¹⁷
- The test deck should include at least one blank ballot (to ensure that voting device will accept a blank ballot), hand marked ballots, and ballot marking device ballots. The test deck may also include electronically marked ballots.
- The creation of an “enhanced” test desk with non-traditional vote patterns and/or the addition of more test ballots to make up a unique number of votes for each candidate is strongly recommended. While a county may have used a 1-2-3 test deck pattern, it is not the most precise way to verify that votes are being tabulated correctly.

[Checklist for Public Logic and Accuracy Testing on next page]

¹² § [101.5612\(4\)\(c\)](#), Fla. Stat.

¹³ § [101.5612\(4\)\(d\)](#), Fla. Stat.

¹⁴ § [101.5612\(4\)\(e\)](#), Fla. Stat.

¹⁵ § [101.5612\(4\)\(e\)](#), Fla. Stat.

¹⁶ § [101.5612\(3\)](#), Fla. Stat.

¹⁷ § [101.5612\(5\)](#), Fla. Stat.

CHECKLIST FOR PUBLIC LOGIC AND ACCURACY TESTING

The L&A test ideally serves as a dress rehearsal for the actual election and should include the following key elements:

- A sample of available voting devices or 100%
- One or more early voting devices
- All vote-by-mail tabulators
- Examination of ballot marking devices, along with the audio ballot and ADA accessories that are paired with the device (e.g. tactile device, visual display ballot, display contrast, ballot magnification)
- A pre-audited group of ballots, with a predetermined number of valid votes for each candidate, on each measure, to include one or more ballots with an overvote
- The test deck should include as many ballots as needed to accommodate a unique number of marks for each of the candidates and yes/no votes to ensure that the correct number of votes are counted for each candidate and each issue. The supervisor of elections has discretion whether or not to examine every ballot style.
- Upload of the results into the election management system
- Modem upload, if applicable
- Creation of the election night reporting in the XML file format¹⁸
- Submission of the election night reporting in the XML file format to the Division, if a test file has not been previously submitted
- Submission (via certified mail) of a copy of the election database (preferably with uploaded L&A results) to BVSC within 24 hours¹⁹

¹⁸ § [102.141\(4\)](#), Fla. Stat.; [Rule 1S-2.053, Fla. Admin. Code](#)

¹⁹ §[101.5607\(1\)\(b\)](#), Fla. Stat.

Public L&A Test

Thursday, July 21

11:00AM

Tabulation System

448 Precincts—23 DS200 (5% by statute)

26 Early Voting Locations – 6 DS200 (at discretion of Canvassing Board)

Vote By Mail – 7 DS850 (100% by statute)

ExpressVote – 1 Demonstration and audio verification (at discretion of Canvassing Board)

Clear Audit/Recount System

7 Scanners (100%)

VBM BALLOT TYPES AND TIMELINES

- A returned official VBM ballot always takes precedence over the voter's returned state write-in ballot (SWAB) or federal write-in ballot (FWAB).
- UOCAVA (Uniformed Overseas and Civilian Absentee Voting Act) Voter: Any member of a uniformed service on active duty who, by reason of such duty, is absent stateside or overseas from the place of residence where otherwise qualified to vote; any member of the merchant marine, who by reason of such service is absent stateside or overseas from the place of residence where otherwise qualified to vote; and any spouse or dependent of uniformed service member of merchant marine.
- Overseas means outside of the 50 states, District of Columbia, Commonwealth of Puerto Rico, Guam, the US Virgin Islands, and American Samoa

VBM Ballot Type	Return Method	Deadline for Receipt	Authority
Regular Official VBM (upon request of voter)			
Any voter	Mail or Drop Off	7 PM Election Day	101.62 101.67
Any absent stateside uniformed service member or merchant marine member, or spouse or dependent		7PM Election Day	101.62 Rule 1S-2.030
Any overseas voter (uniformed service member or merchant marine member, or spouse or dependent; or US civilian citizen)	Faxed	7 PM Election Day	101.62 Rule 1S-2.030
	If mailed	Up to 10 days after PPP or General Election. Must be postmarked or dated no later than Election Day	101.62, Rule 1S-2.030
State Write-In Ballot [SWAB] (upon request of voter between 180 and 90 before the General Election)			
Any overseas voter (due to military or other contingency that will preclude the normal delivery of a regular VBM ballot, and to vote all offices –federal, state and local – to which the voter is entitled to vote)	Mailed Faxed	7 PM Election Day	101.6951 101.6952 Rule 1S-2.028
	If mailed	Up to 10 days after PPP or General Election. Must be postmarked or dated no later than Election Day	101.6951 101.6952 Rule 1S-2.028
Federal Write-In Absentee Ballot [FWAB] (Emergency/back up ballot if regular VBM ballot requested but not yet received by UOCAVA voter for use in any federal, state or local election)			
Any absent stateside uniformed services member or merchant marine member, or spouse or dependent	Mailed	7 PM Election Day (If postmarked by Election Day, the date on envelope will be deemed return date)	UOCAVA 52 U.S.C. 20303 101.6952
Any overseas voter (uniformed services member or merchant marine member, or spouse or dependent, or US civilian)	Mailed Faxed	7 PM Election Day	101.62 Rule 1S-2.030
	If mailed	Up to 10 days after PPP or General Election. Must be postmarked or dated no later than Election Day	101.6951 101.6952
<ul style="list-style-type: none"> • FWAB is not canvassed until 7 PM Election Day. If regular VBM ballot not received by 7 PM Election Day, the FWAB is canvassed. • If FWAB received from overseas voter for the PPP or General, it is not canvassed until 10 days after Election Day to allow for receipt of the regular VBM ballot. If regular VBM ballot is not received by the 10 day deadline, the FWAB is canvassed. • Date signed is presumed to be the date mailed regardless of postmark date or absence of postmark. 			



FEDERAL WRITE-IN ABSENTEE AND STATE WRITE-IN VOTE-BY-MAIL BALLOTS

DE Reference Guide 0002 (Updated 07/2018)

These guidelines are for reference only. They are not to be construed as legal advice or representation. For any particular set of facts or circumstances, refer to the applicable state, federal law, and case law, and/or consult a private attorney before drawing any legal conclusions or relying upon this information.

FEDERAL WRITE-IN ABSENTEE BALLOT (FWAB)

(UOCAVA, 52 U.S.C 20303; sections 101.6952 and 101.697, F.S.; Rules 1S-2.030 and 1S-2.051, F.A.C.)

- **Used ONLY by UOCAVA voters:**
 - Absentee military members and their family members (*i.e.*, uniformed services members on active duty away from place of residence – includes ‘absent stateside’ and overseas)
 - Overseas voters (*i.e.*, all other U.S. citizens residing outside the U.S.)
- **Delivery method:**
 - Mail, fax, e-mail, online (if an online ballot delivery system is approved for use in the voter’s county of residence), or personal delivery (family member or voter may pick up ballot)
- **Return method:**
 - If overseas voter, by fax, mail, or by personal delivery (by or on behalf of voter)
 - If absentee *stateside* military (& spouse or dependent child thereof) by mail and personal delivery only
- **Count FWAB ONLY:**
 - Previous absentee ballot request on record. (Voter must swear or affirm on FWAB that he or she has not yet received state’s regular vote-by-mail ballot. Closer to election day, a voter could request a regular vote-by-mail ballot and submit a FWAB at the same time)
 - For votes cast in federal, state, and local elections received before 7 p.m. on Election Day. See **Special Note** below regarding 10-day extension for overseas voters.
 - If the FWAB is returned postmarked by Election Day (The statutory presumption is that the return date on a returned overseas vote-by-mail ballot is the date stated on the outside of the return envelope regardless of an absent postmark or a postmark later than Election Day.) (section 101.6952, F.S.)

STATE WRITE-IN VOTE-BY-MAIL BALLOT (sections 101.6951 and 101.6952, F.S.; Rule 1S-2.028, F.A.C.)

- Available to any overseas voter (not to absent stateside military)
- Must be requested between 90 and 180 days before a *general* election.
- Must be based on military or other contingency that precludes normal mail delivery of regular vote-by-mail ballot - if voter’s circumstances change, voter should be sent regular vote-by-mail ballot.
- Includes all offices (federal, state, or local) for which voter otherwise entitled to vote.
- Send to voter by mail, fax or e-mail (Rule 1S-2.030, F.A.C.)
- Count if regular vote-by-mail ballot not received by 7 p.m. deadline on Election Day (by mail or fax only) (Rule 1S-2.030, F.A.C.) See **Special Note** below about 10-day extension for overseas voters (section 101.6952(5), F.S.)

SPECIAL NOTE: A 10-day extension applies to overseas vote-by-mail ballots (regular, FWAB or State write-in) only in Presidential Preference Primary Elections, general elections, and special elections:

- If received after 7 p.m. on Election Day but no later than 10 days thereafter, count all races and ballot measures on ballot, provided the ballot is postmarked or dated by Election Day, and the voter is otherwise eligible.

CANVASS ORDER OF ABSENTEE/VOTE-BY-MAIL BALLOT. A returned regular voted vote-by-mail ballot always counts over a returned voted write-in absentee/vote-by-mail ballot if received by 7 p.m., Election Day. If a write-in vote-by-mail ballot (FWAB or state write-in) is returned first, the write-in ballot cannot be canvassed before 7 p.m., to wait for return of the regular vote-by-mail ballot. However, for elections in which the 10-day extension applies, if the write-in ballot from an *overseas* voter is received by 7 p.m. on Election Day, the write-in ballot must be set aside and shall not be canvassed until 10 days after Election Day. If the voter’s regular vote-by-mail ballot is received within the 10-day period and is otherwise proper, that ballot shall be canvassed, and the write-in ballot shall not be counted. If the voter’s official Florida vote-by-mail ballot is not properly received within the 10-day period, the write-in ballot shall then be canvassed.

Guidelines for Vote By Mail 1st Time Mail-in Registrant Voters (MRG) [FS 97.0535, FS 101.6923, FS 101.6925]

- A mail-in registrant (MRG) is someone who:
 - Registered by mail for the 1st time and will be voting for the 1st time.
 - **Has never been issued a Florida driver license, Florida state identification card or social security number, and affirmatively states this on the application and the state is unable to find an existing number.**
 - Must provide before voting (unless exempt under certain circumstances) one of the following required IDs at the polls or with a VBM ballot: United States passport; debit or credit card; military ID; student ID; retirement center, neighborhood association or public assistance ID; veteran health ID card issued by the U.S. Department of Veterans Affairs; a license to carry a concealed weapon or firearm issued pursuant to FS 790.06; employee ID card issued by any branch, department, agency or entity of the federal government, the state, a county or a municipality. OR one of the following documents if they contain the name and current residence address of the applicant: utility bill; bank statement; government check; paycheck; or government document (excluding a voter information card).
 - Is exempt from ID requirement upon execution of special ballot certificate affirming that person is absent stateside or overseas uniformed services member or civilian spouse or dependent thereof (see Uniformed and Overseas Citizens Voting Act – UOCAVA – 52 USC 20301-2031), is 65 years of age or older (based on Voting Accessibility for the Elderly and Handicapped Act – VAEHA – 52 USC 20101-20107) or has a permanent or temporary disability (VAEHA)
- Canvass MRG VBM ballots after the 5 PM deadline on the 2nd day after the election has passed to allow the voter to submit a signature cure affidavit if the VBM ballot is missing a signature or the canvassing board finds that the signature on the voter certificate does not match the signature on record (FS 101.68)

Research/ Canvassing Board Determination	Accept	Reject
Voter did not provide a copy of the required ID with returned VBM or did not affirm he or she was otherwise exempt from the ID requirement		X
Voter provided a copy of the ID with returned VBM ballot or affirmed that he or she was exempt from the ID requirements but: <ul style="list-style-type: none"> • Signatures on certificate and in the record do not match and no cure affidavit was provided; or • Signatures on certificate and in the record do not match and cure affidavit was rejected. 		X
Voter provided a copy of the ID with returned VBM ballot or affirmed that he or she was exempt from the ID requirements, and signatures on certificate and in the record match.	X	

Craig Latimer
Supervisor of Elections
Absentee Totals

Date 09-Jun-2022

Hillsborough County, FL

Time 02:54 PM

177 2020 General Election

03-Nov-2020 General Election

Start Date 01-Jan-2020 12:00 am

End Date 04-Nov-2020 12:00 am

Ballot Style ALL

Opening Totals	Military			Civilian		Total
	Domestic	Absent Dom	Overseas	Domestic	Overseas	
Absentee Requests						
Voters requesting absentee ballots	41	129	42	2,617	78	2,907
Canceled and Ineligible absentee requests	0	0	0	(16)	0	(16)
Adjusted total of absentee requests	41	129	42	2,601	78	2,891
Ballots Delivered/Mailed						
Absentee requests sent first absentee ballot	0	0	0	0	0	0
Replacement absentee ballots issued	0	0	0	0	0	0
Ballots issued to requests that were canceled	0	0	0	0	0	0
Total absentee ballots issued to valid requests	0	0	0	0	0	0
Ballots Returned						
Absentee ballots returned	0	0	0	0	0	0
Absentee ballots returned with voter errors	0	0	0	0	0	0
Total absentee ballots to be tabulated	0	0	0	0	0	0
This Period's Activity						
Voters requesting absentee ballots	5,303	5,368	941	417,081	3,361	432,054
Canceled and Ineligible absentee requests	(7)	(4)	(1)	(712)	(11)	(735)
Absentee requests sent first absentee ballot	5,318	5,364	974	417,496	3,417	432,655
Replacement absentee ballots issued	145	537	127	11,615	522	12,946
Ballots issued to requests that were canceled in period	0	0	0	0	0	0
Ballots Returned						
Absentee ballots returned	3,992	4,440	772	326,238	2,708	338,152
Absentee ballots returned with voter errors	(2)	(57)	(4)	(399)	(6)	(468)
Ballots returned in this period reinstated by Cnvssg Brd	0	0	0	0	0	0
Net increase in ballots to be tabulated	3,992	4,383	768	325,839	2,702	337,684
Closing Totals						
Absentee Requests						
Voters requesting absentee ballots	5,344	5,497	983	419,698	3,439	434,961
Canceled and Ineligible absentee requests	(7)	(4)	(1)	(728)	(11)	(751)
Adjusted total of absentee requests	5,337	5,493	982	418,970	3,428	434,210
Ballots Delivered/Mailed						
Absentee requests sent first absentee ballot	5,318	5,450	974	417,496	3,417	432,655
Replacement absentee ballots issued	145	537	127	11,615	522	12,946
Ballots issued to requests that were canceled	0	0	0	0	0	0
Total absentee ballots issued to valid requests	5,463	5,987	1,101	429,111	3,939	445,601
Ballots Returned						
Absentee ballots returned	3,994	4,440	772	326,238	2,708	338,152
Absentee ballots returned with voter errors	(2)	(57)	(4)	(399)	(6)	(468)
Total absentee ballots to be tabulated	3,992	4,383	768	325,839	2,702	337,684

From: [Matthews, Maria I.](#)
To: [SOEList](#); [SOEStaffContacts](#); [Bill.Keen](#); [charles.overturf](#); [David Stafford](#); [Vicky Oakes](#); [Turner, Ron](#); [Vicki Davis](#); [lscott@votebrevard.gov](#); [Labasky, Ron - FSASE Legal Counsel](#)
Cc: [Kennedy, Jennifer L.](#); [Marconnet, Amber](#); [McVay, Brad R.](#); [O'Brien, Colleen E.](#); [Dena Hurst](#); [Davis, Ashley E.](#); [Chappell, David](#)
Subject: Notice: DOS Online Signature Matching/Verification Training Program
Date: Friday, May 6, 2022 8:00:58 AM

EXTERNAL EMAIL: Exercise Caution with links or attachments.

Dear Supervisors of Elections and staff,

The Florida Department of State is pleased to make available, pursuant to the requirements of section 97.012(17), Florida Statutes, an online signature matching/verification training program. This program was developed in conjunction with the Florida Institute of Government (FIOG) and based on materials prepared by Thomas Vastrick, a forensic document examiner. The purpose of this program is to provide a valuable foundation to performing the duties that entail signature matching/verification under the Florida Election Code in whatever capacity.

Key Features

As announced at the 2022 County Canvassing Board Workshop, this program:

- Covers solely standards for examining signatures to determine whether they match
 - *Reminder: You must still adhere to the standards in law, as may be applicable, for validating or invalidating, or accepting or rejecting, a ballot (e.g., vote-by-mail or provisional), a cure affidavit, a petition, or other signed document.*
- Consists of modules, practice sessions and test questions
 - *We recommend that you take notes as you proceed through the course to assist you with recall during the practice sessions and the tests*
 - *A link to Mr. Vastrick's powerpoint is available within the online program as a supplemental resource*
- Is available at no cost
- Is available 24/7
- Can be paused (progress is saved) and retaken as many times as you would like
- Includes technical support
 - *Individuals taking the course can email elarning@iog.fsu.edu. You can expect a response within 24 business hours. If they are not able to resolve the issue, tech support will submit a help ticket through their LMS vendor and follow up with the individual once the issue is resolved.*
- Is approved for 2 hours of credit
- Provides a certificate of completion for the online program
 - *If an individual forgets to print out the certificate, the course lives on in the system and the participant will be able to log back on at any time and view/print their*

certificate of completion.

Getting Started

The link below will take you to a log in page, where you can create a user account. Once you have set up your username and password, you will then be taken to a dashboard displaying the course. Click the course tile to begin.

https://elearning.iog.fsu.edu/enroll/1864620?th__ug=84502989

Once you have an individual account, you can still use this link to get to the log in page, but then you will use “Sign In” in the upper right corner.

Final Steps

While access to this program is not limited, at a minimum, you and all canvassing board members including substitutes and alternates should take this training as soon as possible for this election cycle.

Please retain copies of the certificates of completion for you and the canvassing board as part of the canvassing board records. Also retain in your records copies of certificates for anyone your office who may take the training as part of their role in signature matching/verification process.

Supervisors of Elections are asked to share this email to their canvassing board members, staff, and others, as appropriate, so they make take the course..

Respectfully,

Maria Matthews, Esq.
Division of Elections, Director
Florida Department of State
500 S. Bronough Street
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Important notices:

This response is provided for reference only and does not constitute legal advice or representation. As applied to a particular set of facts or circumstances, interested parties should refer to the Florida Statutes and applicable case law, and/or consult a private attorney before drawing any legal conclusions or relying upon the information provided. (Esta respuesta se proporciona solo como referencia y no constituye consejo ni representación legal. Las personas interesadas deben consultar los Estatutos de la Florida y la jurisprudencia aplicable, y / o consultar a un abogado privado para saber como el ley se aplique a sus hechos or circunstancias particulares antes de sacar conclusiones legales o confiar en la información proporcionada.)

Written communications including email addresses to governmental agencies constitute public records and are available to the public including media upon request unless the information is subject to a specific statutory exemption. See e.g., F.S. 668.6076 (Las comunicaciones escritas, incluso las direcciones de correo electrónico, a agencias de gobierno, constituyen registros públicos y están disponibles, a pedido, para el público, incluso la prensa, a menos que la información esté sujeta a una exención legal específica. Véase por ejemplo, F.S. 668.6076)

Hillsborough County Canvassing Board VBM Ballot Criteria Chart

Statute/ Rule	Vote By Mail	Accept	Reject	Case by Case
101.68(2)(c)1	No signature, if left uncured		*X	
101.68(4)(b)	No signature, with cure affidavit	X		
101.68(2)(c)1, 98.077(4)(a), 101.65	Signature does not match**, if left uncured or incomplete cure		*X	
101.68(2)(c)1	Signature does not match, received completed cure affidavit	X		
101.68(2)(c)1, 98.077(4)(a), 101.65	Signature printed and does not match the signature on file, if left uncured or incomplete cure		*X	
101.68(4)(b)	Signature printed does not match, with completed cure affidavit	X		
	Voter signed envelope for someone else and both voters had a request on file	X		
	Certificate envelope has two signatures and both voters requested ballots and both received the same ballot	X		
101.64(2)	Voter sends ballot in blank envelope that does not have the oath		X	
101.045	Voted wrong ballot (voter has moved/party change)			X
101.68(2)(c)2	Voter deceased after ballot was postmarked or voter removed after ballot returned	X		
101.67(2)	Late return of VBM ballot (except UOCAVA voters)		X	
101.69	Voted early or at the polls		X	
Statute/ Rule	Vote By Mail Cure Affidavit	Accept	Reject	Case by Case
101.68(3)(a)	Cure Affidavit received with Tier 1 identification	X		
101.68(3)(b)	Cure Affidavit received with Tier 2 identification and the cure signature matches a signature on record	X		
	Cure Affidavit received with Tier 2 identification and the signature on the cure does not match** a signature on record		*X	
	Cure not received prior to 5 PM on the 2nd day after the election		X	
Statute/ Rule	First Time Voters Who Registered by Mail -- Special VBM	Accept	Reject	Case by Case
101.6923	Voter provides proper identification or indicates exemption	X		
101.6923	Voter does not provide proper identification or indicate an exemption by 7 PM		X	

Statute/ Rule	Absent from Overseas Voters (10 Days After the Election)	Accept	Reject	Case by Case
101.6952, 1S-2.030	No postmark or date		X	
101.6952, 1S-2.030	Date of postmark on or before election day	X		
	Dated on or before election day but postmarked later or no postmark	X		
	Dated and postmarked after election day or dated after election day with no postmark		X	
Statute/ Rule	State Write-In Ballot	Accept	Reject	Case by Case
101.6951	State write-in ballot will be considered on a case by case basis			X
Statute/ Rule	Special Instances	Accept	Reject	Case by Case
	Voter submitted a voted sample ballot with clear voter intent, inside their Certificate Envelope that has a valid signature	X		
	Voter changed address, sent two ballots; both ballots received, first correct ballot accepted	X		
	[PPP or Primary] Voter changed political affiliation, sent two ballots; both ballots received, first correct ballot accepted	X		
Statute/ Rule	Federal Write-In Absentee Ballot	Accept	Reject	Case by Case
	Not a registered voter in the county		X	
	Signed the FWAB and the signature verified, no other issues	X		
	No date and no postmark -- received after election day		X	
	Dated or postmarked on election day or earlier	X		
	No request received but dated on or before election day and oath is signed	X		
	Challenge of overseas voter based on not meeting definition of 97.021(24)			X
	Not registered by deadline		X	

***Opportunity to Cure:** Per FS 101.68(4) until 5 PM on the 2nd day after the election, the supervisor shall allow an elector who has returned a VBM ballot that does not include the elector's signature or whose signature does not match to submit an affidavit with a copy of identification to cure.

****Beyond reasonable doubt:** Per FS 101.68(2)(c), a finding by the Canvassing Board that an elector's signature does not match must be by majority vote and beyond a reasonable doubt.

10 Day Extension for Overseas Voters: A federal write-in absentee ballot may not be canvassed until 7 PM on the day of the election. A federal write-in absentee ballot from an overseas voter in a presidential preference primary or general election may not be canvassed until the conclusion of the 10 day period specified in subsection (5). Each federal write-in absentee ballot received by 7 PM on the day of the election shall be canvassed pursuant to 101.5614(5) and 101.68, unless the elector's official absentee ballot is received by 7 PM on election day 101.6952(2)(a). An absent uniformed services voter or an overseas voter who makes timely application for but does not receive an official absentee ballot may use the federal write-in absentee ballot to vote in any federal, state or local election.

Hillsborough County Canvassing Board Provisional Ballot Criteria Chart

Statute/ Rule	Provisional Ballots	Accept	Reject	Case by Case
101.048	Voter is eligible, signature matches, correct precinct	X		
101.048	Voter is eligible but did not have proper ID -- Signature matches that on file	X		
101.048	Voter given the provisional in error -- should have voted a regular ballot	X		
101.048	Voter application was not verified by the state, voter furnished additional information prior to 5 PM of the 2nd day. Voter deemed eligible.	X		
101.048	Ballot cast in wrong precinct		X	
101.048	Voter name not found -- not registered to vote		X	
101.045	Voter moved into county -- Eligible, signature matches, correct precinct	X		
101.048	Voter moved out of county		X	
101.048	Voter was cancelled as felon or for other reasons		X	
101.048	Voter registered after the books closed		X	
101.048	Voter's application was not verified by the state, voter did not furnish additional identification by 5 PM of the 2nd day.		X	
101.048	Voters application was incomplete so not eligible to vote		X	
101.048	Voter's signature did not match** and voter did not sign "Signature Differs" Affidavit, but signature on provisional matches that on file with SOE	X		
101.048	Voter's signature did not match** and voter did not sign "Signature Differs" Affidavit, but voter completes the cure affidavit	X		
101.048	Voter's signature did not match, voter did not sign "Signature Differs" Affidavit, and left uncured or incomplete		X	
101.048	Voter had been sent a VBM ballot, did not surrender it, but VBM ballot not received by the SOE	X		
101.048	Voter's right to vote has been challenged			X
101.048	[PPP or Primary] Voter has disputed party affiliation; provisional ballot is the wrong party according to SOE research		X	
101.048	Voter has already voted by mail or at an early vote center		X	
101.049	Voting hours extended -- voter is eligible and in the correct precinct	X		
101.049	Voting hours extended -- voter is eligible and NOT in the correct precinct		X	
	Not registered by deadline		X	

<p>*Opportunity to Cure: Per FS 101.68(4) until 5 PM on the 2nd day after the election, the supervisor shall allow an elector who has returned a VBM ballot that does not include the elector's signature or whose signature does not match to submit an affidavit with a copy of identification to cure.</p>
<p>**Beyond reasonable doubt: Per FS 101.68(2)(c), a finding by the Canvassing Board that an elector's signature does not match must be by majority vote and beyond a reasonable doubt.</p>
<p>10 Day Extension for Overseas Voters: A federal write-in absentee ballot may not be canvassed until 7 PM on the day of the election. A federal write-in absentee ballot from an overseas voter in a presidential preference primary or general election may not be canvassed until the conclusion of the 10 day period specified in subsection (5). Each federal write-in absentee ballot received by 7 PM on the day of the election shall be canvassed pursuant to 101.5614(5) and 101.68, unless the elector's official absentee ballot is received by 7 PM on election day 101.6952(2)(a). An absent uniformed services voter or an overseas voter who makes timely application for but does not receive an official absentee ballot may use the federal write-in absentee ballot to vote in any federal, state or local election.</p>



Voter Challenges

DE Reference Guidelines 0009 (Updated 03/2020)

These guidelines are for reference only. They are not to be construed as legal advice or representation. For any particular set of facts or circumstances, refer to the applicable state, federal law, and case law, and/or consult a private attorney before drawing any legal conclusions or relying upon this information.

In the event of a voter challenge, the law (Section 101.111, Florida Statutes) should be applied as follows:

CHALLENGER

- The challenger can only challenge a voter in the challenger's own county.
- The challenger must sign a statutory oath.
- Each challenge must be separately completed.
- A challenger commits a 1st degree misdemeanor if challenge is frivolous.
- A challenge provided in advance to the Supervisor of Elections or made at the polls is to be given to the election board of the challenged voter's precinct.

CHALLENGES CAN BE FILED IN ADVANCE

- A challenge can be filed up to 30-days in advance.
- A challenge is election specific, i.e., it can only apply to the election in which it is filed.

CHALLENGED VOTER

- Voter must be provided a copy of the challenge before voting.
- Voter can only vote a provisional ballot with a few exceptions:
 - If a challenge is based on the voter's residential address, the challenged voter may still be able to vote a regular ballot if the: (1) voter is only making an in-county address change, (2) the precinct to which the voter has moved his or her legal residence is within a county that uses an electronic database as a precinct register at the polling place, or (3) the voter is an active uniformed services member or family member. The voter must first execute an address change affidavit.
 - If the challenge is based on the voter's signature, the challenged voter must first execute a signature affidavit before voting a regular ballot.
- Voter voting provisionally must be given written instructions and notice of rights including opportunity to provide proof of eligibility until 5 pm. local time two days after Election Day. (section 101.048, Fla. Stat.)

Counting Provisional

- The statutory presumption is for the canvassing board to count a provisional ballot UNLESS a preponderance of the evidence shows that the person is otherwise not entitled to vote (i.e., not registered, not eligible (felon, adjudicated mentally incompetent, etc.), voted in the wrong precinct, already voted, or evidence of fraud, signature does not match even after opportunity to cure).
- The decision is based on review of the challenged person's provisional ballot certificate and affirmation, the challenger's written oath, and any other evidence provided either by the challenged person, the challenger and/or the supervisor of elections.

THE VOTER CHALLENGE LAW DOES NOT ADDRESS CHALLENGES TO VOTE-BY-MAIL BALLOT VOTERS.

- Any attempt to apply a challenge filed under Section 101.111, Florida Statutes, to vote-by-mail ballot voters should ensure that the voters are accorded the same due process as challenged voters at the polls whether election day or during early voting (i.e., timely notice of the challenge, copy of the written challenge, and written of right to present additional evidence to the supervisor).
- Section 101.68(1) and (2), Florida Statutes, allows an elector or candidate present at a canvassing meeting to file a protest or challenge with the canvassing board about a vote-by-mail ballot. The challenge must be based on a defect of the vote-by-mail ballot certificate and must occur before the vote-by-mail ballot has been removed from the envelope.

THE VOTER CHALLENGE PROCESS SHOULD NOT INTERFERE WITH THE VOTING PROCESS FOR OTHER VOTERS AND THE ORDERLY OPERATION OF THE POLLING PLACE.

Guidelines for Accepting or Rejecting Signature Cure Affidavit for Missing or Mismatched Signature on a Provisional Ballot or VBM Ballot Certificate [FS 101.68(4) and FS 101.048]

- SOE is required to notify a voter as soon as practicable if a signature is missing from the certificate or the signature on the certificate does not match the signature in the record. This applies to provisional ballots and VBM ballots.
- A voter has until 5 PM on the 2nd day after Election Day to submit by mail, email, fax or in person a signature cure affidavit. The voter must submit DS-DE 210 for a provisional ballot or DS-DE 139 for a VBM ballot, AND a copy of:
 - A **Tier 1 Identification** (ID) that is current and valid with voter’s name and photo – Florida driver license, FL ID card issued by the Department of Highway Safety and Motor Vehicles; United States passport; debit or credit card; military ID; student ID; retirement center, neighborhood association or public assistance ID; veteran health ID card issued by the U.S. Department of Veterans Affairs; Florida license to carry a concealed weapon or firearm; or employee ID card issued by any branch, department, agency or entity of the federal government, the state, a county or a municipality.

Or (only if voter does not have Tier 1 ID)

- A **Tier 2 Identification** that shows the voter’s name and current residence address: current utility bill; bank statement; government check; paycheck; or government document (excluding a voter information card).
- The Canvassing Board’s finding that a signature on a voter certificate and/or cure affidavit does not match must be by majority vote and beyond a reasonable doubt.

Canvassing Board Determination on Signature Cure Affidavit	Accept	Reject
Voter provided Tier 1 or Tier 2 ID but no signature cure affidavit		X
Voter provided Tier 1 and Tier 2 ID and an unsigned cure affidavit		X
Voter provided signed cure affidavit but no Tier 1 or Tier 2 ID		X
Voter provided signed cure affidavit and unacceptable ID		X
Voter provided signed cure affidavit and although signatures on affidavit and in the record do not match, the voter provided current and valid Tier 1 ID	X	
Voter provided signed cure affidavit and Tier 2 ID but signatures on affidavit and in the record do not match		X
Voter provided signed cure affidavit and Tier 1 or Tier 2 ID and signatures on affidavit and in the record match	X	

PUBLIC INSPECTION OF BALLOTS AND CERTIFICATES
PURSUANT TO 101.572(1)

The official ballots and ballot cards received from election boards and removed from vote -by-mail ballot mailing envelopes and voter certificates on such mailing envelopes shall be open for public inspection or examination while in the custody of the supervisor of elections or the county canvassing board at any reasonable time, under reasonable conditions; however, no persons other than the supervisor of elections or his or her employees or the county canvassing board shall handle any official ballot or ballot card. If the ballots are being examined prior to the end of the contest period in s.102.168, the supervisor of elections shall make a reasonable effort to notify all candidates whose names appear on such ballots or ballot cards by telephone or otherwise of the time and place of the inspection or examination. All such candidates, or their representatives, shall be allowed to be present during the inspection or examination.

The Canvassing Board directs staff to accommodate public inspection of ballots and certificates as per the above statute, and paragraphs 1-10 below.

1. Dates during which public inspection of ballots and certificates may occur will be contained in a legal notice published in a newspaper of general circulation. This notice will also be available on the Supervisor of Elections website.
2. When arriving to observe, the member of the public will check in at the front desk of the ESC by 8:00 AM and will receive a name tag which must be worn at all times. The observer will be escorted to the inspection area.
3. Voter certificates on mailing envelopes processed the previous day will be available for inspection.
4. Ballots processed the previous day will be available for inspection.
5. Use of personal computers and devices, including cell phones, is prohibited in the review/inspection room.
6. Eating or drinking is prohibited in the review/inspection room.
7. At no time can the observer touch any ballots or materials.
8. No recordings or photos are allowed.
9. No bags or briefcases are permitted in the review/inspection room.
10. The session will end promptly at 8:30 AM.

**REVIEW OR INSPECTION OF CERTAIN MATERIALS BY AUTHORIZED PERSONS
PURSUANT TO 101.572(2)**

A candidate, a political party official, or a political committee official, or an authorized designee thereof, shall be granted reasonable access upon request to review or inspect ballot materials before canvassing or tabulation, including voter certificates on vote-by-mail envelopes, cure affidavits, corresponding comparison signatures, duplicate ballots, and corresponding originals. Before the supervisor begins comparing signatures on vote-by-mail voter certificates, the supervisor must publish notice of the access to be provided under this section, which may be access to the documents or images thereof, and the method of requesting such access. During such review, no person granted access for review may make any copy of a signature.

The Canvassing Board directs staff to accommodate review or inspection of certain materials by authorized persons as per the above statute, and paragraphs 1-9 below.

1. Dates and times during which review or inspection of certain materials by authorized person may occur will be contained in a legal notice published in a newspaper of general circulation. This notice will also be available on the Supervisor of Elections website.
2. Each candidate, political party official, political committee official, or authorized designee thereof seeking to review or inspect certain materials shall complete an on-line form requesting access and submit the form to the Supervisor of Elections Office through the Supervisor of Elections website. Appointments are limited and will be assigned on a first-come, first-served basis.
3. When arriving to observe, the designee will check in at the front desk of the ESC and will receive a name tag which must be worn at all times.
4. A staff member will escort the designee to the review/inspection area. A staff member will present the designee the materials requested for review or inspection.
5. Use of personal computers and devices, including cell phones, is prohibited in the review/inspection room.
6. No bags or briefcases are permitted in the review/inspection room.
7. Eating or drinking is prohibited in the review/inspection room.
8. At no time can the observer touch any ballots or materials.
9. The appointment will end promptly at 8:45 AM.

OBSERVATION OF TABULATION
PURSUANT TO 101.5612(2)

Each political party may designate one person with expertise in the computer field who shall be allowed in the central counting room when all tests are being conducted and when the official votes are being counted. The designee shall not interfere with the normal operation of the canvassing board.

The Canvassing Board directs staff to accommodate observation of tabulation as per the above statute, and paragraphs 1-8 below.

1. Dates and times during which tabulation and testing may occur will be contained in a legal notice published in a newspaper of general circulation. This notice will also be available on the website.
2. The Supervisor of Elections Office reserves the right to not tabulate during the authorized times, based on agency needs.
3. Each party choosing to designate a representative for observation of tabulation shall submit the name to the Supervisor of Elections Office. One person per party will be allowed in the tabulation room at a time.
4. When arriving to observe, the designee must check in at the front desk of the ESC and will receive a name tag which must be worn at all times.
5. The observer shall be restricted to a suitable area within the tabulation room from which he or she can hear and see the tabulation stations.
6. Use of personal computers and devices, including cell phones, is prohibited in the tabulation room.
7. Eating or drinking is prohibited in the tabulation room.
8. At no time can the observer touch any ballots or materials, or otherwise interfere with the activities underway in the tabulation room. This includes directly communicating with staff performing tabulation.

OBSERVATION OF DUPLICATION
PURSUANT TO 101.5614(4)(A)

Upon request, a physically present candidate, a political party official, a political committee official, or an authorized designee thereof, must be allowed to observe the duplication of ballots. The observer must be allowed to observe the duplication of ballots in such a way that the observer is able to see the markings on each ballot and the duplication taking place.

If any observer makes a reasonable objection to a duplicate of a ballot, the ballot must be presented to the canvassing board for a determination of the validity of the duplicate.

The Canvassing Board directs staff to accommodate observation of duplication as per the above statute, and paragraphs 1-11 below.

1. Dates and times during which duplication is authorized to occur will be contained in a legal notice published in a newspaper of general circulation. This notice will also be available on the website.
2. The Supervisor of Elections office reserves the right to not duplicate during the authorized times, based on agency needs.
3. Each candidate, political party official, political committee official, or authorized designee thereof seeking to observe duplication shall submit the name of the designated observer to the Supervisor of Elections office. One person per candidate, political party, or political committee will be allowed in the duplication room at a time.
4. When arriving to observe, the designee must check in at the front desk of the ESC and will receive a name tag which must be worn at all times.
5. The observer must sign an affidavit affirming acknowledgment that disclosure of election results discerned from observing the ballot duplication process while the election is ongoing is a felony. See § 101.5614(4)(a), Fla. Stat.
6. Observers shall be restricted to a suitable area within the duplication room from which they can hear and see the duplication stations.
7. Use of personal computers and devices, including cell phones, is prohibited in the duplication room.
8. Eating or drinking is prohibited in the duplication room.
9. No bags or briefcases are permitted in the duplication room.
10. At no time can the observer touch any ballots or materials, or otherwise interfere with the activities underway in the duplication room. This includes directly communicating with staff performing duplication.
11. If an observer wishes to make a reasonable objection to a duplicate of a ballot, he or she will so indicate by raising his or her hand, at which time a staff member will provide the observer a form to complete and sign stating the basis for the objection. Staff will secure the complaint, the original ballot and the duplicate ballot for presentation to the Canvassing Board.

OBSERVATION OF VBM OPENING
PURSUANT TO CANVASSING BOARD POLICY AND BASED ON 101.5612(2)

Each political party may designate one person who shall be allowed in the Vote By Mail opening room when VBM ballots are being opened and ballots processed for tabulation.

The Canvassing Board directs staff to accommodate observation of VBM opening as per the above Canvassing Board policy, and paragraphs 1-9 below.

1. Dates and times during which VBM opening may occur will be contained in a legal notice published in a newspaper of general circulation. This notice will also be available on the website.
2. The Supervisor of Elections office reserves the right to not open VBM ballots during the authorized times, based on agency needs.
3. Each party choosing to designate a representative for observation of VBM opening shall submit the name to the Supervisor of Elections office. One person per party will be allowed in the opening room at a time.
4. When arriving to observe, the designee must check in at the front desk of the ESC and will receive a name tag which must be worn at all times.
5. The observer shall be restricted to a suitable area within the VBM opening room from which he or she can hear and see the opening stations.
6. Use of personal computers and devices, including cell phones, is prohibited in the opening room.
7. Eating or drinking is prohibited in the opening room.
8. No bags or briefcases are permitted in the opening room.
9. At no time can the observer touch any ballots or materials, or otherwise interfere with the activities underway in the VBM opening room. This includes directly communicating with staff performing VBM opening.

FILING A PROTEST TO A VBM BALLOT
PURSUANT TO 101.68(2)(c)(4)

If any elector or candidate present believes that a vote-by-mail ballot is illegal due to a defect apparent on the voter's certificate or the cure affidavit, he or she may, at any time before the ballot is removed from the envelope, file with the canvassing board a protest against the canvass of that ballot, specifying the precinct, the voter's certificate or the cure affidavit, and the reason he or she believes the ballot to be illegal. A challenge based upon a defect in the voter's certificate or cure affidavit may not be accepted after the ballot has been removed from the mailing envelope.

The Canvassing Board directs staff to accommodate filing a protest to a VBM ballot as per the above statute, and paragraphs 1-4 below.

1. Any elector or candidate may protest against the canvass of a ballot that the elector or candidate believes is illegal due to a defect apparent on the voter's certificate or cure affidavit.
2. The protest must be filed before the ballot is removed from the envelope.
3. During the review or inspection period, the person making the objection will indicate to staff the voter certificate or cure affidavit against which the objection is to be made and will then complete a form to lodge the protest. The challenge must be specific as to the ballot being challenged, the precinct, and the reason for such challenge.
4. Staff will secure the voter certificate or cure affidavit against which the objection has been made, and the completed and signed protest form for presentation to the Canvassing Board.

1S-2.027 Standards for Determining Voter's Choice on a Ballot.

(1) **Application.** The standards in this rule apply to determine whether the voter has clearly indicated a definite choice for purposes of counting a vote cast on a ballot in a manual recount as provided specifically by section 102.166, F.S.

(2) **Direct recording electronic voting system.**

(a) A vote cast on this voting system is valid for a particular candidate, issue choice, or judicial retention choice when the voter marks the ballot electronically as specified in the ballot instructions.

(b) A vote cast on this voting system is valid for a particular write-in candidate when the voter types on the touch screen the name of a write-in candidate in accordance with the ballot instructions.

(3) **Optical scan voting system.**

(a) A vote cast on this voting system is valid for a particular candidate, issue choice, or judicial retention choice when the voter marks the ballot as specified in the ballot instructions.

(b) A vote cast on this voting system is valid for a particular write-in candidate when the voter writes in the name of a candidate in the designated write-in space and fills in the oval or arrow next to the write-in candidate's name.

(4) **Manual review and tabulation.**

(a) The standards under this subsection apply in all instances where a contest is not marked as specified in the ballot instructions under subsection (2) or (3), and a manual review of the voter's markings on a ballot is required to determine whether there is a clear indication that the voter has made a definite choice in a contest.

(b) The canvassing board must first look at the entire ballot for consistency. Then the provisions of paragraph (c) apply to determine whether the voter has made a definite choice in a contest, provided the voter has not marked any other contest on the ballot, or if the voter has marked other contests, he or she has marked them in the same manner, subject to the exceptions in subparagraphs 7., 10., and 15. The following are examples of valid votes after review for consistency:

<p>For Attorney General (Vote for one)</p> <p><input type="radio"/> Lucille Ball</p> <p><input checked="" type="radio"/> Jack Benny</p> <p><input type="radio"/> Desi Arnaz</p> <p><input type="radio"/> Lenny Bruce</p>
<p>For Commissioner of Agriculture (Vote for one)</p> <p><input type="radio"/> Jack Ritter</p> <p><input type="radio"/> Audra Lindley</p> <p><input checked="" type="radio"/> Francis Bavier</p> <p><input type="radio"/> Jack Dodson</p>
<p>For State Representative (Vote for one)</p> <p><input checked="" type="radio"/> Don Nichols</p> <p><input type="radio"/> Michael Ross</p> <p><input type="radio"/> Bernie West</p> <p><input type="radio"/> Norman Fell</p>

Ballot Situation 1: Recount in race of State Representative. The two ovals in the first two races are filled in properly, but the voter has circled the candidate's name in the state representative race. Since the voter did not mark the state representative race in the same manner as in the other races, it cannot be determined whether the voter has clearly indicated a definite choice for Don Nichols.

For Attorney General (Vote for one)	
Lucille Ball	<input checked="" type="checkbox"/> <input type="checkbox"/>
Jack Benny	<input type="checkbox"/> <input type="checkbox"/>
Desi Arnaz	<input type="checkbox"/> <input type="checkbox"/>
Lenny Bruce	<input type="checkbox"/> <input type="checkbox"/>
For Commissioner of Agriculture (Vote for one)	
Jack Ritter	<input type="checkbox"/> <input type="checkbox"/>
Audra Lindley	<input type="checkbox"/> <input type="checkbox"/>
Francis Bavier	<input type="checkbox"/> <input type="checkbox"/>
Jack Dodson	<input checked="" type="checkbox"/> <input type="checkbox"/>
For State Representative (Vote for one)	
Don Nichols	<input type="checkbox"/> <input type="checkbox"/>
Michael Ross	<input checked="" type="checkbox"/> <input type="checkbox"/>
Bernie West	<input type="checkbox"/> <input type="checkbox"/>
Norman Fell	<input type="checkbox"/> <input type="checkbox"/>

Ballot Situation 2: Recount in race of State Representative. All races on this ballot are marked in the same manner. Since the ballot is consistently marked as in paragraph (c), the vote cast for Michael Ross in the state representative race is a valid vote.

For Attorney General (Vote for one)		
Lucille Ball	←	—
Jack Benny	←	—
Desi Arnaz	←	—
Lenny Bruce	←	—
For Commissioner of Agriculture (Vote for one)		
Jack Ritter	←	—
Audra Lindley	←	—
Francis Bavier	←	—
Jack Dodson	←	—
For State Representative (Vote for one)		
Don Nichols	←	—
Michael Ross	←	—
Bernie West	←	—
Norman Fell	←	—





Ballot Situation 3: Recount in State Representative race. Each race is marked differently so that no consistency in marking exists. It cannot be determined which marking, if any, is clearly indicative of the voter's choice. Therefore, the vote cast for Bernie West is not valid.

(c) Subject to the provisions of paragraph (4)(b), the following marks constitute a valid vote as indicated for a particular candidate, issue choice, or judicial retention choice:

1. The voter circles or underlines either the oval or arrow next to a candidate's name, issue choice, or judicial retention choice.









Valid Vote for Ball

For Attorney General
(Vote for one)

	Lucille Ball
	Jack Benny
	Desi Arnaz
	Lenny Bruce





Valid Vote for Ball

For Attorney General
(Vote for one)

Lucille Ball		
Jack Benny		
Desi Arnaz		
Lenny Bruce		









Valid Vote for Ball

For Attorney General
(Vote for one)

	Lucille Ball
	Jack Benny
	Desi Arnaz
	Lenny Bruce

Valid Vote for Ball





For Attorney General
(Vote for one)

Lucille Ball		
Jack Benny		
Desi Arnaz		
Lenny Bruce		

2. The voter circles or underlines the name of a candidate, issue choice, or judicial retention choice.










Valid Vote for Arnaz

For Attorney General
(Vote for one)

	Lucille Ball
	Jack Benny
	<u>Desi Arnaz</u>
	Lenny Bruce

Valid Vote for Arnaz

For Attorney General
(Vote for one)

Lucille Ball		
Jack Benny		
		
Lenny Bruce		

3. The voter circles or underlines the party abbreviation associated with a candidate's name.

Valid Vote for Benny
For Attorney General
(Vote for one)

<input type="radio"/>	Lucille Ball	DEM
<input type="radio"/>	Jack Benny	REP
<input type="radio"/>	Desi Arnaz	GRN
<input type="radio"/>	Lenny Bruce	LBT

Valid Vote for Benny
For Attorney General
(Vote for one)

Lucille Ball	DEM	←	—
Jack Benny	REP	←	—
Desi Arnaz	GRN	←	—
Lenny Bruce	LIB	←	—

4. The voter marks an "X," a check mark, a cross, a plus sign, an asterisk or a star, any portion of which is contained in a single oval or within the blank space between the head and tail of a single arrow. The marking must not enter into another oval or the space between the head and tail of another arrow.

Valid Vote for Ball
For Attorney General
(Vote for one)

<input checked="" type="radio"/>	Lucille Ball
<input type="radio"/>	Jack Benny
<input type="radio"/>	Desi Arnaz
<input type="radio"/>	Lenny Bruce

Valid Vote for Ball
For Attorney General
(Vote for one)

Lucille Ball	←	X	—
Jack Benny	←		—
Desi Arnaz	←		—
Lenny Bruce	←		—

Invalid Vote
For Attorney General
(Vote for one)


<input checked="" type="radio"/>	Lucille Ball
<input checked="" type="radio"/>	Jack Benny
<input type="radio"/>	Desi Arnaz
<input type="radio"/>	Lenny Bruce


Invalid Vote
For Attorney General
(Vote for one)


Lucille Ball	←	X	—
Jack Benny	←	X	—
Desi Arnaz	←		—
Lenny Bruce	←		—


5. The voter draws a diagonal, horizontal, or vertical line, any portion of which intersects two points on the oval and which does not intersect another oval at any two points. If it is a horizontal line, the line must not strike through the name of the candidate.

Valid Vote for Ball
For Attorney General
(Vote for one)


 Lucille Ball


 Jack Benny


 Desi Arnaz


 Lenny Bruce

Valid Vote for Ball
For Attorney General
(Vote for one)


 Lucille Ball


 Jack Benny


 Desi Arnaz


 Lenny Bruce

Invalid Vote
For Attorney General
(Vote for one)


 Lucille Ball


 Jack Benny


 Desi Arnaz


 Lenny Bruce

Invalid Vote
For Attorney General
(Vote for one)

 Lucille Ball


 Jack Benny


 Desi Arnaz


 Lenny Bruce


6. The voter draws a diagonal or vertical line that intersects an imaginary line extending from the center of the head of a single arrow to the center of the tail of the same arrow, provided the diagonal or vertical line does not intersect the imaginary line joining the head and tail of another arrow.

Valid Vote for Ball
For Treasurer
(Vote for one)


Lucille Ball 


Jack Benny 


Desi Arnaz 


Lenny Bruce 

Invalid Vote
For Treasurer
(Vote for one)

Lucille Ball 

Jack Benny 

Desi Arnaz 

Lenny Bruce 

7. The voter marks all the choices for a race but further clarifies a choice for a particular candidate, issue choice or judicial retention choice by placing an additional mark or marks showing support solely for that particular candidate, issue or judicial retention choice.

Valid Vote for Arnaz For Commissioner of Education (Vote for one) <input type="radio"/> Lucille Ball <input type="radio"/> Jack Benny <input checked="" type="radio"/> Desi Arnaz <input type="radio"/> Lenny Bruce	Valid Vote for Ball For Commissioner of Education (Vote for one) Lucille Ball ← Jack Benny ← Desi Arnaz ← Lenny Bruce ←
---	---

Valid Vote to Keep Justice in Office

Judicial Retention
State Supreme Court
(Vote yes or no)

Shall Justice Tom Poston be retained as Chief Justice of the State Supreme Court

Yes _____
 No _____

8. The voter strikes through all the choices for candidates, issue, or judicial retention except for one and also leaves the write-in candidate space blank.

Valid Vote for Bruce

For Commissioner of Agriculture
(Vote for one)

~~Lucille Ball~~
 ~~Jack Benny~~
 ~~Desi Arnaz~~
 Lenny Bruce

Write-In

9. The voter writes words such as “Vote for [candidate’s name],” “Count this vote” or “Vote no on amendment or referendum,” or “I want this one,” provided there are no other markings in the race that would constitute a valid vote for a different candidate, issue choice, or judicial retention choice pursuant to rule.

Valid Vote for Arnaz

For State Senator
(Vote for one)

Lucille Ball

Jack Benny

Desi Arnaz *This one*

Lenny Bruce

Invalid Vote

For State Senator
(Vote for one)

Lucille Ball ← —

Jack Benny ← —

Desi Arnaz ← —

Lenny Bruce ← —

↑ This one

Valid “No” vote

Proposed Constitutional Amendment No. 1
Article __, section __
(Popular Name)

An amendment to limit the increase in the assessed value of a taxpayer’s real property after a countywide reappraisal and to require a property tax credit.

YES *I vote no* Proposed Constitutional Amendment No. 1

NO Proposed Constitutional Amendment No. 1

10. The voter fills in the majority of an oval, or the majority of the distance between the head and the tail of an arrow designating a particular candidate, issue choice, or judicial retention choice, regardless of how other races on the ballot are marked.

Valid Vote for Arnaz
For School Board Member
 (Vote for one)

Lucille Ball

Jack Benny

Desi Arnaz

Lenny Bruce

Valid Vote for Arnaz
For School Board Member
 (Vote for one)

Lucille Ball ← —

Jack Benny ← —

Desi Arnaz ← —

Lenny Bruce ← —

11. If a voter marks fewer candidates than there are positions to be elected for those offices, then the votes for all of those marked candidates shall count. For example, if the voter is allowed to vote for 5 candidates in a special district election (“Vote for 5”) and the voter marks 2 candidates, the votes for those two marked candidates shall count.

Valid Votes for Arnaz and Bruce
For County Commissioner
 (Vote for three)

Lucille Ball

Jack Benny

Desi Arnaz

Lenny Bruce

Valid Vote for Benny
For School Board Member
 (Vote for two)

Lucille Ball ← —

Jack Benny ← —

Desi Arnaz ← —

Lenny Bruce ← —

12. The voter draws an arrow from the arrow head to a particular candidate, issue choice or judicial retention choice or draws an arrow head on the tail end of the arrow in lieu of filling in the void between the arrow head and the tail for the particular candidate, issue choice or judicial retention choice.

Valid Vote for Arnaz		Valid Vote for Bruce	
For U.S. Senator (Vote for one)		For U.S. Senator (Vote for one)	
Lucille Ball	← -	Lucille Ball	← -
Jack Benny	← -	Jack Benny	← -
Desi Arnaz	← → -	Desi Arnaz	← -
Lenny Bruce	← -	Lenny Bruce	← →

13. The voter darkens or bolds the arrow head and the arrow tail but does not fill in the void between the arrow head and the tail.

Valid Vote for Ball

For Attorney General (Vote for one)	
Lucille Ball	← ← -
Jack Benny	← -
Desi Arnaz	← -
Lenny Bruce	← -

14. The voter punches the oval or the void between the arrow head and tail.

Valid Vote for Ball
For Attorney General
(Vote for one)

<input checked="" type="radio"/>	Lucille Ball
<input type="radio"/>	Jack Benny
<input type="radio"/>	Desi Arnaz
<input type="radio"/>	Lenny Bruce

Valid Vote for Benny
For Attorney General
(Vote for one)

Lucille Ball	←	—
Jack Benny	←	—
Desi Arnaz	←	—
Lenny Bruce	←	—

15. The voter marks two or more choices similarly in one of the ways indicated in paragraphs 1.-14. and additionally writes in comments such as “not this,” “ignore this,” “don’t want,” or “wrong,” or “Vote for [candidate’s name]” such that voter’s definite choice is clearly indicated.

Valid Vote for Ball
For Clerk of Court
(Vote for one)

<input type="radio"/>	Lucille Ball
<input type="radio"/>	Jack Benny <i>wrong</i>
<input type="radio"/>	Desi Arnaz
<input type="radio"/>	Lenny Bruce

Valid Vote for Arnaz
For Clerk of Court
(Vote for one)

Lucille Ball	←	—
Jack Benny	←	—
Desi Arnaz	←	—
Lenny Bruce	←	—

(5) Write-in Voting.

(a) A voter is determined to have made a definite choice for a write-in vote for the joint office of President/Vice-President if the voter writes in either the last name of the candidate for President or the last name of the candidate for Vice-President. This standard similarly applies to constitute a valid write-in vote for the joint office of Governor/Lieutenant Governor if the voter writes in either the last name of the candidate for Governor or the last name of the candidate for Lieutenant Governor.

Valid Vote for Joint Qualified Write-in President and Vice President Candidates, Lenny Bruce and Sally Marr

For President/Vice President (Vote for one)	
<input type="radio"/>	Lucille Ball Buster Keaton
<input type="radio"/>	Jack Benny Don Wilson
<input type="radio"/>	Desi Arnaz Xavier Cugat
<input type="radio"/>	Lenny Bruce Sally Marr
<input type="radio"/>	<u>Marr</u> Write-In

(b) A voter is determined to have made a definite choice for a named candidate if the voter indicates a vote for a candidate named on the ballot and also writes-in the name of that same candidate in the blank space for 'write-in candidate'.

Valid Vote for Benny

For Attorney General (Vote for one)	
<input type="radio"/>	Lucille Ball
<input checked="" type="radio"/>	Jack Benny
<input type="radio"/>	Desi Arnaz
<input type="radio"/>	Lenny Bruce
<input checked="" type="radio"/>	<u>Benny</u> Write-In

(c) A voter is determined to have made a definite choice for a particular candidate if the voter either writes in the name of a qualified write-in candidate or the name of a candidate who is named on the ballot in that race, whether or not the oval or arrow designating the selection of a write-in candidate has been marked.

**Valid Vote for Smith, if Smith
is a qualified write-in candidate**

For Public Defender
(Vote for one)

Lucille Ball

Jack Benny

Desi Arnaz

Lenny Bruce

Smith
Write-In

Valid Vote for Bruce

For Public Defender
(Vote for one)

Lucille Ball ← —

Jack Benny ← —

Desi Arnaz ← —

Lenny Bruce ← —

Bruce ← —
Write-In

(d) If a voter abbreviates, misspells or varies the form of the name of a candidate in the write-in candidate space, it shall not affect the determination of whether the voter has made a definite choice.

(e) If a voter indicates a vote for a candidate named on the ballot and also writes in a name of a different person in the write-in candidate space, it shall be considered an overvote and none of the votes are valid for that race.

Invalid Vote

For Sheriff
(Vote for one)

Lucille Ball

Jack Benny

Desi Arnaz

Lenny Bruce

GOOFY
Write-In

Invalid Vote

For Sheriff
(Vote for one)

Lucille Ball ← —

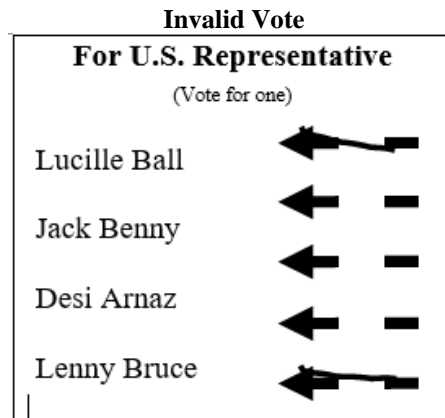
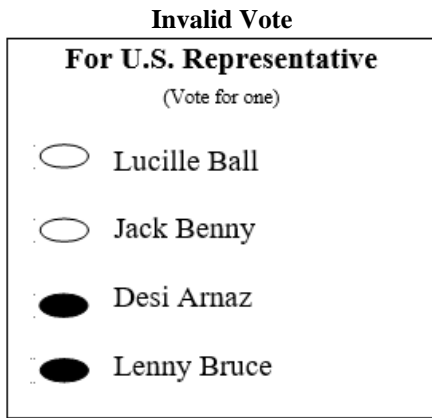
Jack Benny ← —

Desi Arnaz ← —

Lenny Bruce ← —

Chester ← —
Write-In

(6) **Overvotes.** Except as otherwise provided in subsections (4) and (5), if the voter marks more choices than there are positions or choices for that office or issue, it shall be considered an overvote and none of the votes are valid for that race.



(7) **Valid Vote.**

(a) A vote shall not count for any particular candidate, issue choice, or judicial retention choice at issue unless determined to be a valid vote pursuant to this rule.

(b) If a voter does not mark a candidate, judicial retention choice, or issue choice in a contest, the valid votes for other candidates or issues on the same ballot shall still be counted.

Rulemaking Authority 20.10(3), 97.021, 102.166(4) FS. Law Implemented 101.5614(5), 102.166(4), FS. History—New 6-6-02, Amended 10-6-08.

DUPLICATION POLICY AND GUIDELINES
PURSUANT TO 101.5614(4)(A)

If any vote-by-mail ballot is physically damaged so that it cannot properly be counted by the voting system's automatic tabulating equipment, a true duplicate copy shall be made of the damaged ballot in an open and accessible room in the presence of witnesses and substituted for the damaged ballot. Likewise, a duplicate ballot shall be made of a vote-by-mail ballot containing an overvoted race if there is a clear indication on the ballot that the voter has made a definite choice in the overvoted race or ballot measure. A duplicate shall include all valid votes as determined by the canvassing board based on rules adopted by the division pursuant to s. 102.166(4). A duplicate may be made of a ballot containing an undervoted race or ballot measure if there is a clear indication on the ballot that the voter has made a definite choice in the undervoted race or ballot measure. A duplicate may not include a vote if the voter's intent in such race or on such measure is not clear.

All duplicate ballots must be clearly labeled "duplicate," bear a serial number which shall be recorded on the defective ballot, and be counted in lieu of the defective ballot. The duplication of ballots must happen in the presence of at least one canvassing board member. After a ballot has been duplicated, the defective ballot shall be placed in an envelope provided for that purpose, and the duplicate ballot shall be tallied with the other ballots for that precinct.

The Canvassing Board directs staff to duplicate ballots as per the above statute and the voter intent rule 2.027, and paragraphs 1 – 5 below.

1. Duplicate ballots shall be made of ballots that cannot be read by the automatic tabulating system, including damaged ballots, faxed ballots, and VBM ballots marked using the Democracy Live accessibility program.
2. As per the voter intent rule, ballots with overvoted races in which the voter has not made a definite choice in the overvoted race or ballot measure do not require duplication and shall be tabulated as marked.
3. As per the voter intent rule, ballots with undervoted races in which the voter has not made a definite choice in the undervoted race or ballot measure do not require duplication and shall be tabulated as marked.
4. All markings for which voter intent cannot be readily determined as per the Voter Intent Rule shall be presented to the Canvassing Board to be adjudicated.
5. All original ballots shall be marked using a highlighter to indicate which ballot positions are to be marked on the duplicated ballot for tabulation. Each original and corresponding duplicate ballot shall be marked with the same serial number in order to re-pair the original with the duplicate if necessary.



Recount Procedure Summary

DE Reference Guidelines 0010 (Updated 08/2020)

These guidelines are for reference only. They are not to be construed as legal advice or representation. For any particular set of facts or circumstances, refer to the applicable state, federal law, and case law, and/or consult a private attorney before drawing any legal conclusions or relying upon this information.

APPLICABLE LAW

- Sections [102.141](#)(7) and [102.166](#), Florida Statutes, and [Rules 1S-2.027](#), [1S-2.031](#), and [1S-2.051](#) Fla. Admin. Code, govern recounts.¹
- This summary only represents a general overview. Please consult law and rule for specifics as they govern.

ORDERING OF A RECOUNT

- **Who orders the recount?**
 - The Secretary of State orders any recount for federal, state, or multicounty races involving candidates for office, candidates for judicial retention, and measures appearing on the ballot.
 - For all other races, the board certifying the results orders the recount.
- A recount may not begin until it has been ordered to occur by the proper authority.
- A candidate or political committee has no authority to request a recount.
- A recount at a minimum consists of a machine recount; it may also include a manual recount.

RACES NOT SUBJECT TO A RECOUNT (based upon the races not having “candidates” for office)

- Presidential Preference Primary.
- Political party executive committee (*i.e.*, state, district, and precinct committeemen and committeewomen).

PUBLIC NOTICE

- **Public notice** must be provided as soon as possible given the circumstances and the limited time schedule.
- Machine and manual recounts are **open to the public**.

MACHINE RECOUNT (s. 102.141(7), F.S.)

STATUTORY DEADLINE TO REPORT 1ST SET OF UNOFFICIAL RETURNS (s. 102.141(5), F.S.)

- **After a Primary Election:** No later than noon on the 3rd day after the Primary Election.
 - **After a General Election:** No later than noon on the 4th day after the General Election.
 - **After a Special Primary or Special Election:** No later than noon on 4th day after the election. (Laws governing general elections are applicable to special primary and special elections – s. 100.191, F.S.)
- **A machine recount must be ordered if** the 1st set of unofficial returns indicates that a candidate was defeated or eliminated by ½ of 1% or less of the total votes cast for an office or if an issue was approved or rejected by ½ of 1% or less of the total votes cast on the issue.
 - **Exception to a machine recount:**
 - If a candidate or candidates who is defeated or eliminated from contention for the office by ½ of 1% or less requests in writing that a machine recount not be conducted.
 - The canvassing board must follow the procedures in [Rule 1S-2.031](#), Fla. Admin. Code.
 - The machine recount constitutes a retabulation of all ballots.
 - Before the machine recount occurs, a **new election definition** must be created for the race(s) to be recounted. Parameters must be set to reject all overvotes and undervotes.
 - Before the start of the recount, a **public test of the tabulating equipment** must occur.

¹ Sections 4 and 5 of [chapter 2020 -109, Laws of Florida](#), will take effect in January 2021 and may change the process herein.

- **Optical scan ballots and hybrid voting system paper outputs:** The canvassing board must run each ballot with the affected race(s) through tabulator. All overvotes (optical scan ballots only) and undervotes (optical scan/hybrid voting system paper outputs) are outstacked to be used in the manual recount if one becomes necessary.
- **Results:** The results of the machine recount are included in the 2nd set of unofficial returns.

STATUTORY DEADLINE TO REPORT 2ND SET OF UNOFFICIAL RETURNS (s. 102.141(7)(c), F.S.)
<ul style="list-style-type: none"> • After a Primary Election: No later than 3 p.m. on the 5th day after the Primary Election. • After a General Election: No later than 3 p.m. on the 9th day after the General Election. • After a Special Primary or Special Election: No later than 3 p. m. on the 9th day after the election. (Laws governing general elections are applicable to special primary and special elections – s. 100.191, F.S.)

MANUAL RECOUNT (s. 102.166, F.S.)

- A manual recount must be ordered if the 2nd set of unofficial returns indicates that a candidate was eliminated or defeated by ¼ of 1% or less of the votes cast for the office or an issue was approved or rejected by ¼ of 1% or less.
- **Exceptions to a manual recount:**
 - If the candidate or candidates defeated or eliminated from contention for the office by ¼ of 1% or less request in writing that it not be conducted; or
 - If the number of overvotes and undervotes is fewer than the number of votes needed to change the outcome of the election.
- The manual recount is only a **recount of overvotes and undervotes** as outstacked from the machine recount.
- The canvassing board must use the procedures in [Rule 1S-2.031](#), Fla. Admin. Code.
- A vote for a candidate or issue must be counted if there is a clear indication on the ballot that a voter made a definite choice. See [Rules 1S-2.027](#) and [1S-2.051](#), Fla. Admin. Code.
- **Optical scan ballots and hybrid voting system paper outputs:**
 - The canvassing board assigns **counting teams** to review the overvotes and undervotes (optical scan/hybrid voting system paper outputs). Authorized representatives are permitted to be present and object to any decision of the counting team, but they may not otherwise disturb or interfere with the recount.
 - Each counting team sorts the ballots into 3 stacks for the recounted race: 1) ballots determined to contain a valid vote; 2) ballots determined to contain no clear indication of choice; and 3) ballots set aside for canvassing board determination.
- **Results:** The results from the manual recount are contained in the certification of the official returns.

STATUTORY DEADLINE TO REPORT OFFICIAL RETURNS (s. 102.112(2), F.S.)
<ul style="list-style-type: none"> • After a Primary Election: No later than 5 p.m. on the 7th day after the Primary Election. • After a General Election: No later than Noon on the 12th day after the General Election. • After a Special Primary or Special Election: No later than Noon on 12th day after the election. (Laws governing general elections are applicable to special primary and special elections – s. 100.191, F.S.) • If the results are not received by the time specified, such returns are ignored and the results on file at the specified time shall be certified by the Department of State.

NO

TE: Although the Presidential Preference Primary (PPP) is not subject to recount procedures, the deadlines for submission of the 1st set of unofficial returns and the official returns for the PPP are the same as for the General Election.

EXAMPLES OF RECOUNT CALCULATIONS

RACE WITH 2 CANDIDATES (PRIMARY OR GENERAL ELECTION BALLOT)

- **Candidate A:** 9,755 votes – 49.77%
- **Candidate B:** 9,845 votes – 50.23%
- **Total:** 19,600 votes – 100%
- **Calculation:** $50.23\% - 49.77\% = .45\%$; therefore, Candidate A was defeated by .45% of votes cast.
 - If this scenario was based upon the 1st set of unofficial returns, a machine recount is required because $.45\% \leq .5\%$. (Note: $\leq .5\%$ is the threshold for a machine recount.)
 - If this scenario was based upon the 2nd set of unofficial returns, a manual recount is not required because $.45\% \geq .25\%$. (Note: $\leq .25\%$ is the threshold for a manual recount.)

NONPARTISAN SCHOOL BOARD RACE WITH 3 CANDIDATES WHERE ONE CANDIDATE HAS RECEIVED A MAJORITY OF THE VOTES CAST (PRIMARY BALLOT, ONLY)

- **Candidate A:** 3,260 votes – 35.58%
- **Candidate B:** 4,583 votes – 50.02%
- **Candidate C:** 1,319 votes – 14.40%
- **Total:** 9,162 votes – 100%
- Per s. [105.051](#)(1)(b), F.S., **if two or more candidates, neither of whom is a write-in candidate, qualify for such office in the primary election, then the name of the candidate who receives the majority of the votes cast shall not appear on the general election ballot unless there is a write-in candidate.** If no candidate receives a majority of the votes cast, the names of the two candidates receiving the highest number of votes for the office will be placed on the general election ballot.
- **Calculation:** In the above race, both Candidate A and Candidate C are eliminated as candidates for the general election because Candidate B received more than 50% of the votes cast. Candidate A and Candidate C's combined vote total equals 49.98%; $35.58\% + 14.40\% = 49.98\%$. Candidate B beat both Candidate A and Candidate C by .02% of the votes cast; $50.02\% - 49.98\% = .02\%$.
 - If this scenario was based upon the 1st set of unofficial returns, a machine recount is required because $.02\% \leq .5\%$. (Note: $\leq .5\%$ is the threshold for a machine recount.)
 - If this scenario was based upon the 2nd set of unofficial returns, a manual recount is required because $.02\% \leq .25\%$. (Note: $\leq .25\%$ is the threshold for a manual recount.)

NONPARTISAN SCHOOL BOARD RACE WITH 3 CANDIDATES WITH NO CANDIDATE RECEIVING A MAJORITY OF THE VOTES CAST (PRIMARY ELECTION) OR ANY RACE INVOLVING "VOTE FOR NO MORE THAN 2" CANDIDATES (GENERAL ELECTION)

- **Candidate A:** 4,010 votes – 26.04%
- **Candidate B:** 7,315 votes – 47.50%
- **Candidate C:** 4,075 votes – 26.46%
- **Total:** 15,400 votes – 100%
- **Calculation:** In the above race, Candidate A was eliminated as a candidate behind Candidate C by .42% ($26.46\% - 26.04\% = .42\%$).
 - If this scenario was based upon the 1st set of unofficial returns, a machine recount is required because $.42\% \leq .5\%$. (Note: $\leq .5\%$ is the threshold for a machine recount.)
 If this scenario was based upon the 2nd set of unofficial returns, a manual recount is not required because $.42\% \geq .25\%$. (Note: $\leq .25\%$ is the threshold for a manual recount.)



Post-Election Audit Procedure Summary

DE Reference Guidelines 0011 (Updated 08/2020)

These guidelines are for reference only. They are not to be construed as legal advice or representation. For any particular set of facts or circumstances, refer to the applicable state, federal law, and case law, and/or consult a private attorney before drawing any legal conclusions or relying upon this information.

APPLICABLE LAW

- Section [101.591](#), Florida Statutes (2013), and Rule [1S-5.026](#), Fla. Admin. Code, govern the post-election audit process.
- This summary only represents a general overview. Please consult law and rule for specifics as they govern.

WHEN IS A POST-ELECTION AUDIT CONDUCTED?

- Immediately following the certification of any election, to include municipal or special district elections.
- 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” [hereinafter “Board”].

WHAT TYPES OF AUDITS ARE ALLOWED?

- **Two types** are permissible:
 - **Manual audit**
 - Consists of a manual tally in **one randomly selected race** that appears on the ballot in **at least 1% but no more than 2% of the precincts** chosen at random by the Board at a publicly noticed Board meeting.
 - If 2% or less of the precincts equals less than a whole number, the number of precincts shall be rounded up the next whole number.
 - **Automated, independent audit**
 - Consists of a public automated tally of the votes cast across **all races in at least 20% of the precincts** chosen at random by the Board at a publicly noticed Board meeting.
 - If 20% of the precincts equals less than a whole number, the number of precincts shall be rounded up the next whole number.
 - Before an automated, independent audit system is used, the Division of Elections must approve the system.

PRE-AUDIT PREPARATION

- **Prior to the audit**, the Supervisor of Elections, working with the Board should:
 - Secure a site for the audit. The room for the audit must be large enough to at least accommodate the Board, necessary audit teams, and a maximum of 2 observers per audit team.
 - For a manual audit, arrange for sufficient audit teams to conduct an audit of a state or county-wide race (if the race selected is less than a state or county-wide race, even though all of the teams may not have to participate, it will be easier to be prepared with more teams than needed than to arrange others to participate on short notice).
 - Ensure that all ballots are sorted by precinct (this can be done at any time – the sorting does not need to wait until the election is certified). The sorted ballots should be kept separate – for example, place all election day ballots from precinct 1 in a separate stack, all vote-by-mail ballots from precinct 1 in a separate stack, and all early voting ballots from precinct 1 in a separate stack. (Provisional ballots may be grouped separately or in one of the above 3 categories, as applicable.) Repeat this process for each precinct. Once the precinct is chosen for the audit, it will be easier to gather all ballots from that precinct. The audit results will be broken down according to Election Day, vote-by-mail, and early voting ballots. Overseas vote-by-mail ballots are to be grouped with other vote-by-mail ballots.

- **Public notice**

- Ensure public notice (time, date, and place) is provided at least 24 hours in advance of the meeting to conduct the audit, to include the random selection of the race(s) and precincts.
- The notice may be published before the certification of the official election results, but neither the random selection nor the audit can occur until after the certification.
- Notice shall be posted in four conspicuous places in the county and on the home page of the Supervisor of Elections' website. (A hyperlink to the notice on the website will satisfy the home page requirement.)

- **Board Preliminary Duties:**

- Note: A majority of the Board must be present at all times during the audit process.
- Reviews rules and statutes governing audit procedures.
- Reviews Supervisor of Elections' security procedures for audits.
- Ensures minutes of the audit are taken, recorded, and maintained.
- Appoints as many audit teams as necessary.
- May adopt rules and policies to ensure public does not interfere with audit. If room is not large enough to accommodate all public observers present, the Board must provide for the random selection of observers.
- Verifies an accurate ballot count exists between the number of ballots cast in the applicable precincts and races and the number of ballots to be audited.
 - If the difference is $\frac{1}{2}$ of 1% or more, the Board must investigate to determine if the discrepancy can be resolved.
 - If discrepancy cannot be resolved, the Board must provide an explanation on the Voting System Post-Election Audit Report, Form [DS-DE 107](#).
- Determine the method of random selection of the race and precincts to be audited in a manner that the public is assured that all races and precincts are included in the selection method. Examples of a selection method: drawing lots, ten-sided dice, and computerized random selection.
 - If multiple municipal or other elections are held on the same day in the county and the Board certifies the elections, only one audit is required but all elections are to be included in the random selection of race(s) and precincts.
- Selection of the race occurs before selection of the precinct(s) in a manual audit. (In an automated, independent audit, all races are included.)
- To the extent possible, the certified results from the selected race(s) and precinct(s) to be audited must not be disclosed in advance to the audit teams.

- **Handling of ballots:** No person, except a member of the Board, an employee of the Supervisor of Elections, or an audit team member may handle any ballot or ballot container.

MANUAL AUDIT PROCEDURES

- Board makes random selection of race(s) and precinct(s).
- Once begun, a manual audit continues until it is completed. A recess may occur, but security procedures established by the Supervisor of Elections, must account for the security of the ballots and tally results during the recess.
- **Optical scan ballots:**
 - Election Day, early voted, and vote-by-mail ballots shall be audited separately (provisional ballots shall be audited separately if tabulated separately).
 - Audit team examines ballots and if in agreement places them into one of the following 4 stacks: 1) overvoted, 2) undervoted, 3) Clear voter intent), and 4) unclear voter intent (i.e. ambiguous marks).
 - Audit team sorts the ballots in the "should have been tabulated stack" according to the voter's choice in the audited race (e.g., all votes for Candidate A are placed in one stack, all votes for Candidate B in another stack).
 - Audit team tallies the votes from each stack and records the tally on Manual Audit Team Worksheet for Marksense Ballots, [DS-DE 105B](#).
 - **For races with "Vote for no more than ___",** the audit team:

- Sorts undervoted ballots with no selection made and records the count.
- Sorts the remaining undervoted ballots into two stacks: A stack containing Candidate A and a stack containing the remaining candidates. The audit team records the votes for Candidate A on Manual Audit Team Worksheet for Marksense Ballots, [DS-DE 105B](#).
- Re-sorts the ballots again into two stacks: A stack containing Candidate B and a stack containing the remaining candidates. The audit team records the votes for Candidate B on the Manual Audit Team Worksheet for Marksense Ballots, [DS-DE 105B](#).
- Repeats the above two steps for each subsequent candidate until all candidates' votes are recorded on the [DS-DE 105B](#).
- Tallies the votes for each stack and records the tally on Manual Audit Team Worksheet for Marksense Ballots, [DS-DE 105B](#).

● **Results Compilation:**

- The Supervisor of Elections prints a report from the voting system for the precincts selected which provides the group detail of the number of ballots for Election Day, early voting, vote-by-mail and provisional (unless the provisional ballots are included in one of the other ballot numbers). This report is not to be shown to the audit team members.
- The Board compares the numbers listed on the report from voting system with those from the manual audit
 - If the manual tally and official totals match, the result is listed on the Precinct Summary for Manual Audit, [DS-DE 106](#).
 - If there is a discrepancy of more than ½ of 1%, the Board shall determine if it can be reconciled by further review of the official results with the audit teams' stacks.
 - If discrepancy is still more than ½ of 1%, a different audit team conducts a manual re-tally. If the totals do not match, the Board will record such on the Precinct Summary for Manual Audit, [DS-DE 106](#).
- Within 15 days after completion of the audit, the Board must provide a report of the audit results to the Department of State.

AUTOMATED INDEPENDENT AUDIT (AIA) PROCEDURES

- **Scanner test:** Each day before the Supervisor of Elections scans ballots in preparation for the AIA, the supervisor must test each scanner as prescribed by the AIA vendor to ensure the scanner is operating properly.
- **AIA software test:** Before scanning ballots in any election, the Supervisor of Elections must test the tabulation accuracy of the AIA software by performing a logic and accuracy test on at least one of the scanners that is used for scanning ballots.
- **AIA system test:** Before beginning an AIA, the Board shall test the AIA system to ascertain that the system will correctly count the votes cast.
- **Board makes random selection of precinct(s):** All races in the precinct(s) chosen will be tallied.
- **Official paper ballots:** The AIA system shall produce and print the tally for all races from the selected precincts of ballots cast by ballot type (i.e. at the lowest level of aggregation).
- **Results Compilation:**
 - After the AIA system has finalized its tally, the Board or AIA system shall compile and compare the results to the official vote totals for all races in the selected precincts.
 - The results of the AIA shall be produced as a summary report listing the number of ballot and vote discrepancies computed at the lowest level of aggregation reported in the election.
 - If there is a discrepancy of less than ½ of 1%, the Board shall record the result on the Voting System Post-Election Audit Report, [DS-DE 107](#).
 - If the discrepancy is ½ of 1% or more, the Board:
 - Must investigate by reviewing the ballot images or extracts therefrom to ascertain if the vote was marked in a race that likely was not read by the voting system tabulator or AIA system.
 - Must prepare a Discrepancy Report for Automated Independent Audit, [DS-DE 106A](#), or the AIA system may print a report with the same required information.
 - Must explain the discrepancy on the Voting System Post-Election Audit Report, [DS-DE 107](#).

- Within 15 days after completion of the audit, the Board must provide a report of the audit results to the Department of State.

AUDIT REPORT

- **Due** to Division of Elections 15 days after completion of the audit.
- **Content:** The audit report (Voting System Post-Election Audit Report, [DS-DE 107](#)) shall include a description of:
 - Overall accuracy of the audit.
 - Problems/discrepancies encountered, if any.
 - The likely cause of any problems/discrepancies encountered, if any.
 - Recommended corrective or remedial actions for any problems/discrepancies encountered for future elections
- For **manual audit**, the report must be accompanied by the Precinct Summary for Manual Audit, [DS-DE 106](#) for each precinct audited.
- For an **automated independent audit**, the report must be accompanied by the summary report as specified in Rule [1S-5.026](#), Fla. Admin. Code, or a Discrepancy Report for Automated Independent Audit, [DS-DE 106A](#).