

# Hillsborough County Canvassing Board

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2024

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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](http://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.

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

**ADMINISTRATIVE ORDER A-2024-042  
(Supersedes Administrative Order A-2023-054)**

**HILLSBOROUGH COUNTY CANVASSING BOARD  
JUDICIAL APPOINTMENTS FOR THE 2024 ELECTIONS**

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 2024 primary election and general election.

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 Daryl M. Manning is appointed to continue serving as the county court judge member of the Hillsborough County Canvassing Board under section 102.141(1), Florida Statutes.

**2. Alternate Appointment**

Hillsborough County Court Judge Frances M. Perrone is appointed to continue serving as an alternate judicial member of the Hillsborough County Canvassing Board under section 102.141(1)(e)1., Florida Statutes.

**3. Substitute Appointment**

If at any time either of the above-appointed judges are unable to continue serving as the county court judge member or as an alternate member of the Hillsborough County Canvassing Board, then Hillsborough County Court Judge Cory L. Chandler is appointed to serve as either the county court judge member or as an alternate member, whichever capacity may be needed.

**4. Additional Substitute or Alternate Board Members**

If Judges Manning, Perrone or Chandler, or any combination of these judges are unavailable to serve on the canvassing board under the provisions above, then Hillsborough County Court Judge Melissa C. Black, Hillsborough County Court Judge James Salvatore Giardina, and Hillsborough County Court Judge Jack N. Gutman are appointed to serve as substitute or alternate members of the Hillsborough County Canvassing Board.

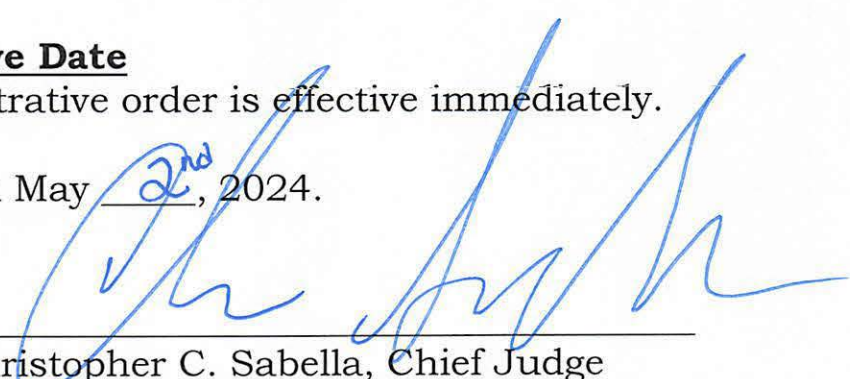
**5. Previous Administrative Order Superseded**

This administrative order supersedes Administrative Order A-2023-054 (*Hillsborough County Canvassing Board Judicial Appointments for the 2024 Elections*).

**6. Effective Date**

This administrative order is effective immediately.

ENTERED on May 2<sup>nd</sup>, 2024.

  
\_\_\_\_\_  
Christopher C. Sabella, Chief Judge

Original: Cindy Stuart, Clerk of the Court

Copy: Daryl M. Manning, Hillsborough County Court Judge  
Frances M. Perrone, Hillsborough County Court Judge  
Cory L. Chandler, Hillsborough County Court Judge  
Melissa C. Black, Hillsborough County Court Judge  
James Salvatore Giardina, Hillsborough County Court Judge  
Jack N. Gutman, Hillsborough County Court Judge  
Craig Latimer, Hillsborough County Supervisor of Elections  
Ken Hagan, Chair, Hillsborough County Board of County Commissioners  
Christine Beck, County Attorney

County Administration to determine appropriate action required of the BOCC that may need to take place to accomplish the transition of management to the County and to bring a report back to the Board.

*Myers/Cohen – 7-0*

- B-4 The Board approved a new Board Policy entitled "Nonprofit Funding Guidelines." On June 7, 2023, the Board approved a new set of nonprofit funding protocols. This proposed policy is generally intended to memorialize the protocols. New policy protocols will be effective October 1, 2024 (FY 25). Approval of this agenda item will have no financial impact on the FY 24 Adopted Budget. *Commissioner Kemp asked that the nonprofits, or anyone affected by the policy, be notified about the policy. Chief Financial Administrator Tom Fesler will provide the notification.*

The Board approved the guidelines listed in the backup, with the exception of the total compensation, the 30 percent threshold, and the core County function, and added in that all future nonprofit awards are one time and that current Board programs and policies in place are exempt.

*Kemp/Cohen – 4-3 (Cameron Cepeda, Owen, and Wostal voted no.)*

#### **C. COUNTY ADMINISTRATOR BRIEFINGS**

None.

#### **D. PUBLIC HEARINGS**

- D-1 The Board held a public hearing (seven individuals spoke) and adopted an ordinance amending the Consolidated Impact Assessment Program Ordinance to remove text relating to affordable housing relief from impact fees. Approval of this proposed ordinance would result in the elimination of County expenditures on transportation, fire-rescue, and parks impact fees for affordable housing projects. *(Related to Items B-1 and G-1)*

*Owen/Wostal – 4-3 (Cohen, Kemp, and Myers voted no.)*

#### **E. SCHEDULED APPEARANCES**

None.

#### **F. COMMISSIONERS SECTION**

- F-1 BOCC appointments were made to the following:

a) Public Art Committee

*Kemp/Myers – 7-0*

- F-2 The Board appointed Commissioner Cameron Cepeda to be the Substitute member on the 2024 Canvassing Board and did not appoint an Alternate to serve if the Substitute cannot make a Canvassing Board meeting.

*Owen/Myers – 7-0*

## **2024 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. Attendees will sign in upon arrival and may sign up for public comment up until the time the meeting is scheduled to begin.
3. 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.
4. Images of ballots and signatures will be projected for the public to see when reviewing voter intent and signature matches.
5. No photos or videos may be taken when confidential information is being displayed, or as prohibited by law.
6. Agendas will be posted on the Supervisor of Elections website by 6 PM the day before the meeting.
7. Minutes will be posted on the Supervisor of Elections website immediately following the next meeting at which they will be adopted.



# Canvassing Board Membership and Activities

*DE Reference Guide 0020 (Updated 04-01-2024)(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.*

## Membership<sup>1</sup>

- 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.
- The names of canvassing board members must be published on the supervisor of elections' website when logic and accuracy testing is completed.
- At least 48 hours published notice on the county's website as provided in s. 50.0311, on the supervisor's website, or in one or more newspapers of general circulation in the county. If the applicable website becomes unavailable or there is no newspaper of general circulation in the county, the notice must be posted in at least four conspicuous places in the county.

## Substitute

- Substitutes must be appointed whenever a member is disqualified<sup>2</sup> 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 at least two alternates designated.
- The alternates should be appointed when the canvassing board membership is designated. An alternate may serve in any seat.
- 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

- Duties include, but are not, limited to:
  - ✓ Undergoing mandatory signature matching training
  - ✓ Canvassing of vote-by-mail ballots which can start as soon after the pre-election (public logic and accuracy) testing of voting equipment is completed which can be scheduled within the 25 days before early voting starts in the respective county<sup>3</sup> (conceivably as soon as 40 days before election day).
  - ✓ Canvassing and counting of provisional ballots in consideration of evidence available.

<sup>1</sup> § 102.141, Fla. Stat

<sup>2</sup> 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](#).

<sup>3</sup> § 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 15<sup>th</sup> day before Election Day and/or the 2<sup>nd</sup> day before Election Day.



- ✓ Election night reporting, 1<sup>st</sup> unofficial, 2<sup>nd</sup> unofficial (if recount), and official certification of results
- ✓ Conducting recounts if triggered and post-election certification voting system audit which must be completed no later than the 7<sup>th</sup> day following the board's certification of the election.

*This reference guide focuses specifically on the membership requirement for those activities.*

## 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 on action to take. 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)
<b>Public logic &amp; accuracy testing</b>	<ul style="list-style-type: none"> <li>• At least one member present for test</li> <li>• All members to certify the accuracy of test</li> </ul>	Section <a href="#">101.5612</a> (2), Fla. Stat.
<b>Duplication of ballot</b>	<ul style="list-style-type: none"> <li>• Majority to approve ballots to be duplicated</li> <li>• At least one member to be present during duplication of ballots</li> </ul>	Sections <a href="#">101.5614</a> (5), <a href="#">101.68</a> , and <a href="#">102.141</a> (8), Fla. Stat.
<b>Canvassing vote-by-mail ballots</b>	<ul style="list-style-type: none"> <li>• Majority to approve and order the opening of the ballots</li> <li>• At least one member must be present at all times during opening and running of the ballots through tabulation system</li> </ul>	Sections <a href="#">101.68</a> , <a href="#">101.6925</a> , and <a href="#">102.141</a> (2) & (8), Fla. Stat.
<b>Determination to count or reject vote-by-mail ballots</b>	<ul style="list-style-type: none"> <li>• Majority present to determine whether to count or reject a ballot</li> </ul>	Sections <a href="#">101.68</a> , <a href="#">101.6925</a> , and <a href="#">102.141</a> (2), Fla. Stat.
<b>Signature matching by board - provisional ballot certificates, vote-by-mail ballot certificates, cure affidavits before the board</b>	<ul style="list-style-type: none"> <li>• For a determination that the signature does not match:               <ul style="list-style-type: none"> <li>○ Majority of board</li> <li>○ Beyond reasonable doubt</li> </ul> </li> </ul>	Sections <a href="#">101.048</a> and <a href="#">101.68</a> , Fla. Stat.
<b>Canvassing of provisional ballots</b>	<ul style="list-style-type: none"> <li>• Majority to determine whether to count or reject</li> <li>• Determination by preponderance of the evidence</li> </ul>	Sections <a href="#">101.048</a> , <a href="#">101.049</a> , <a href="#">101.657</a> , <a href="#">101.6925</a> , and <a href="#">102.141</a> (2), Fla. Stat.; <a href="#">Rule 1S-2.037</a> , Fla. Admin. Code
<b>Recount</b>	<ul style="list-style-type: none"> <li>• Majority present at all times during recount process</li> <li>• All members for determination or decision to resolve a discrepancy during a recount</li> <li>• At least one board member present at all times during tabulation if a paper-based or digital-based automatic independent recount tabulation system is used during the recount and ballots are being tabulated on the system prior to the order of a recount<sup>4</sup></li> </ul>	Sections <a href="#">102.141</a> and <a href="#">102.166</a> , Fla. Stat.; Rules <a href="#">1S-2.027</a> , and <a href="#">1S-2.031</a> , Fla. Admin. Code, <a href="#">DS-DE 405</a>

<sup>4</sup>Currently no such system is tested or certified for use in the state.

Activity	Number of Board Members to be Present	Citation: law(s) and/or rule(s)
<b>Certification of election results</b>	<ul style="list-style-type: none"> <li>Majority to certify results</li> </ul>	Section <a href="#">102.141</a> , Fla. Stat.
<b>Post-election certification audit of voting system</b>	<ul style="list-style-type: none"> <li>Majority at all times during audit process except that at least one board member need only be present during the processing of ballots into the automated independent audit system</li> </ul>	Section <a href="#">101.591</a> , Fla. Stat.; Rule <a href="#">1S-5.026</a> , Fla. Admin. Code; <a href="#">DS-DE 410</a>



# Guidelines for Logic and Accuracy (L&A) Testing

*DE Reference Guide 0019 (Updated 03/2024)*

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## 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.<sup>1</sup>
  - 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 equipment<sup>2</sup> and all automated independent audit system scanners<sup>3</sup> 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.<sup>4</sup> See more details in the “NOTICE REQUIREMENTS” section.
  - Complete on any day within the 25-day period<sup>5</sup> before early voting (EV)<sup>6</sup> 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 its representative).
  - Test within presence of attending political party representatives and candidates or their representatives.
  - Upon completion of the logic and accuracy test, the names of the canvassing board members must be published on the supervisor’s website.

## NOTICE REQUIREMENTS

- At least 48 hour advance public notice is required and must include when and where the test will occur. Notice shall be published on the county website as provided in s. 50.0311, on the supervisor of elections’ website, or once in one or more newspapers of general circulation in the county. If the applicable website becomes unavailable or if there is no newspaper of general circulation in the county, the notice must be posted in at least four conspicuous places in the county.

<sup>1</sup> § [101.5612](#)(1), Fla. Stat.

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

<sup>3</sup> Rule 1S-5.026(6)(a)2, Fla. Admin. Code.

<sup>4</sup> § [101.5612](#)(2), Fla. Stat.

<sup>5</sup> Id.

<sup>6</sup> § 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 15<sup>th</sup> day before Election Day and/or the 2<sup>nd</sup> day before Election day.

- 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 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.<sup>7</sup>

## TESTING REQUIREMENTS

- Public L&A testing may include all or a sample of the tabulation equipment and if a county has an automated independent audit system, the test must include all automated independent audit system scanners<sup>8</sup>. If the county chooses to publicly test only a sample, the requirements<sup>9</sup> 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 steps<sup>10</sup>:
  - 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.<sup>11</sup>
- **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 to ensure that that equipment still shows errorless count.<sup>12</sup>
- When the public L&A testing of the tabulation equipment has been satisfactorily completed, the canvassing board or its representative, the representatives of the political parties, and the candidates or their representatives who

<sup>7</sup> § [101.5612\(2\)](#), Fla. Stat.

<sup>8</sup> Rule 15-5.026(6)(a)2, Fla. Admin Code.

<sup>9</sup> § [101.5612\(4\)\(a\)1.](#), Fla. Stat.

<sup>10</sup> § [101.5612\(4\)\(a\)2.](#), Fla. Stat.

<sup>11</sup> § [101.5612\(4\)\(a\)3.](#), Fla. Stat.

<sup>12</sup> § [101.5612\(3\)](#), Fla. Stat.

attended the test shall be allowed to witness the resetting to a pre-election state of readiness of each tabulation device that passed and the sealing of each device that passed to secure its state until the opening of the polls.<sup>13</sup>

- The canvassing board or its representative shall execute a written statement identifying the tabulation devices that were tested, the results of the testing, the tabulation device's protective counter numbers (if applicable) the number of the 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.<sup>14</sup>
- 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.<sup>15</sup>
- The county must then test all automated independent audit system scanners to be used in the election to ensure the tabulation accuracy of the system.
- 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.<sup>16</sup>
- Test records must be retained as part of the official records of the election.<sup>17</sup>
- Once the logic and accuracy test is completed, canvassing boards may begin to canvass returned vote-by-mail ballots.<sup>18</sup>

## 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)<sup>19</sup>.
- 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.<sup>20</sup>
- 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.

<sup>13</sup> § [101.5612](#)(4)(b), Fla. Stat.

<sup>14</sup> § [101.5612](#)(4)(c), Fla. Stat.

<sup>15</sup> § [101.5612](#)(4)(d), Fla. Stat.

<sup>16</sup> § [101.5612](#)(4)(e), Fla. Stat.

<sup>17</sup> § [101.5612](#)(4)(e), Fla. Stat.

<sup>18</sup> § 101.68(2)(a), Fla. Stat.

<sup>19</sup> § [101.5612](#)(3), Fla. Stat.

<sup>20</sup> § [101.5612](#)(5), Fla. Stat.

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

## 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
- Test all automated independent audit system scanners to be used in the election
- 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 format<sup>21</sup>
- Submission of the election night reporting in the XML file format to the Division, if a test file has not been previously submitted
- Submission of a copy of the election database (preferably with uploaded L&A results) to BVSC within 24 hours.<sup>22</sup> While the statute requires submission by certified mail, the division also accepts submissions to the SOE File Utility or BVSCReports@dos.myflorida.com.

<sup>21</sup> § [102.141\(4\)](#), Fla. Stat.; [Rule 1S-2.053, Fla. Admin. Code](#)

<sup>22</sup> §[101.5607\(1\)\(b\)](#), Fla. Stat.

## 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
<b>Regular Official VBM (upon request of voter)</b>			
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
<b>State Write-In Ballot [SWAB] (upon request of voter between 180 and 90 before the General Election)</b>			
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
<b>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)</b>			
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"> <li>• FWAB is not canvassed until 7 PM Election Day. If regular VBM ballot not received by 7 PM Election Day, the FWAB is canvassed.</li> <li>• 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.</li> <li>• Date signed is presumed to be the date mailed regardless of postmark date or absence of postmark.</li> </ul>			



**From:** [Matthews, Maria I.](#)  
**To:** [SOEList](#); [SOEStaffContacts](#)  
**Cc:** [Marconnet, Amber](#)  
**Subject:** Signature Verification 2024 Election Cycle  
**Date:** Wednesday, January 17, 2024 5:01:31 PM

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## **EXTERNAL EMAIL: Exercise Caution with links or attachments.**

Dear Supervisors of Elections,

As you and/or your staff take the **Signature Verification 2024 Election Cycle online program** offered through the Florida Institute of Government on behalf of the Department of State/Division of Elections, please note that this program and content format was designed to be taken individually at the convenience of the participant with focus on **individual** learning and testing. This follows the format similar to other program offerings through FIOG such as the Florida Ethics, Public Records and Sunshine Law program.

Our current arrangement with the Florida Institute of Government did not contemplate nor incorporate functionality for group training or creating certificates for a group of participants. The program taken individually generates one certificate specific to the participant.

We understand the convenience that may come from such group training, particularly if you are already gathered together for some other separate online training program such as the canvassing board workshop. I recall that a link to the course program was provided within the canvassing board workshop but the signature verification program is not a part of the workshop but a separate program.

That being said, we will certainly consider this functionality as part of any future signature program redevelopment which would allow for group training but test individual knowledge and issue individual certificates for proof of participation and as needed, for continuing education credit. Until then, please

encourage participants to take the course **individually**.

Again, the direct link to the Signature Verification 2024 Election Cycle online program is [https://elearning.iog.fsu.edu/enroll/2710579?th\\_\\_ug=05390922](https://elearning.iog.fsu.edu/enroll/2710579?th__ug=05390922)

Respectfully,

Maria Matthews, Esq.  
Division of Elections, Director  
850-245-6520 | Office Line

**DEPARTMENT OF STATE | DIVISION OF ELECTIONS**

R. A. Gray Building, Room 316

500 S. Bronough Street

Tallahassee, FL 32399-0250

850-245-6200 | Main Line

850-245-6217 | Fax

**866-308-6739 | Voter Assistance Hotline**

**877-868-3737 | Voter Fraud Hotline**

Email: [DivElections@dos.myflorida.com](mailto:DivElections@dos.myflorida.com)

Website: <https://dos.myflorida.com/elections>

*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		
101.68(1)(c)	Two or more ballots for the same election returned in one mailing envelope		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 <u>or</u> 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	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(25)			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	Election Day 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 had been removed as ineligible		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's right to vote has been challenged, or the voter has been sent a notice of potential ineligibility under s. 98.075(7)			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 ocation		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	

**\*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.

## 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 2<sup>nd</sup> 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 published 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 published 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 located in the lobby of the Elections Services Center. The staff member will assist the observer with logging into the signature view program at the workstation.
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 45 minutes after the scheduled start time.

**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 published on the Supervisor of Elections' 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 published on the Supervisor of Elections' 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 area 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 area 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 area.
10. At no time can the observer touch any ballots or materials, or otherwise interfere with the activities underway in the duplication area. 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 published on the Supervisor of Elections' 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. If a protest is made during the review or inspection period, the person making the protest will indicate the voter certificate or cure affidavit against which the objection is made by completing 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.

**FILING A PROTEST AGAINST THE CANVASS OF 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.

**PERSON FILING PROTEST**

Name \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_ Signature \_\_\_\_\_

**DEFECT ALLEGED ON THE:**

Voter's Certificate       Cure Affidavit

FVRS# \_\_\_\_\_

Precinct \_\_\_\_\_ Voter's Name \_\_\_\_\_

Reason for Protest

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**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:

**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 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.*



<b>For Attorney General</b> (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"/>
<b>For Commissioner of Agriculture</b> (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"/>
<b>For State Representative</b> (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.*

<b>For Attorney General</b> (Vote for one)		
Lucille Ball	←	—
Jack Benny	←	—
Desi Arnaz	←	—
Lenny Bruce	←	—
<b>For Commissioner of Agriculture</b> (Vote for one)		
Jack Ritter	←	—
Audra Lindley	←	—
Francis Bavier	←	—
Jack Dodson	←	—
<b>For State Representative</b> (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


 Desi Arnaz

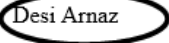

 Lenny Bruce


**Valid Vote for Arnaz**

**For Attorney General**  
(Vote for one)

Lucille Ball 

Jack Benny 

 Desi Arnaz 

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	<b>REP</b>
<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	<b>REP</b>	←	—
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)

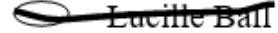
 Lucille Ball


 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.

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

**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.

<b>Valid Vote for Arnaz</b>		<b>Valid Vote for Bruce</b>	
<b>For U.S. Senator</b> (Vote for one)		<b>For U.S. Senator</b> (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**

<b>For Attorney General</b> (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**

<b>For President/Vice President</b> (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**

<b>For Attorney General</b> (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      ←      —

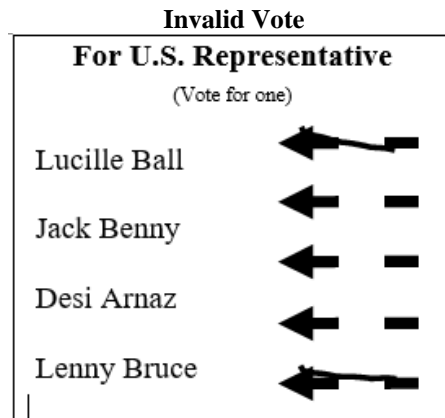
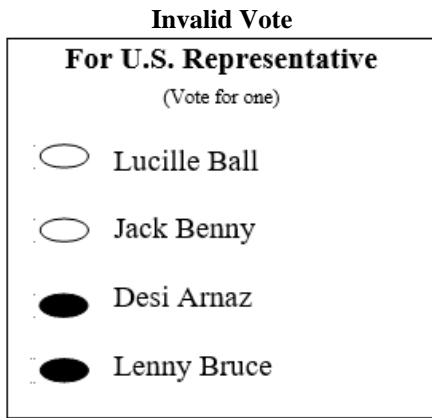
Jack Benny        ←      —

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 12/2023)*

*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.
- 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 candidate or candidates defeated or eliminated by  $\frac{1}{2}$  percent or less or  $\frac{1}{4}$  percent or less (whichever is applicable) from content, may request in writing that a recount not be made.
- A recount at a minimum consists of a machine recount or use of an independent recount tabulation system (IRTS)<sup>1</sup>; 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 (i.e., names are candidate nominees)
- 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**.
- Public notice must be provided before any pre-sorting of ballots prior to a recount being ordered.
- If an IRTS is to be used, public notice must be provided anytime ballot are run through the system. A single public notice shall be acceptable if ballots will be processed through the IRTS on a recurring basis before a recount is ordered.

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<sup>1</sup> As of 2023, no IRTS is currently approved for use in Florida.

### DEADLINE TO REPORT 1<sup>ST</sup> UNOFFICIAL RETURNS

The results of the 1<sup>st</sup> unofficial returns are used to determine if a machine recount will be necessary. It is important to submit as soon as possible but no later than the requisite deadline for time and date.

#### STATUTORY DEADLINE TO REPORT 1<sup>ST</sup> SET OF UNOFFICIAL RETURNS (s. 102.141(5), F.S.)

- **After a Primary Election:** No later than noon on the 3<sup>rd</sup> day after the Primary Election.
- **After a General Election:** No later than noon on the 4<sup>th</sup> day after the General Election.
- **After a Special Primary or Special Election:** No later than noon on 4<sup>th</sup> day after the election. (Laws governing general elections are applicable to special primary and special elections – s. 100.191, F.S.)

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

- **A machine recount must be ordered if** the 1<sup>st</sup> set of unofficial returns indicates that a candidate was defeated or eliminated by  $\frac{1}{2}$  of 1% or less of the total votes cast for an office or if an issue was approved or rejected by  $\frac{1}{2}$  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  $\frac{1}{2}$  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 using the voting system, a **new election definition** must be created for the race(s) to be recounted. Parameters must be set to reject all overvotes and undervotes.
- If an IRTS is capable of rejecting all overvotes and undervotes without needing a new election definition, no additional testing is required.
- Before the start of the recount, a **public test of the tabulating equipment** must occur. If an IRTS was publicly tested before the beginning of the election, no additional public testing is required.
- **Optical scan ballots and hybrid voting system paper outputs:** The canvassing board must run each ballot with the affected race(s) through a 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 2<sup>nd</sup> set of unofficial returns.

### DEADLINE TO REPORT 2<sup>ND</sup> UNOFFICIAL RETURNS

The results of the 2<sup>nd</sup> unofficial returns are used to determine if a manual recount will be necessary. It is important to submit as soon as possible but no later than the requisite deadline for time and date.

#### STATUTORY DEADLINE TO REPORT 2<sup>ND</sup> SET OF UNOFFICIAL RETURNS (s. 102.141(7)(c), F.S.)

- **After a Primary Election:** No later than 3 p.m. on the 5<sup>th</sup> day after the Primary Election.
- **After a General Election:** No later than 3 p.m. on the 9<sup>th</sup> day after the General Election.
- **After a Special Primary or Special Election:** No later than 3 p. m. on the 9<sup>th</sup> 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 2<sup>nd</sup> set of unofficial returns indicates that a candidate was eliminated or defeated by  $\frac{1}{4}$  of 1% or less of the votes cast for the office or an issue was approved or rejected by  $\frac{1}{4}$  of 1% or less.
- **Exceptions to a manual recount:**
  - If the candidate or candidates defeated or eliminated from contention for the office by  $\frac{1}{4}$  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 or IRTS.
- 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 or digital images:**
  - 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.

## DEADLINE TO REPORT COUNTY OFFICIAL RETURNS

The results of the official returns are used to finalize the results for federal, state, and if a manual recount will be necessary. It is important to submit as soon as possible but no later than the requisite deadline for time and date.

### STATUTORY DEADLINE TO REPORT OFFICIAL RETURNS (s. 102.112(2), F.S.)

- **After a Primary Election:** No later than noon on the 8<sup>th</sup> day after the Primary Election.
- **After a General Election:** No later than noon on the 13<sup>th</sup> day after the General Election.
- **After a Special Primary or Special Election:** No later than noon on 13<sup>th</sup> 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.

**Reminder:** Although the results of the Presidential Preference Primary (PPP) are not subject to recount procedures, the deadlines for submission of the 1<sup>st</sup> 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 1<sup>st</sup> 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 2<sup>nd</sup> 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 1<sup>st</sup> 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 2<sup>nd</sup> 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 1<sup>st</sup> 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 2<sup>nd</sup> set of unofficial returns, a manual recount is not required because  $.42\% \geq .25\%$ . (Note:  $\leq .25\%$  is the threshold for a manual recount.)

# Recount Procedures



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## Section 1. General applicability

(1) **General applicability.** This manual, incorporated by reference into rule 1S-2.031, F.A.C., contains procedures for machine and manual recounts in any federal, statewide, multi-county, county, and municipal elections conducted using any county voting system or independent recount tabulation system, not including Presidential Preference Primary elections or precinct committee people races in primary elections. The rule also contains requirements for certification and use of an independent recount tabulation system for conducting recounts.

## Section 2. Definitions

As used in this rule, the term:

- (a) “Ballot card” means the single physical piece of paper or electronic representation of the front and back of that piece of paper.
- (b) “Ballot page” means either the front or back side of a physical ballot card or the electronic representation thereof.
- (c) “Canvassing board” means the county canvassing board or the local board responsible for certifying the election results for the race undergoing a recount.
- (d) “Counting team” is defined in section 102.166, F.S., as at least two electors who manually recount the ballots in a manual recount. The counting team may be comprised of the county canvassing board, supervisor’s staff, or county electors.

(e) “Hybrid ballot” means the output of a Voter Interface Device (VID) that contains the races titles and the voter’s choices, and may also contain, but is not limited to, a barcode or other machine-readable optical identifier containing the voter’s choices.

(f) “Hybrid voting system” means a voting system which has a Voter Interface Device (VID) that produces a hybrid ballot. The hybrid voting system tabulator is designed to read a traditional marksense ballot and a hybrid ballot produced by the VID. When reading the hybrid ballot the tabulator may read the vote targets or selections from the human readable text, or from the machine-readable identifier on the paper output.

(g) “Independent recount tabulation system” means the certified automatic tabulating equipment which is completely independent from the voting system, for use in conducting recounts. The system cannot contain any proprietary election-related hardware or software in common with any voting system certified for use in the State of Florida. Any commercially available software or hardware shared between the two systems must not be modified. However, information used to decode ballot artwork and any barcoding schemes on ballots may be shared from the primary vote tabulation system to the independent recount tabulation system.

(h) “Multi-card ballot” means a ballot that is comprised of two or more ballot cards.

(i) “Outstack” refers to the act of identifying, segregating, sorting, or setting aside ballots either manually, digitally by a high-speed tabulator, or by other means.

(j) “Overvote” means that the elector marks or designates more names than there are persons to be elected to an office or designates more than one answer to a ballot question and the tabulator records no vote for the office or ballot question.

(k) "Overvote ballot" means a ballot card with a recount race that has an overvote.

(l) "Paper ballot image" means an electronic record of the content of a marksense ballot cast by a voter and recorded by the independent recount tabulation system. The paper ballot image shall contain the image of the front and back of a ballot card either in a single file or multiple associated files. Each paper ballot image file name must have a unique identifier.

(m) "Race" means any contest for office, judicial retention, or issue (e.g., constitutional amendment, initiative, referendum, ballot question, or other public measure) on the ballot.

(n) "Representative" refers to a person designated pursuant to paragraph (j) of Section 3.

(o) "Undervote" means that the elector does not properly designate any choice for an office or ballot question, and the tabulator records no vote for the office or question, or that the elector designated fewer than the maximum allowed number of choices for the office and the tabulator records fewer than the maximum allowed number of choices for the office.

(p) "Undervote ballot" means a ballot card with a recount race that has one or more undervotes.

(q) "Voting system tabulator" is a tabulator that is certified by the state of Florida as part of a voting system.

(r) "Voter interface device" (VID) means any device that communicates voting instructions and ballot information to a voter and allows the voter to select candidates and issues. The VID produces a paper ballot containing the voter's selections. That paper ballot is then processed into a tabulator. A VID may be combined with a voting system tabulator.

### **Section 3. General provisions**

The following provisions apply to both machine and manual recounts:

#### **(a) Presence of canvassing board**

1. All three members of the canvassing board shall be present for the determination or decision to resolve a discrepancy during a recount; otherwise, at least two members of the canvassing board shall be present during all times a recount is being conducted.
2. If a paper-based or digital-based automatic independent recount tabulation system is used during the recount and ballots are being tabulated on the system prior to the order of a recount, at least one member of the canvassing board shall be present at all times during the tabulation.
3. Any canvassing board determination or decision must be by majority vote.
4. The Canvassing Board may not interpret questionable voter intent on any ballots unable to be processed by the automated independent recount system until after a recount has been ordered. Ballots which cannot be interpreted by the system due to problems with the physical integrity of the ballot such as folds, tears, or other imperfections, may not be interpreted until after a recount has been ordered.

#### **(b) Security of ballots**

1. The supervisor shall ensure the security of the ballots at all times during a recount including recess and adjournment of the canvassing board.

2. The supervisor may employ law enforcement to provide security for the ballots and to maintain order during the recount.

**(c) Timeliness**

All recounts conducted pursuant to this rule must be completed in such a manner as to provide the canvassing board sufficient time to comply with the provisions of section 102.112, F.S. After the completion of a recount, the results from the machine recount and manual recount shall be used to certify the second set of unofficial returns and official returns, respectively.

**(d) Testing of tabulating equipment**

The voting system’s tabulating equipment or independent recount tabulation equipment being used in the recount must be tested pursuant to the provisions of section 101.5612, F.S., and each time the election parameters are changed during a recount. No further testing is required if the independent automatic tabulation equipment was tested pursuant to the provisions of section 101.5612, F.S. and the election parameters do not require a change to conduct the recount. The same test deck used for the election may be used for the recount. The canvassing board may, but is not required to, use the same tabulating equipment on which ballots were originally tabulated. If the test shows no error, the canvassing board shall proceed with the recount. If the test indicates an error, the canvassing board shall first correct the error, retest the equipment pursuant to section 101.5612, F.S., and then proceed with the recount.

**(e) Open to public**

All procedures relating to recounts shall be open to the public.

**(f) Location**

Reasonable efforts shall be made to ensure that recounts are conducted in a room large enough to accommodate, as applicable, the necessary number of counting teams, the canvassing board members and representatives of each candidate, political party or political committee who sponsored a constitutional initiative in the election being recounted which are entitled to have representatives. Members of the public, including the media, shall be allowed to observe the recount from an area designated by the canvassing board. The area may be outside of the actual recount area but must still allow observers to view the activities.

**(g) Recording and minutes**

The canvassing board’s activities in determining voter intent shall be recorded. In addition, the minutes of a manual recount shall be made. All recordings and minutes are public record.

**(h) Recount order**

1. Except as provided in Section 5.(a), a recount shall not begin until after the recount is ordered and notice has been provided as set forth in this Section.

2. If the Secretary of State orders a machine or manual recount, the Division of Elections shall notify the following individuals, informing them to contact the supervisor of elections in each county involved in the recount to find out the date, time, and location of the recount in that county:

- a. The supervisor of elections within each county where the recount will occur.
- b. The candidates in the race that is the subject of the recount.



c. The chairperson of the state executive committee of a political party if the party has a candidate who is entitled to one or more representatives pursuant to paragraph (j) of this Section.

d. The chairperson of the political committee in support of or in opposition to the ballot issue or judicial retention issue that is the subject of the recount.

3. If the canvassing board orders a machine or manual recount, the supervisor of elections or responsible officer of the municipality, as applicable, shall notify the following individuals, informing them to contact the supervisor of elections in each county involved in the recount to find out the date, time, and location of the recount in that county:

a. Each municipality that has a race subject to the recount.

b. The candidates in the race that is the subject of the recount.

c. The chairperson of the county executive committee of a political party if the party has a candidate who is entitled to one or more representatives pursuant to sub-subparagraph (j)1.b.

d. The chairperson of the political committee in support of or in opposition to the ballot issue or judicial retention issue that is the subject of the recount.

### **(i) Public notices**

1. The canvassing board shall publish advance public notice of any recount immediately after the recount is ordered.

Alternatively, the notice may be published before a recount is ordered as a conditional notice stating that, if a recount is ordered, the recount will occur on a certain date, time, and location:

a. The canvassing board shall give public notice, or conditional notice as described in this paragraph, at least 48 hours prior to the recount.

b. The canvassing board shall give public notice, or conditional notice as described in this paragraph, at least 48 hours prior to ballots being processed through the recount tabulation equipment prior to a recount being ordered. A single public notice shall be acceptable if ballots will be processed through the independent recount tabulation equipment on a recurring basis before a recount is ordered.

c. The canvassing board shall give public notice, or conditional notice as described in this paragraph, at least 48 hours prior to ballots being pre-sorted prior to a recount being ordered.

2. The notice shall be posted directly on the homepage of the county supervisor of elections' website, or through a link to the notice on the supervisor's homepage.

3. The notice shall also be published in a newspaper of general circulation in the county, or displayed in at least four conspicuous locations in the county including on the door of the public entrance to the building where the office of the supervisor of elections is housed.

4. If the recount involves only a municipal election, the notice also shall be posted on the municipal clerk's website or through a

link to the notice on the clerk's homepage, at the public entrance to the building where the city clerk's office is located, and in at least three other conspicuous locations in the municipality such as at a community center, public library, city park, and city hall.

5. If the Canvassing Board plans to conduct potential recounts using digital images of ballots, then at least a 48-hour notice must be provided to candidates, political parties, or persons interested in observing the scanning of ballots into the independent recount system prior to any ballots being scanned into the system.

### **(j) Representatives**

1. The following persons or entities are entitled to have representatives present during a recount:

a. In a recount race, each candidate whose ultimate success or failure in the race could be adversely or favorably impacted by the recount is entitled to have:

(I) One representative for the county canvassing board.

(II) One additional representative per counting team during a manual recount.

b. In a partisan race that is the subject of a recount, each political party with a candidate whose ultimate success or failure in the race could be adversely or favorably impacted by the recount is entitled to have:

(I) One representative for the canvassing board.

(II) One additional representative per counting team during a manual recount.

c. In a recount race involving an issue or a judicial retention, any political committee that registered before an election in specific support of or opposition to the issue or a judicial retention is entitled to have:

(I) One representative for the county canvassing board.

(II) One additional representative per counting team during a manual recount; however, if more than one registered committee supports or opposes an issue, only one representative per counting team is allowed for each side of a ballot issue, regardless of the number of committees in support of or in opposition to the ballot issue.

2. The persons or entities entitled to have representatives present during a recount must provide the names of their designated representatives in writing as soon as is practicable under the circumstances to the supervisor of elections or the municipal clerk, whichever is applicable, before the recount begins. Failure to provide the names of their representatives shall negate the opportunity of the persons or entity to have the representative present during the recount, except on the same conditions as a member of the public.

### **(k) Review of law and procedures**

The canvassing board, the members of the counting teams, and the representatives entitled to be present shall jointly review the rules and statutes governing recount procedures. Before a manual recount begins, the review shall also include the rules and statutes as to what constitutes a clear indication that the voter has made a definite choice.

## **(I) Public order**

Representatives and observers must not interfere with or disturb the recount in any way, except a representative may make reasonable objections to a counting team's decision during a manual recount as provided in this rule. The canvassing board may, by majority vote, have any person or persons removed from the premises during the recount if such person or persons interfere or disturb the recount process and the situation cannot be corrected.

## **Section 4. Machine recount – voting system tabulator**

### **(a) Initial requirements.**

1. Each canvassing board responsible for conducting a recount shall put each optical scan ballot through automatic tabulating equipment and determine whether the returns correctly reflect the votes cast.

a. If any optical scan ballot has become physically damaged so that it cannot be properly counted in the recount by the automatic tabulating equipment, a true duplicate of the damaged ballot shall be made pursuant to sections 101.5614(4) and 102.141(7), F.S.

2. The following procedures shall apply to machine recounts:

a. Prior to the order of a recount, a county may pre-sort ballots that could be subject to a recount (e.g., specific card of a multi-card ballot, precinct, specific district race, etc.).

b. At least one member of the canvassing board must be present during any pre-sorting of ballots.

### **(b) Optical scan ballots for recount when only one race is to be recounted**

1. As detailed in Section 3(d), the tabulating equipment being used in the recount must be tested pursuant to the provisions of section 101.5612, F.S., and the election parameters changed so that all ballots for the recounted race can be tabulated and all ballots containing overvotes and undervotes in the recounted race can be outstacked from the other ballots and counted.

2. In the case of a race to be recounted in which a voter may properly vote for more than one candidate, overvotes and undervotes must be outstacked. Once outstacking is complete, the ballots outstacked for undervotes must then be tabulated by overriding the rejection such that valid votes can be included in the tabulation. All outstacked ballots must remain segregated in case a manual recount becomes necessary, and in a way that counted valid votes on outstacked undervoted ballots are not again counted in the manual recount vote tally.

3. The canvassing board or its representatives shall then put each ballot through the tabulating equipment and determine the votes in the recounted race. For purposes of tabulating, the ballot is the card on which the race to be recounted appears. During this process, the ballot cards with the overvotes and undervotes in the recounted race must be outstacked.

4. The outstacked ballots shall be placed in a sealed container(s) until it is determined whether a manual recount will need to be conducted. Seal numbers shall be recorded at the time the ballots are placed in the containers.

5. If the percentage threshold for a manual recount in section 102.166, F.S. is met, the canvassing board shall determine the total combined number of overvote and undervote ballots. If the race is a statewide or multicounty race, each canvassing board shall notify the Secretary of State of the total combined number of overvote and undervote ballots in the county for the affected

race.

**(c) Optical scan ballots for recount when more than one race is to be recounted and the voting system can outstack the overvotes and undervotes in more than one race at the same time**

1. For purposes of tabulating, the ballot is the card on which the race or races to be recounted appears.

2. The tabulating equipment being used in the recount must be tested pursuant to the provisions of section 101.5612, F.S., and the election parameters changed so that all the ballots for the recounted races can be tabulated and all the ballot cards containing overvotes and undervotes in the recounted races can be outstacked from the other ballot cards and counted. All outstacked ballots must remain segregated in case a manual recount becomes necessary.

3. If capable, the tabulator shall count all valid votes in the recounted races, and outstack undervoted and overvoted ballots in a single pass.

4. If the tabulator is not capable of both counting all valid votes and outstacking undervoted and overvoted ballots in a single pass, then a two-pass process shall be used. The first pass shall outstack ballots with undervotes and overvotes in the recounted races, while counting all votes in the recounted races on all the other ballots. The second pass shall count all the valid votes on the ballots that were outstacked in the first pass.

5. In the case of a race to be recounted in which a voter may properly vote for more than one candidate, overvotes and undervotes must be outstacked. Once outstacking is complete, the ballots outstacked for undervotes must then be tabulated by overriding the rejection such that valid votes can be included in the tabulation. All outstacked ballots must remain segregated in the event that a manual recount becomes necessary, and in a way that counted valid votes on outstacked undervoted ballots are not again counted in the manual recount vote tally.

6. The outstacked ballots shall be placed in a sealed container(s) until it is determined whether a manual recount will need to be conducted. Seal numbers shall be recorded at the time the ballots are placed in the containers.

7. If the percentage threshold for a manual recount in section 102.166, F.S. is met, the canvassing board shall determine the total combined number of overvote and undervote ballots. If the race is a statewide or multicounty race, each canvassing board shall notify the Secretary of State of the total combined number of overvote and undervote ballots in the county for the affected race.

**(d) Machine recount of hybrid voting system's paper outputs**

The procedures for a machine recount of the paper output from a hybrid voting system are identical to those as specified in paragraphs (b) and (c) of this subsection above, as applicable.

**Section 5. Machine recount – digitally based independent recount tabulation system**

If the independent recount tabulation system is being used to physically sort overvoted and undervoted ballot cards containing the races to be recounted, then the procedures for a machine recount are the same as recounts conducted using the voting system

pursuant to Section 4. If the independent recount tabulation system is being used to digitally sort overvoted and undervoted ballots, the following procedures shall apply:

**(a) Initial requirements**

If the ballots have already been processed through an independent recount tabulation system to be used in this recount, the canvassing board is not required to put each ballot through any automatic tabulating equipment again. If any optical scan ballot has become physically damaged so that it cannot be properly counted in the recount by the independent recount tabulation equipment, a true duplicate of the damaged ballot shall be made pursuant to sections 101.5614(4) and 102.141(7), F.S. The duplicate ballot shall then be tabulated in place of the original unreadable ballot.

**(b) Optical scan ballots when only one race is to be recounted**

1. The supervisor of elections shall change the parameters if necessary so that all the ballots for the recounted race can be tabulated and all the ballots containing overvotes and undervotes in the recounted race can be outstacked from the other ballots and counted.

2. In the case of a race to be recounted in which a voter may properly vote for more than one candidate, overvotes and undervotes must be outstacked. If the independent recount tabulation system is unable to record valid votes on such a ballot, once the outstacking is complete, the ballots outstacked for undervotes must then be tabulated by overriding the rejection such that valid votes can be included in the tabulation. All ballots must remain outstacked in case a manual recount becomes necessary, and in a way that counted valid votes on outstacked undervoted ballots are not again counted in the manual recount vote tally.

3. The canvassing board or its representatives shall then scan each ballot into the independent recount tabulation system equipment and determine the votes in the recounted race. Per Section 3(a)2. Of these procedures, this scanning process may take place prior to the order of the recount. For purposes of tabulating, the ballot is the card on which the race to be recounted appears. During this process, the ballot card(s) with the overvotes and undervotes in the recounted race must be outstacked, indexed, notated, or sorted in such a way that each such ballot card can be located and viewed. Once the scanning process is completed, the canvassing board shall validate that the votes in the recounted race are in agreement with the voting system results.

4. If the percentage threshold for a manual recount in section 102.166, F.S., is met, the canvassing board shall determine the total combined number of overvote and undervote ballots. If the race is a statewide or multicounty race, each canvassing board shall notify the Secretary of State of the total combined number of overvote and undervote ballots in the county for the affected race.

**(c) Optical scan ballots for recount when more than one race is to be recounted and the voting system can outstack the overvotes and undervotes in more than one race at the same time**

1. If necessary, the supervisor of elections shall change the parameters so that all the ballots for the recounted races can be tabulated and all the ballots containing overvotes and undervotes in the recounted races can be outstacked from the other ballots and counted.

2. In the case of a race to be recounted in which a voter may properly vote for more than one candidate, overvotes and undervotes must be outstacked. If the independent recount tabulation system is unable to record valid votes on such a ballot, once

outstacking is complete, the ballots outstacked for undervotes must then be tabulated by overriding the rejection such that valid votes can be included in the tabulation. All outstacked ballots must remain segregated in case a manual recount becomes necessary, and in a way that counted valid votes on outstacked undervoted ballots are not again counted in the manual recount vote tally.

3. The canvassing board or its representatives shall then scan each ballot into the tabulating equipment and determine the votes in the recounted race or races. Per Section 3(a)2. of these procedures, this scanning process may take place prior to the order of the recount. For purposes of tabulating, the ballot is the card on which the race or races to be recounted appears. During this process, the ballot card(s) with the overvotes and undervotes in the recounted race or races must be outstacked, indexed, notated, or sorted in such a way that each such ballot card can be located and viewed. Once the scanning process is completed, the canvassing board shall validate that the votes in the recounted race are in agreement with the voting system results.

4. If the percentage threshold for a manual recount in section 102.166, F.S. is met, the canvassing board shall determine the total combined number of overvote and undervote ballots. If the race is a statewide or multicounty race, each canvassing board shall notify the Secretary of State of the total combined number of overvote and undervote ballots in the county for the affected race.

#### **(d) Machine recounts of hybrid voting system's paper outputs**

The procedures for a machine recount of the paper output from a hybrid voting system are identical to those as specified in paragraph (b) and (c) above, as applicable.

### **Section 6. Manual recount- Physical ballots.**

A manual recount consists of a recount of marksense ballots by a person. In addition to the requirements in Section 3., the following procedures apply to a manual recount:

#### **(a) Ballot review**

Only the overvotes and undervotes from the machine recount shall be reviewed. Per section 102.166(5)(b), F.S., each outstacked ballot which is a duplicate of an original ballot shall be compared with the original ballot to ensure the correctness of the prior duplication process. This comparison may be conducted prior to or in line with the manual review of each overvoted and undervoted ballot.

#### **(b) Outstacking of overvotes and undervotes**

All overvoted and undervoted ballots outstacked for a recounted race or races during the machine recount shall be transported to the location of the manual recount by two members of the canvassing board or two employees of the election office designated by the canvassing board and, if a county chooses, a sworn law enforcement officer.

#### **(c) Optical scan ballot manual recount when the ballots were outstacked for only one race during the machine recount.**

1. The seal numbers on the containers shall be announced as they are broken and shall be compared to the numbers previously recorded.

2. Each counting team as designated by section 102.166(5), F.S., shall review the outstacked ballots to determine if there is a clear indication that the voter has made a definite choice, according to standards set forth in law or adopted by rule as mandated in sections 102.166(4) and 101.6952(2), F.S.

3. Each counting team shall sort the ballots into the following stacks:

a. Votes for which the team determines the voter made a definite choice for each candidate or issue.

b. Ballots for which the counting team determines there is no clear indication that the voter made a definite choice for an office or issue.

c. Ballots to be set aside for the canvassing board's determination because the team is unable to make such determination or because a representative made a reasonable objection to the team's determination.

(I) If a ballot is set aside because the team is unable to determine that there is a clear indication that the voter has made a definite choice or because a representative objected to the counting team's decision, the ballot must be placed in one or more containers (e.g., envelopes, folders, tubs, bins, baskets, etc.) designated for indeterminate ballots or ballots for which there is an objection.

(II). The designated container may each contain one or more ballots at the canvassing board's discretion; however, if not already located on the ballot itself, the container or a separate paper for each ballot therein must include the precinct number. In addition, if the ballot is placed in the container because there was an objection to the counting team's determination, the container or separate paper for each such ballot therein must include the basis for the objection and the name and representative capacity of the person objecting.

4. The canvassing board shall review each ballot set aside by a counting team and shall determine if there is a clear indication that the voter has made a definite choice, according to standards set forth in law as mandated in sections 102.166(4) and 101.6952(2), F.S., or adopted by rule.

5. The records of the manual recount shall detail the number of votes each candidate or issue choice received and the number of ballots not allocated to any candidate or issue choice.

**(d) Optical scan ballot manual recount for when the ballots for more than one race were outstacked during the machine recount.**

1. The election parameters shall be changed so that only the overvoted and the undervoted ballots for one recounted race will be outstacked.

2. The seal numbers on the containers of all ballots previously outstacked pursuant to Section 4.(c), shall be announced as they are broken and shall be compared to the numbers previously recorded.

3. The tabulating equipment being used for the recount shall be tested as stated in Section 3.(d).

4. All ballots previously outstacked pursuant to Section 4.(c) or not outstacked pursuant to Section 4.(d), shall be put back

through the tabulating equipment to outstack the ballots for the first manually recounted race.

5. Each counting team shall review the outstacked ballots to determine if there is a clear indication that the voter has made a definite choice, according to standards set forth in law as mandated in sections 102.166(4) and 101.6952(2), F.S., or adopted by rule.

6. Each counting team shall sort the ballots into the following stacks:

a. Votes for which the team determines the voter made a definite choice for each candidate or ballot issue.

b. Ballots which the counting team determines there is no clear indication that the voter made a definite choice for an office or ballot issue.

c. Ballots to be set aside for the canvassing board's determination because the team is unable to make such determination or because a representative made a reasonable objection to the team's determination.

(I) If a ballot is set aside because the team is unable to determine that there is a clear indication that the voter has made a definite choice or because a representative objected to the counting team's decision, the ballot must be placed in one or more containers (e.g., envelopes, folders, tubs, bins, baskets, etc.) designated for indeterminate ballots or ballots for which there is an objection.

(II) The designated container may each contain one or more ballots at the canvassing board's discretion; however, if not already located on the ballot itself, the container or a separate paper for each ballot therein must include the precinct number. In addition, if the ballot is placed in the container because there was an objection to the counting team's determination, the container or separate paper for each such ballot therein must include the basis for the objection and the name and representative capacity of the person objecting.

7. The canvassing board shall review each ballot set aside by a counting team and shall determine if there is a clear indication that the voter has made a definite choice, according to standards set forth in law as mandated in sections 102.166(4) and 101.6952(2), F.S., or adopted by rule.

8. The records of the manual recount shall detail the number of votes each candidate or issue choice received and the number of ballots not allocated to any candidate or issue choice.

9. If there is another race to be manually recounted, following the first manual recount:

a. The canvassing board or its representatives shall ensure that each ballot from the first manual recount can be manually recounted for additional races, as necessary.

b. The outstacked ballots from the first manually recounted race will be combined with the other outstacked ballots.

c. The election parameters shall be changed to outstack the overvoted and the undervoted ballots for the next manually recounted race.

d. All previously outstacked ballots shall be put back through the tabulating equipment to sort the ballots for the next manually recounted race.



e. The procedures set forth in this Section, subparagraphs (d)4.-9., above, shall be repeated for each subsequent race subject to a manual recount.

### **(e) Manual recount of hybrid voting system's paper outputs.**

The procedures for a manual recount of the paper output from a hybrid voting system are identical to those specified in this Section, paragraphs (b), (c) and (d), above, as applicable. If the hybrid voting system's paper output is identical to the optical scan ballot mentioned in this paragraph, the paper output may be treated as an optical scan ballot for the recount. An electronic or electromechanical reading device may not be used to review a hybrid voting system ballot, unless the printed text is illegible as mandated in section 102.166(4)(b), F.S.

## **Section 7. Manual recount – Paper Ballot Images**

A manual recount consists of a recount of digital images by a person. In addition to the requirements in Section 4, the following procedures apply to a manual recount of digital images:

### **(a) Ballot review**

Only the overvotes and undervotes from the machine recount shall be reviewed.

1. For any paper ballot images subject to a manual recount, the supervisor of elections must be able to retrieve the corresponding physical ballot during the manual recount. The physical ballot must be made available to the canvassing board and counting team, if requested by the canvassing board.

2. In situations when voter intent is unclear, the counting team or canvassing board shall review as much of the paper ballot image of the entire ballot as is possible, but no less than, the entire ballot card on which the overvote or undervote occurs.

3. The counting teams and canvassing board shall be provided with a clear view of the paper ballot images during the manual recount.

4. Per section 102.166(5)(b), F.S., each outstacked ballot which is a duplicate of an original ballot shall be compared with the original ballot to ensure the correctness of the prior duplication process. This comparison may be conducted prior to or in line with the manual review of each overvoted and undervoted ballot.

### **(b) Outstacking of overvotes and undervotes**

1. All paper ballot images of overvoted and undervoted ballots outstacked for a recounted race or races during the machine recount shall be made available to the counting teams and canvassing board.

2. All physical ballots requested by the canvassing board shall be transported to the location of the manual recount by two members of the canvassing board or two employees of the election office designated by the canvassing board and, if the board chooses, a sworn law enforcement officer.

### **(c) Optical scan ballot manual recount when the ballots were outstacked for only one race during the machine recount**

1. If a physical ballot is required by the counting team or canvassing board, the seal numbers on the containers shall be announced as they are broken and shall be compared to the numbers previously recorded.

2. Each counting team as designated by section 102.166(5), F.S., shall review the paper ballot images to determine if there is a clear indication that the voter has made a definite choice, according to standards set forth in law as mandated in sections 102.166(4) and 101.6952(2), F.S., or adopted by rule.

3. Each counting team shall digitally segregate the paper ballot images into the following categories:

a. Votes for which the team determines the voter made a definite choice for each candidate or issue.

b. Ballots which the counting team determines there is no clear indication that the voter made a definite choice for an office or ballot question.

c. Ballots to be segregated for the canvassing board's determination because the team is unable to make such determination or a representative made a reasonable objection to the team's determination.

(I) If a ballot is segregated because the team is unable to determine that there is a clear indication that the voter has made a definite choice or because a representative objected to the counting team's decision, the ballot must be designated as indeterminate or a ballot for which there is an objection, whichever is applicable.

(II) If not already located on the ballot itself, each paper ballot image must include a reference to the precinct number. In addition, if a ballot is to be sent to the canvassing board because there was an objection to the counting team's determination, the referral must include the basis for the objection, the file name or identifier, and the name and representative capacity of the person objecting.

4. The counting team shall count and record the votes from each candidate or issue.

5. If the independent recount tabulation system is unable to automatically keep a record of the determination for each ballot, then the counting team shall create a digital log entry or notation corresponding to the categories below which contains each paper ballot image's unique identifier and the counting team's determination.

6. The canvassing board shall review each paper ballot image referred by a counting team and those which received a reasonable objection and shall determine if there is a clear indication that the voter has made a definite choice, according to standards set forth in law as mandated in sections 102.166(4) and 101.6952(2), F.S., or adopted by rule.

7. The records of the manual recount shall detail the number of votes each candidate or issue choice received and the number of ballots not allocated to any candidate or issue choice.

**(d) Optical scan ballot manual recount for when the ballots for more than one race were outstacked during the machine recount**

1. Only the overvoted and undervoted ballots for one recounted race will be reviewed at a time.

2. If a physical ballot is required by the counting team or canvassing board, the seal numbers on the containers shall be announced as they are broken and shall be compared to the numbers previously recorded.

3. All paper ballot images previously outstacked pursuant to Section 5.(c) shall be prepared for the first manually recounted race.

4. Each counting team shall review the paper ballot images to determine if there is a clear indication that the voter has made a definite choice, according to standards set forth in law as mandated in sections 102.166(4) and 101.6952(2), F.S., or adopted by rule.

5. Each counting team shall digitally segregate the paper ballot images into the following categories:

a. Votes for which the team determines the voter made a definite choice for each candidate or issue.

b. Ballots which the counting team determines there is no clear indication that the voter made a definite choice for an office or issue.

c. Ballots to be segregated for the canvassing board's determination because the team is unable to make such determination or a representative made a reasonable objection to the team's determination.

(I) If a ballot is segregated because the team is unable to determine that there is a clear indication that the voter has made a definite choice or because a representative objected to the counting team's decision, the ballot must be designated as indeterminate or a ballot for which there is an objection, whichever is applicable.

(II) If not already located on the ballot itself, each ballot image must include a reference to the precinct number. In addition, if the ballot is to be sent to the canvassing board because there was an objection to the counting team's determination, each such ballot must include the basis for the objection, the file name or identifier, and the name and representative capacity of the person objecting.

6. If the independent recount tabulation system is unable to automatically keep a record of the decision for each ballot, then the counting team shall create a digital log entry or notation corresponding to the categories corresponding to the stacks above which contains each paper ballot image's unique identifier and the counting team's determination.

7. The counting team shall then count and record the votes from each candidate or issue.

8. The canvassing board shall review each paper ballot image referred by a counting team or which received a reasonable objection and shall determine if there is a clear indication that the voter has made a definite choice, according to standards set forth in law as mandated in sections 102.166(4), and 101.6952(2), F.S., or adopted by rule.

9. The records of the manual recount shall detail the number of votes each candidate or issue choice received and the number of ballots not allocated to any candidate or issue choice.

10. If there is another race to be manually recounted, following the first manual recount:

a. The canvassing board or its representatives shall ensure that each ballot from the first manual recount can be manually recounted for additional races, as necessary.

b. The outstacked ballots from the first manually recounted race will be combined with the other outstacked ballots.

c. The paper ballot images of the outstacked overvoted and undervoted ballots for the next manually recounted race shall be prepared.

d. The procedures set forth in this Section, subparagraphs (d)4.-9., above, shall be repeated for each subsequent race subject to a manual recount.

### **(e) Manual recount of hybrid voting system's paper outputs**

The procedures for a manual recount of the paper output from a hybrid voting system are identical to those specified in paragraphs (b), (c) and (d), above, as applicable. If the hybrid voting system's paper output is identical to the optical scan ballot mentioned in this paragraph, the paper output may be treated as an optical scan ballot for the recount. If the digital image of a hybrid voting system ballot captured by the independent recount tabulation system is unclear and the physical ballot must be viewed, an electronic or electromechanical reading device may not be used to review a hybrid voting system ballot, unless the printed text is illegible as mandated in section 102.166(4)(b), F.S.

## **Section 8. Recount results**

Results and reports for machine and manual recounts must only contain or display information for those races being recounted. The canvassing board shall review the outstacked ballots for which a determination of a voter's choice could not be made. Based on that review, the board shall notify the Division of Elections to determine if the standards for determining a voter's choice as set forth in law as mandated in sections 102.166(4) and 101.6952(2), F.S., or adopted by rule, should be revised to better determine the voter's choice on those outstacked ballots. The notification shall occur at the same time the canvassing board files the report on the conduct of the election pursuant to section 102.141(10), F.S.

## **Section 9. Unexpected circumstances**

If issues or circumstances arise involving a recount or its procedures which neither this rule nor any other law or rule covers, the canvassing board will decide the issue by a majority vote.



# Post-Election Voting System Audit Procedure Summary

## *DE Reference Guidelines 0011 (Updated 06/2022)*

*These guidelines are for reference only. They are not to be construed as legal advice or representation. For any particular set of fact 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 voting system 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 7<sup>th</sup> 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:**

- A majority of the Board must be present at all times during the manual audit process.
- At least one Board member must be present during the processing of ballots into the automated independent audit system.
- 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 precincts(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 less than ½ of 1%, the Board shall record the result, expressed as a percentage of agreement (i.e., 99.98%), on the Voting System Post-Election Audit Report, [DS-DE 107](#).
    - 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](#).
  - By December 15 of a general election year, the Board must provide a report of the audit results to the Department of State.

#### **AUTOMATED INDEPENDENT AUDIT (AIA) PROCEDURES**

- **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 all scanners 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, expressed as a percentage of agreement (i.e., 99.98%), 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](#).
- By December 15 of a general election year, the Board must provide a report of the audit results to the Department of State.

#### AUDIT REPORT

- **Due** to Division of Elections by December 15 of a general election year.
- **Content:** The audit report (Voting System Post-Election Audit Report, [DS-DE 107](#)) shall include a description of:
  - Overall accuracy of the audit expressed as a percentage of agreement (i.e., 99.98%).
  - 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](#).





## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

June 24, 2024

The Honorable Craig Latimer  
Hillsborough County Supervisor of Elections  
2514 N. Falkenburg Road  
Tampa, Florida 33619

**RE: Notice of Compliance – County Minimum Security Procedures Review**

Dear Supervisor Latimer:

The Division of Elections' Bureau of Voting Systems Certification has completed its compliance review of the county's minimum security procedures. The review of these procedures pursuant to section 101.015(4), Florida Statutes and Rule 1S-2.015, Florida Administrative Code does not include a legal analysis or a determination of compliance with any other provision of the Election Code. The review is based on the county's most current procedures on file, which show a date(s) of June 21, 2024.

Our review indicates that your county's security procedures are in compliance with rule requirements.

Please note that Rule 1S-2.015(4)(c), Florida Administrative Code, requires the county to submit to the Division a redacted version of these approved security procedures within 15 days of the compliance notification, including the statute(s) that identifies the reason for redactions.

This review is separate and apart from other requirements under law to submit any revisions or updates to the Division no later than 45 days before the early voting period in which the revisions or updates will take effect (see section 101.015(4)(b)2, Florida Statutes). We encourage you to periodically review your county security procedures as technology and office practices evolve.

If you need any guidance or have questions, please do not hesitate to contact me at (850) 245-6220.

Sincerely,

*Mary Ann Monroe*

Mary Ann Monroe  
Regulatory Specialist III

Enclosure: Security Procedures Checklist

**Checklist for Minimum Security Procedures for Voting Systems**  
**1S-2.015 Section 101.015(4),F.S.**

**Hillsborough County**

Date Received: <u>06/21/2024</u> Start review date: <u>06/24/2024</u> End review date: <u>06/24/2024</u> Reviewed by: <u>Mary Ann Monroe</u> Signature: <u>Mary Ann Monroe</u> Date : <u>06/24/2024</u>
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*Requirement Addressed*

REFERENCE #	REQUIREMENT	Yes/No / NA	PAGE #
<b>1. Purpose: This checklist provides the objective evidence of the review</b>			
<b>2. Definitions</b>			
<b>3. Filing of Security Procedures</b>			
	Date this security procedures document was filed with the Division of Elections (DOE)		<b>6/21/2024</b>
	Date of commencement of early voting (EV) for which these revisions will apply		8/5/2024
3(b)	Have these revisions been submitted at least 45 days prior to the EV date?		YES
3(c)	Are the revisions a result of an emergency situation or other unforeseen circumstance?		N/A
3(c)	If revised for emergency situation/unforeseen occurrence, are reason(s) provided?		N/A
3(c)	Did supervisor of elections (SOE) submit revision to DOE within 5 days that revision to security procedures document was made?		N/A
<b>4. Review of Security Procedures</b>			
1	Do these procedures meet the minimum requirements set forth in this rule?		YES
2	4(a)1 Did DOE complete review within 30 days of the date revisions to the security procedures were received from SOE?		YES
3	4(a)1 Did DOE notify SOE with findings within 5 days after completion of the review?		YES
4	4(a)2 Does DOE response include specific information regarding items which were found to be incomplete or those which do not otherwise meet provisions of rule?		N/A
5	4(a)2 Did SOE provide required information to bring procedures into compliance within 30 days of the date of DOE review notice?		N/A
6	4(a)2 Did DOE issue a notice of compliance or continued compliance within: either 10 days of receipt of updated information <u>OR</u> 10 days from the end of the 30 day period?		N/A
7	4(a)3 Are the procedures temporarily approved because DOE could not complete review within 30-day timeframe?		N/A
8	4(a)3 Has SOE been notified that procedures are temporarily approved because DOE could not complete review within 30-day timeframe?		N/A
9	4(b)1 Is this review being conducted as a biennial (odd year) review, pursuant to Section 101.015(4)(b), F.S.? If "Yes", answer Questions 10-12. If "No", skip to 22.		NO
10	4(b)1 If review is due to a biennial year requirement, was SOE properly notified that the DOE would begin review based on version certified last by SOE, or the last revision on file, whichever occurred last?		N/A
11	4(b)1 If review is due to a biennial year requirement, and the SOE was not properly notified that the DOE would begin review based on version certified last by SOE, or the last revision on file, whichever occurred last, why didn't the notification take place? Did the notification take place at a later date? WHY WASN'T SOE NOTIFIED?: _____ NOTIFICATION DATE (if applicable): _____		N/A
12	4(b)1 If review is due to a biennial year requirement, was the review conducted during the first quarter (January 1 - March 31)?		N/A
13	4(b)1 If review is due to a biennial year requirement and if it was not done during the first quarter (January 1 - March 31), when was the review conducted and why wasn't it done during the first quarter? REVIEW DATE: _____ WHY?: _____		N/A

**Checklist for Minimum Security Procedures for Voting Systems**  
**1S-2.015 Section 101.015(4),F.S.**

14	4(b)2	If review is due to a biennial year requirement and if the SOE was properly notified that the DOE would begin review based on version certified last by SOE, or the last revision on file, whichever occurred last, did the SOE respond within 15 days of DOE's notice by either recertifying the version on file or by submitting and certifying a revision or replacement	N/A	
15	4(b)3	If review is due to a biennial year requirement, did the DOE complete its review of the procedures no later than 90 days of beginning the review?	N/A	
16		If "YES" to 4(b)3, did the DOE notify the SOE within 5 days of completion as to whether its county security procedures were in compliance with subsection (5)?	N/A	
17		If "NO" to 4(b)3, why wasn't the review completed within 90 days of the begin date? WHY?: _____	N/A	
18	4(b)4	If review is due to a biennial year requirement and if the DOE finds that procedures are incomplete and do not comply with subsection (5), does DOE response include specific information regarding items which were found to be incomplete or those which do not otherwise meet provisions of rule?	N/A	
19	4(b)4	If review is due to a biennial year requirement and if the DOE found that procedures were incomplete and did not comply with subsection (5), did SOE provide required missing/incompliant information no later than 30 days from the date of DOE notice?	N/A	
20	4(b)4	If review is due to a biennial year requirement and if the DOE found that procedures were incomplete and did not comply with subsection (5) and if SOE did not provide required missing/noncompliant information within 30 days from the date of DOE notice, did SOE provide within that same timeframe, a status report and a plan including timeline for completing or bringing the procedures into compliance?	N/A	
21	4(b)4	If review is due to a biennial year requirement and if SOE provided either required information or status report and a plan including timeline for completing or bringing the procedures into compliance, did DOE issue a notice of compliance or continued noncompliance (whichever is applicable) within 10 days from the receipt of the supervisor's	N/A	
22	4(c)	Upon approval of security procedures by the DOE, did the supervisor submit within 15 days of DOE notification of compliance a copy of the approved version of the procedures that has all confidential and exempt information redacted from the procedures, along with the statutory citations for each redaction contained in the document?	N/A	
<b>5. Standards for Security Procedures</b>				
<b>5(a) Staffing and facilities security</b>				
23		Do procedures have a description of the supervisor of elections' organization and physical facilities' security?	YES	2
24		Do procedures address chain of custody procedures and security measures to protect the integrity of the voting systems, election materials, and ballots?	YES	2 & 40-43
<b>5(b) Election Schedule Templates</b>				
25		Do procedures include one or more schedule templates for each type of election [NOTE: Municipal Election schedule template may be included, but is not required]?	YES	44-57 (Appendices)
26	5(b)	Does the election schedule template begin at least 90 days prior to each regularly scheduled election and 20 days before the date of a special election?  [NOTE: The supervisor is not required to provide a previously submitted schedule template before an election unless changes have been made since the prior submission]	YES	44-57 (Appendices)
27	5(b)	If SOE has revised the election schedule template, was it properly submitted at least 45 days before EV begins (pursuant to #3(b))?	YES	44-57 (Appendices)
5(b) The election schedule template shall contain the following:				
28	5(b)1	A list of all tasks necessary to conduct the election	YES	44-57 (Appendices)
29	5(b)2	Legal deadline, where applicable, or tentative date each task is to be completed	YES	44-57 (Appendices)
<b>5c Ballot preparation procedures must include the following:</b>				

**Checklist for Minimum Security Procedures for Voting Systems**  
**1S-2.015 Section 101.015(4),F.S.**

30	5c	Steps necessary to ensure that all ballots contain the proper races, candidates and issues for each ballot variation	YES	9
31	5c	Steps necessary to ensure successful tabulation of ballots	YES	9
32	5(c)1	Assignment of unique marks or other coding necessary for identifying ballot variations or precincts	YES	9
33	5(c)2	Steps to verify that unique marks or other coding necessary for tabulation are correct	YES	9
34	5(c)3	Description of method used to verify that all ballots and ballot variations are accurately prepared and printed	YES	9
<b>5(d) Filing of election information</b>				
Description of the process for filing a copy of the information used within the election management system to define the tabulation/reporting instructions for each election regardless of filings for prior elections, including the following:				
35	5(d)1	A copy of the election database used to define the election	YES	14
36	5(d)2	A DS-DE 132 Form completed by an individual who created the election database and definition IF the individual is not an employee of the SOE	YES	14
<b>5(e) Preparation and configuration of Tabulation system</b>				
5(e)1 Do the procedures relating to the preparation and configuration of the tabulation system include the following:				
37	5(e)1a	Description of tests for 100% of voting system components that will be used in the election, after conclusion of maintenance and programming, including Americans with Disabilities Act (ADA) voting devices, early voting devices, precinct voting devices, and absentee voting devices, and the procedures for verification of correctness	YES	8
38	5(e)1b	Description of how tabulation systems will be secured	YES	3, 8
39	5(e)2	Description of test materials utilized and the voting system tests performed prior to the conduct of the public logic and accuracy tests	YES	8
<b>5(f) Public logic and accuracy test</b>				
Description of the following aspects of logic and accuracy testing of all automatic tabulating equipment publicly tested as required by Section 101.5612, F.S.:				
40	5(f)1	Each component of the test performed including the test materials utilized for early voting devices, precinct voting devices, and absentee voting devices	YES	12-13
41	5(f)2	Ballot test decks and pre-audited results	YES	12-13
42	5(f)3	Procedures for sealing, securing, and retaining the programs, ballots, test results, other test materials, and records of proceedings	YES	12-13
<b>5(g) Pre-election steps for voting systems</b>				
Description of the process for sealing & securing the voting devices on Election Day and daily during the early voting period. Description includes:				
43	5(g)1	Process for identifying electronic media type such as memory packs, compact flash cards, PC Cards or PCMCIA cards, and any instrument used to activate a voting machine, including:	YES	3-5, 40-43 (Appendices)
44	5(g)1a	Process to create and maintain an inventory of all electronic media	YES	3-5, 40-43 (Appendices)
45	5(g)1b	Chain of custody process and procedure for identifying, documenting, handling, and tracking electronic media from the point of collection or transfer from their storage location, through election coding, through the election process, to their final post-election disposition and return to storage	YES	3-5, 40-43 (Appendices)
46	5(g)2	Process for establishing/maintaining a secure location for storing the electronic media when not in use, for coding an election, for creating the election media, for transferring and installing the election media into the voting device, and for storing these devices once the election parameters are loaded	YES	3-5, 40-43 (Appendices)

**Checklist for Minimum Security Procedures for Voting Systems**  
**1S-2.015 Section 101.015(4),F.S.**

47	5(g)2a	Process to ensure that no election media is left unattended or in an unsecure location once it has been coded for an election. If applicable, coded election media must be immediately loaded into the relevant voting device, logged, and made secure or must be placed in a secure and controlled environment and inventoried	YES	3-5, 40-43 (Appendices)
48	5(g)2b	Process to ensure that election media is sealed in its relevant voting device or container utilizing one or more uniquely identified tamper-resistant or tamper-evident seals, that there is a combined master tracking log of the voting device, election media, and seal(s), and, if applicable, that election media that are device independent (e.g., voter card encoders) devices are stored in a secure, sealed container and are identified on the master tracking log	YES	3-5, 40-43 (Appendices)
49	5(g)2c	Process for maintaining and tracking custody of voting devices once they are loaded with an election definition, including information regarding the chain of custody, which must specifically provide for identifying, documenting, handling, and tracking of devices from the point of loading to final post-election disposition	YES	3-5, 40-43 (Appendices)
50	5(g)3	Recovery plan to be followed in the event of a security breach of the accountability and chain of custody procedures, as well as the process for ensuring that a security breach was confirmed by more than one individual	YES	4, 18, 23
51	5(g)4	Training plan for relevant election officials, staff, and temporary workers that addresses these security procedures and the relevant work instructions	YES	2, 6
<b>5(h) Ballot distribution</b>				
Information for marksense ballots or paper outputs from a hybrid voting system, including on Election Day and during the early voting period, procedures include the following:				
52	5(h)1	Description of how the number and variations of ballots required by each precinct is determined	YES	11
53	5(h)2	Description of the method for securing the ballots	YES	11
54	5(h)3	Description of the process for distributing the ballots to precincts, to include an accounting of who distributed and who received the ballots, the date, and how they were checked	YES	11
<b>5(i) Distribution of precinct equipment</b>				
55		Information regarding the distribution of precinct equipment	YES	4-5, 40 (Appendices)
<b>5(j) Election Board Duties</b>				
5(j)1 Description of Election Board duties on Election Day and during the early voting period with regard to marksense ballots or paper outputs from a hybrid voting system, including provisional ballots, including the following:				
56	5(j)1a	Process for verifying that the correct number of precinct ballots were received, and that they are the proper ballots for that precinct	YES	17-18, 23-24
57	5(j)1b	Process for verifying the operability or readiness of the voting devices	YES	17-19, 24
58	5(j)1c	Process for checking and sealing the ballot box	YES	18-19
59	5(j)1d	Description of how unscanned and spoiled ballots are handled	YES	19-21
60	5(j)1e	Description of how write-in and provisional ballots are handled	YES	28, 25
61	5(j)1f	Accounting for all ballots and paper outputs from a hybrid voting system after the polls close	YES	26-30
5(j)2 Description of Election Board duties on Election Day and during the early voting period with regard to voting devices, including the following:				
62	5(j)2a	Process for verifying the identification numbers, seal numbers, and protective counter numbers, if available, of precinct tabulation and/or voting devices	YES	18, 24
63	5(j)2b	Process for checking the operability or readiness of the voting device	YES	18, 24
64	5(j)2c	Process for verifying that all counters except protective counters are set at zero on each voting device	YES	18, 24
65	5(j)2d	Securing a printed record from each voting device, if applicable	YES	18, 24
66	5(j)2e	Checking the correctness of the ballot	YES	18, 24
67	5(j)2f	Preparing voting devices for voting	YES	18, 24

**Checklist for Minimum Security Procedures for Voting Systems**  
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68	5(j)2g	Verification when other than electronic or other means are used to track a voter during the voting process that the correct number of voter authorization slips were received	YES	24-25
69	5(j)2h	Checking and sealing the voter authorization slips container(s) if voter authorizations slips were used	YES	24-25
70	5(j)2i	Handling write-in ballots	YES	28-29, 32, 36
71	5(j)2j	Handling voting system malfunctions	YES	25
72	5(j)2k	Process for securing voting machines at the close of the polls (including the close of each early voting day) to prevent further voting	YES	19-21, 26-29
73	5(j)2l	Process for accounting for voter authorization slips received, if applicable	YES	20, 22
74	5(j)2m	Process for recording and verifying votes cast	YES	20, 27-30
<b>5(k) Transport of ballots and/or election materials</b>				
Description of the process used for transport of ballots and/or election media, to include the steps ensuring a complete written record of the chain of custody of ballots, paper outputs from a hybrid voting system, and election materials on Election Day and during the early voting period, including the following:				
75	5(k)1	Description of the method and equipment used to transport all ballots, paper outputs from a hybrid voting system, and/or election materials	YES	15-16, 40-43 (Appendices)
76	5(k)2	Method of recording names of the individuals transporting ballots and/or election materials from one site to another and the time they left the sending site	YES	15-16, 40-43 (Appendices)
77	5(k)3	Method of recording the time individuals transporting ballots, paper outputs from a hybrid voting system, and/or election materials arrived at the receiving site and name of individual at the receiving site who accepted ballots, paper outputs from a hybrid voting system, and/or election materials	YES	15-16, 40-43 (Appendices)
5(k)4 Description of process used create and maintain a secure location for storing and transporting voting devices once the election definitions are loaded, including procedures to be used at locations outside the direct control of the SOE, such as overnight storage at a polling location or early voting site, including the following:				
78	5(k)4a	Process for creating and maintaining an inventory of voting devices for each storage location, for each election	YES	15-16, 40-43 (Appendices)
79	5(k)4b	Description of the chain of custody process for identifying, documenting, handling, and tracking of voting devices from the point of storage to transfer to final disposition or when the voting devices have been left unattended for any length of time, including information about verifying the integrity of tamper-resistant or tamper-evident seals	YES	15-16, 40-43 (Appendices)
80	5(k)5	Recovery plan to be followed in the event of a security breach of the accountability and chain of custody procedures. Plan includes a process for dealing with inadvertent damage to seals or accountability/chain of custody documentation errors and a process for ensuring that a security breach, documentation errors, or seal damage are to be confirmed by more than one individual	YES	4, 18, 23
81	5(k)6	Training plan for relevant election officials, staff, and temporary workers that addresses these security procedures and the relevant work instructions	YES	2, 6
<b>5(l) Receiving and preparing voted ballots</b>				
Description of the process of receiving and preparing paper outputs from a hybrid voting system and voted ballots, including provisional ballots, election data and memory devices to include the following:				
82	5(l)1	Description of the process used to verify that all ballot containers are properly secured and accounted for and that the seal numbers are correct	YES	36
83	5(l)2	Description of the process used to verify/reconcile that ballot container(s) for each precinct contain paper outputs from a hybrid voting system, unused ballots, and voted ballots, including provisional ballots, unscanned ballots, spoiled ballots, and write-in ballots as shown to exist on the forms completed by each election board for that purpose	YES	36

**Checklist for Minimum Security Procedures for Voting Systems**  
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84	5(l)3	Description of the process used to inspect marksense ballots or paper outputs from a hybrid voting system to identify those that must be duplicated or upon which voter intent is unclear, thus requiring a determination by the Canvassing Board, including the process for keeping a record of which marksense ballots or paper outputs from a hybrid voting system are submitted to the Canvassing Board and the disposition of those marksense ballots or paper	YES	36
85	5(l)4	Description of the process for duplicating and recording the voted marksense ballots or paper outputs from a hybrid voting system which are damaged or defective	YES	22, 29, 33-36
<b>5(m) Tabulation of vote</b>				
5(m)1 Description for each step of the ballot tabulation process on Election Day and daily during the early voting period, including the following:				
86	5(m)1a	Counting and reconciliation of voted marksense ballots or paper outputs from a hybrid voting system	YES	29-30
87	5(m)1b	Processing, tabulation and accumulation of voted ballots and election data	YES	29-30
88	5(m)1c	Processing and recording of all write-in and provisional ballots	YES	28-29
89	5(m)1d	Process for handling unreadable ballots	YES	29
90	5(m)1e	Description of backup and recovery of tabulated results and voting system programs	YES	29
91	5(m)1f	Procedure for public viewing of the accumulation process and access to results	YES	29-30
92	5(m)2	Description of each step of ballot tabulation during the early voting period	YES	17, 29-30
5(m)3 Description of each step of the ballot tabulation process in the precincts on Election Day, including the following:				
93	5(m)3a	Printing of precinct results and results from individual tabulating devices	YES	28
94	5(m)3b	Processing and recording of write-in votes	YES	28, 32
95	5(m)3c	Endorsing the precinct results by the Election Board	YES	29
96	5(m)3d	Posting a copy of precinct results	YES	29
97	5(m)3e	Transport of precinct results to central or regional site	YES	29
98	5(m)3f	Consolidation of precinct and provisional ballot results	YES	29
99	5(m)3g	Process for public viewing of the accumulation process and access to results	YES	29
100	5(m)4	Procedure for resolving discrepancies between the counted ballots and voted ballots and any other discrepancies found during the accumulation process	YES	24, 29-30, 38
<b>5(n) Electronic access to voting systems</b>				
Identification of all methods of electronic access to the vote tabulation system, including on Election Day and daily during the early voting period, as well a the procedures for authorizing electronic access and specific functions, and specifying methods for detecting, controlling and reporting access to the vote tabulation system, also including the following:				
101	5(n)1	Procedure to ensure that default or vendor supplied passwords, encryption keys, or other identifiers have been changed and the following:	YES	6-7
102	5(n)1a	Access control keys/passwords are maintained in a secured and controlled environment and individual(s) with access to these items have been delineated	YES	6-7
103	5(n)1b	Discretionary authority to grant individuals the access to change encryption keys and passwords has not been delegated to anyone other than the SOE	YES	6-7
104	5(n)1c	Method for maintaining 'user control' access within the election management system and/or equipment. (i.e. where applicable, an individual's access is limited to certain menus, software modules, or other component of the voting system)	YES	6-7
105	5(n)2	Process for governing access to any device, election media, or election management system with a requirement to use an encryption key	YES	6-7
106	5(n)3	Training plan for relevant election officials, staff, and temporary workers that addresses these security procedures and the relevant work instructions	YES	2, 6
<b>5(o) Absentee ballot handling</b>				
Description of the process for absentee ballot handling to include the following:				
107	5(o)1	Process for determining and verifying absentee ballot variations	YES	31-33

**Checklist for Minimum Security Procedures for Voting Systems**  
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108	5(o)2	Process to assure voters are issued the proper absentee ballot	YES	31-32
109	5(o)3	Process for receipt of absentee ballots by mail or other methods permitted by law and security measures in place to ensure safekeeping and timely receipt by the SOE	YES	32-33
110	5(o)4	Process for precluding voters from voting at the polls and casting an absentee ballot	YES	31-32
111	5(o)5	Process for opening valid absentee ballots in preparation for tabulation	YES	31-35
112	5(o)6	Process for recording the receipt of all absentee ballots, including regular absentee ballots, State write-in ballots, and Federal write-in ballots, and process for determining which ones should be counted if more than one per voter is received	YES	31-35
113	5(o)7	Description of the security measures for transporting, collecting, and storing blank and voted absentee ballots and related materials prior to and after an election, including but not limited to physical security, chain of custody, secured access, and monitoring	YES	31-35
<b>5(p) Ballot Security</b>				
114		Description of ballot accountability & security measures, beginning with their receipt from a printer or manufacturer until such time as they are destroyed, including physical security procedures employed on Election Day & during the early voting period & identities of all individuals who have authorized access and individuals who have the authority to permit access	YES	39
<b>5(q) Voting system maintenance and storage</b>				
115	5(q)1	Description of maintenance and testing performed on all components of the system to assure that it is in proper working order and is within manufacturer's operating specifications including on Election Day and during the early voting period. Procedures shall also describe storage and nonoperational maintenance of all voting devices.	YES	3-4
116	5(q)1	Description of storage and nonoperational maintenance of all voting devices.	YES	3-4
117	5(q)2	Description of the process used to update anti-virus software installed on the election management system, including the timeframe and method for updating the software NOTE: If a system does not have anti-virus software, disregard this item as it is not a requirement.	YES	3
<b>5(r) Post-election audit</b>				
The security procedures shall include, at a minimum, the following:				
118	5(r)1	Description of the method for the random selection of the races and precincts for a manual audit or automated independent audit, or both	YES	37-38
119	5(r)2	Description of the method for the random selection in the event that municipal or other local elections are held on the same day (as Election Day) and the Canvassing Board certifies the elections, if applicable	YES	37-38
120	5(r)3	Description of the method to determine the ballot count, segregated by ballot type, of the random selection	YES	37-38
121	5(r)4	Description of the method used to ensure the public does not interfere or otherwise disturb the audit	YES	37-38
122	5(r)5	Description of the method for determining the security of ballots, paper outputs from a hybrid voting system, chain of custody controls, protocols for authorized access, and secure storage of ballots and paper outputs from a hybrid voting system, that may be used in an audit	YES	37-39
<b>6. FORM DS-DE 132</b>		DS-DE 132 information is shown in 5(d)2		





*Craig Latimer*  
**Supervisor of Elections**

Our Vision: To be the best place in America to vote



**Supervisor of Elections**

## **Security Procedures**

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PER S. 101.015 F.S

AND

RULE 1S-2.015

Revised and Redacted per 119.0725 F.S.

**June 21, 2024**



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## Section 1: Staffing, training, and facilities security

1. Supervisor of Elections' organization and physical facility security.
2. Training plan pertaining to physical facility.

The Hillsborough County Supervisor of Elections (SOE) office is organized into multiple departments: Operations and Support Services; Poll Worker Services and Training; Voter Services; Administration and Finance; Information Technology; and Communications. Senior leadership consists of the SOE plus the Chief of Staff, General Counsel, Chief Communications Officer, departmental directors, and deputy directors. The senior leadership team is responsible for establishing and overseeing policies, procedures and processes as well as ensuring regulatory compliance in each of their areas.

The HCSOE has two permanent main offices and three permanent branch offices. Of the permanent main offices, the downtown location is in the County Center and houses Executive, Administration, Communications (including Candidate Services), and a unit of Voter Services. The Elections Service Center (ESC) is in the geographic center of the county and houses Operations and Support Services, Poll Worker Services and Training, Information Technology, and a unit of Voter Services. Two warehouses at the ESC contain all voting equipment and materials for Election Day and Early Voting. Vote By Mail equipment (e.g., Blue Crest Relia-Vote) is located at the main ESC warehouse. HCSOE facilities comply with fire, safety and Americans with Disabilities Act requirements as well as the safety requirements of Hillsborough County government. HCSOE abides by the standards set by the Occupational Safety and Health Administration. Security of offices and warehouses is of primary concern and all have key-swipe access. The HCSOE has a contract with a security company to monitor usage and respond to alarms at entry points to agency facilities. CCTV Video Security cameras are located throughout the HCSOE facilities, covering entry and exit points, as well as all areas where ballots are stored or processed.

At the request of the SOE, a Security and Crime Prevention through Environmental Design (CPTED) review was conducted by the Hillsborough County Sheriff's Office, and an initial report was issued in June 2013. The report identified organizational, mechanical and natural controls to enhance safety and security of property and personnel. All recommendations were implemented. A subsequent CPTED review was conducted in 2018, and all recommendations were

implemented. A Department of Homeland Security Physical Security Assessment was conducted in 2018 and pertinent standards were met. Subsequent physical security assessments have been conducted and standards met.

A Continuity of Operations Plan (COOP) is reviewed and updated at least annually. The COOP contains plans and instructions for relocation of operations to a backup site in the event HCSOE locations become inoperable.

Prior to every election cycle, the following occurs: an audit of authorized personnel who have access to the facilities; reexamination of physical access policies throughout the facilities; review of policies and procedures for intrusion incident response; review of positioning and functioning of surveillance cameras; and review of surveillance system management alert policies.

Training on these policies and procedures occurs prior to each election cycle.

Canvassing Board members receive a copy of the Security Procedures, with an overview presented by the Supervisor of Elections and key staff, to assure their familiarity with security procedures, to answer questions and to address concerns. As applicable to their positions and duties, staff review policies, procedures, forms and documentation prior to each election cycle. All new staff undergo orientation sessions that provide an overview of the entire organization and each department's roles and functions, as well as intensive training within their assigned department. Seasoned staff members work as mentors to new staff to assure understanding of and compliance with security and other procedures. Temporary workers receive up to a week of paid training. The training consists of review of policies and procedures, and hands on exercises to become familiar with equipment and paperwork. After each election cycle, policies and procedures are reviewed and amended as determined appropriate to address issues or improve processes. Based on such changes, training is amended each cycle as needed.

## Section 2: Pre-election

### Voting system maintenance and storage

- a. Maintenance and testing performed on all voting system components.
- b. Storage and nonoperational maintenance of all voting system components.
- c. How all components of the voting system will be secured.
- d. Chain of custody process for components of the voting system sent offsite.
- e. Certified antivirus software installed on election management system's computing equipment.

Annual preventive maintenance is performed on all voting system components on-site by the vendor.

All DS200 ballot scanners, DS850 high speed scanners, and ExpressVote Units are stored in secured environments (continuous CCTV surveillance, restricted access), charged, repaired and cleaned to the manufacturer's recommendations. All repairs and maintenance are performed by the vendor.

All voting systems batteries, voltage, charging, and storage requirements are reviewed annually to ensure compliance with the manufacturer's specifications.

No components of the voting system are sent offsite to vendors for repairs or maintenance. All maintenance and repairs are done on-site under the supervision of SOE staff. A log is maintained to document all repairs performed on any voting system component.

All areas in which components of the voting system are stored are under CCTV surveillance and are accessible via restricted key card access limited to authorized personnel.

Memory sticks used during an election remain locked in the Tabulation Room or Vault at the Elections Service

Center until the memory sticks are loaded and secured in the DS200 ballot scanners or ExpressVote Units. Only authorized election personnel may enter these rooms. Blank memory sticks are stored in a locked cabinet in the Tabulation Room or Vault at the Elections Service Center.

The data servers are tested prior to each election and before each Logic and Accuracy Test. All computer files are backed up to an external hard drive. The Election Database System is checked in a pre-Logic and Accuracy Testing before each election. The Election Database System is locked in the Tabulation Room with access only by the Chief of Staff and authorized staff.

The antivirus software [REDACTED]  
[REDACTED]  
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

## Voting system devices, elections storage media, maintenance, and storage

- a. Sealing and securing all voting devices on Election Day and each day of the early voting period.
- b. Create and maintain an inventory of all elections storage media.
- c. Chain of custody process for elections storage media.
- d. Ensuring any elections storage media prepared for an election is free of malicious software.
- e. Maintaining a secure location for elections storage media.
- f. Distributing voting system equipment to the precincts.
- g. Ensure elections storage media is sealed utilizing uniquely identified tamper-resistant or tamper-evident seals.
- h. Chain of custody process for identifying, documenting, handling, and tracking voting devices.
- i. Recovery plan in the event of a security breach of accountability and chain of custody procedures.
- j. Training plan pertaining to all relevant election officials, staff, and temporary workers.

A custody assignment sheet is prepared by warehouse senior staff for each precinct and/or Early Voting site. Each precinct/polling location is assigned a DS200 tabulator, which contains a memory stick programmed for the specific election being conducted, and an ExpressVote. Precincts/polling locations and Early Voting sites may be assigned more than one DS200 and/or ExpressVote unit based on the number of ballot styles or anticipated voter turnout.

When not in use, DS200 and ExpressVote units are stored at the warehouses of the ESC. This facility has controlled access with high-security magnetic lock/card swipe access, CCTV Video Security, and a monitored alarm system. Access to the facility is limited to the SOE and authorized personnel.

In preparation for an election, a memory stick is assigned to each DS200 and a memory stick to each ExpressVote unit. Election staff program and label all election media for each DS200 and ExpressVote. Warehouse staff install and test all equipment.

The memory stick for the DS200 is secured into the unit. The DS200 (lid) units are locked and sealed. The seal numbers are recorded on the Opening Verification Form. These seal numbers are verified by the Clerk and Assistant Clerk at the polling site. The tabulator casing is secured.

Warehouse staff print and retain Configuration and Zero Reports from each DS200 tabulator showing the units have no votes and are ready for the election with date/time and election data verified. When the preparation of the DS200 tabulator is complete, and

the unit is ready for the election, the unit is secured with tamper evident seals and the seal numbers are recorded on the Opening Verification Form. The ESC warehouse senior staff verifies the seal number.

DS200 tabulators and ExpressVote units are prepared by precinct/polling location and in delivery route order to await distribution.

Delivery personnel are given a delivery sheet to record delivery of each polling location's or Early Voting site's supplies and equipment. Upon delivery, delivery personnel enter the date and time of delivery on the sheet and sign the form. The delivery sheet is returned to the ESC warehouse senior staff.

If, at any point during pre-election preparation, security, testing or distribution procedures, there is evidence of damage or tampering with a DS200 tabulator or ExpressVote unit, the unit in question is taken out of service and the SOE office notified immediately.

Inadvertent damage to seals during transport of equipment is reported to the SOE office by phone upon discovery.

If the incident is determined to be deliberate, the Canvassing Board, law enforcement, and the Division of Elections are notified immediately. Any breach of security is included in the Conduct of Election report.

All electronic media undergo full reformatting prior to use.

After the Logic and Accuracy Test has been completed, the DS200 transport case is locked and sealed with a tamper-evident numbered seal. The DS200 seal number is recorded on the Opening Verification Form. The electronic poll books are tested for proper operation and assignment to precincts/polling locations. The ExpressVote Units are tested for proper operation after the ballot definition has been loaded.

The SOE rents moving trucks to deliver equipment and supplies to individual precincts, or contracts with a commercial moving service. SOE staff members coordinate delivery of precinct/polling location equipment and supplies. SOE staff and delivery crews load and deliver precinct/polling location equipment and supplies. Delivery personnel record the date and time of delivery to each precinct/polling location on the delivery sheet and return this document to the ESC warehouse senior staff after the delivery route is completed. Route assignments are based on delivery truck capacity to ensure the most efficient distribution schedule.

SOE staff members coordinate delivery of Early Voting site equipment and supplies. SOE staff and delivery

crews load and deliver Early Voting equipment and supplies to all Early Voting sites. Delivery personnel record the date and time of delivery to each Early Voting site on the delivery sheet, sign the sheet, and return this document to ESC senior staff after the delivery route is completed. Route assignments are based on delivery truck capacity to ensure the most efficient distribution schedule.

If, during the distribution of the precinct/polling location equipment and supplies, a seal becomes inadvertently damaged or broken the ESC delivery team notifies the ESC warehouse senior staff immediately and, with the assistance of one other person on the delivery crew, replaces the seal and notes the change in seal number on the delivery sheet. If the seal on the ballot box is replaced, the seal number is updated in the inventory system database.

The elections staff maintain an inventory of all elections storage media. Each media device is wiped clean after use in an election and returned to a secured storage container until the next election. Prior to use in a current election, an anti-virus scan is performed to assure the absence of any malicious or otherwise unauthorized software.

## Electronic access to voting system

- a. Methods of electronic access; authorizing access and function; detecting, controlling, and reporting access.
- b. Process to ensure SOE's authority to grant authority to change encryption keys and passwords not delegated.
- c. Process to ensure passwords, encryption keys, or other identifiers have been changed as appropriate.
- d. Control keys/passwords maintained in secure, controlled environment; individuals with access delineated.
- e. Maintain 'user control' access so individual's access limited to certain menus, software modules, components.
- f. Verify that all elections storage media used on the voting system is free of malicious software.
- g. Training plan for electronic access to the voting system for election officials, staff, and temporary workers.

The Hillsborough County Supervisor of Elections uses a stand-alone election reporting system that functions in one location – Elections Service Center (ESC) at 2514 N. Falkenburg Rd., Tampa, FL 33619.

The reporting system is located in the tabulation room. Physical access to the tabulation room is restricted via high-security magnetic swipe card access. The entire area is under continuous CCTV video surveillance.

The principle of least privilege is used to limit users' access rights only to the menus, modules and components strictly required to do their jobs.

Access to the election reporting system software requires logon usernames and passwords. The SOE is responsible for establishing and maintaining system access rights and passwords. This authority is not delegated.

Electronic access to the voting system is granted by the SOE to: the IT Director, the Chief of Staff, the Deputy Director of Voter Services, and an on-site vendor support liaison.

Prior to each election cycle, training is provided to elections staff as needed which consists of review of policies, procedures, forms and documentation.

All electronic media undergo full reformatting prior to use, including anti-virus scanning.

The HCSOE Ballot Tabulation Network is controlled by a series of personal computers, operating in a secure local area network. The tabulation center at the ESC contains some common system elements.

These are defined as follows:

**File Server:** The file server is the central depository for storage of files. All network communications are controlled by the server, which is also responsible for user level password security.

**Administrator Stations:** These PCs administer the ElectionWare systems, collecting and consolidating all tabulation totals. It is also the source of election reports.

**Reader Station:** These computers interface directly between the USB memory stick readers and the database server. They run the ElectionWare Suite programs which collect the totals from the Memory Sticks from the precinct/polling location scanners and central count scanners and process them into the Central Tabulation System.

**Data Server (Results Acquisition):** This server, located at the Elections Service Center, receives the electronic results from DS200s, which are located at the precincts/polling locations. This process uses a check sum validation to ensure that only precincts that are used in the election are accepted. There is also error checking deployed to ensure that good data is received.

**Firewall:** [REDACTED] firewall is in place between the data server and Central Tabulation Network to ensure only the results data from the server is passed into the Central Tabulation Network.

Website: The Hillsborough County Supervisor of Elections maintains a website where election night results are available and updated periodically.

If the Administrator Station fails, it is replaced with one of the PCs being used as a Reader Station or a compatible backup PC. The failed PC is removed from the tabulation network, and the Reader Station is restarted as the Administrator Station. At this point, normal ballot processing can resume.

There are two central file servers. After the Logic and Accuracy Test, a backup of the database and related data is copied from one file server to the other. In the

event of a file server failure, the other server would be brought online and connected to the network. The workstations would have to attach to the new server and staff would continue to process incoming data.

In the event a data server fails, a mirrored backup station is turned on and made the production station.

In the event a Firewall fails, a mirrored backup of the unit is turned on and made the production Firewall.

In the event the website goes down, election night results will be shared via paper report in the public media room.



## Pre-election steps for voting systems

- a. Voting system components tested and functioning accurately after annual maintenance and programming.
- b. Test materials utilized and the voting system tests performed prior to the public logic and accuracy testing.

After the annual maintenance of voting system components and programming for the election is completed, and once the ballot is determined to be accurate, all of the voting system components that will be used in the election are tested using a pre-marked test deck which includes hand marked and ExpressVote ballots.

The test deck is designed to record a predetermined number of valid votes for each candidate and on each measure and to include for each office one or more ballots which have activated voting positions in excess of the number allowed by law in order to test the ability of the tabulating devices to reject such votes.

A complete backup is performed on the Central Tabulation System, which will be used in the tabulation process as follows:

- ✓ After the ballot definition has been verified and the tabulation system has been programmed, a backup is performed.
- ✓ A complete internal Pre-Election Logic and Accuracy Test is performed by reading at least one memory stick from each ballot style into the tabulation system. This test involves processing a memory stick from at least one DS200 ballot scanner for each ballot style that was test

voted using a test deck of ballots. Memory stick processing is performed on the workstation that will be used in the election.

- ✓ When completed, the test results are audited by a proofing team. Proofing materials contain various documentation and formulas needed for checking the test data. All items on the test result reports are proofed for accuracy. These checks may include but are not limited to numeric accuracy of results, proper wording and spelling, statistical calculations (registration totals, percentages, under/over votes), and district/precinct cross- references to check the validity of the voting options.

If errors are detected during this process, appropriate corrections are made, and the entire test is re-executed. Once the proofing team has established that the test results are completely accurate, they sign off on the proofed copies of the tests, as well as their auditing checklists. These documents are then stored with the remainder of the election testing materials and are available for inspection during the Logic and Accuracy Tests.

All electronic media is stored in the locked tabulation room and when in use in the DS200, the media is in a locked compartment.

## Ballot preparation procedures

- a. Verify that all ballots contain the proper races, candidates, and issues for each ballot variation.
- b. Verify accuracy of assignment of unique marks or other coding used to identify ballot variations or precincts.
- c. Verify that all ballots and ballot variations are accurately prepared and printed.
- d. Verify proper tabulation of the unique marks or other coding used to identify ballot variations or precincts.

For each election, a list of offices to be filled by election is prepared. This list is verified at the beginning of candidate qualifying. As candidates establish campaign accounts locally and with the State of Florida Division of Elections, their names are listed under the office for which they have filed. At 12:00 noon on the last day of official qualification and write-in qualification, SOE staff prepares a list of office titles, candidates and issues to be placed on the ballot. The candidate oaths are used to confirm the spelling of the local candidates' names as they should appear on the ballot and verified. The State of Florida Division of Elections provides the certified list of names for candidates who are required to file with the State of Florida Division of Elections.

The ES&S ElectionWare Suite is the system used to facilitate ballot preparation.

When the issues and names of candidates are entered into the Central Tabulation System, the Central Tabulation System determines and assigns ballot styles based on the profile information that is maintained in the system. A ballot style list of precincts and districts in each style is printed. This list is proofed against the precinct district list to verify that all eligible precincts are assigned the correct ballot style.

When all ballot information has been entered into the system, sample ballots are printed on standard paper stock and reviewed for accuracy against the original source material. If errors are discovered, information is reentered and new ballots are printed. This process continues until all information has been verified as correct.

After the ballot design is complete and hard copies of each ballot style on ballot paper stock are obtained, the ballots undergo a final verification process where each ballot is checked for legibility, clarity of layout, spelling errors, inaccuracies in candidate/office assignments, errors in office/ballot style assignments, etc. If errors are discovered, the ballot is corrected and reentered into the verification process. Each ballot is put through the tabulating equipment to check that they can be read. Once the ballots are found to be error free, the printer is authorized to produce the ballots.

All sample ballots used during ballot preparation procedures are prominently marked as ballot proofing material. Once ballot preparation is completed, ballot proofing materials are stored securely in a sealed container in the vault at the ESC.

## Ballot and election materials security—pre-election

- a. Ballot accountability and storage measures, and security measures for ballots and election materials.
- b. Individuals authorized access to ballots and election materials; individuals authorized to permit access.

All ballots are received in the Elections Services Center Warehouse where they are stored under continuous CCTV surveillance in restricted access areas until distribution to Election Day polling places, Early Voting locations, or to voters as Vote By Mail ballots.

**Election Day Ballots:** Election Day ballots are delivered from the ballot printing company to the ESC Warehouse approximately four weeks prior to an election. Quantities of ballots received are verified against quantities ordered. The ballots are inspected and stored in a secure area for distribution to precincts. The custody of the ballots remains with the ESC Warehouse senior staff until distributed.

**Blank Ballot Stock:** Blank ballot stock is intended for use in the Ballot on Demand system at Early Voting locations and at SOE offices for over-the-counter Vote By Mail ballots. Early Voting is conducted in the offices of the Supervisor of Elections and at other designated Early Voting sites. Early Voting sites use Ballot on

Demand to provide precinct-specific ballots to voters. Blank ballot stock is secured in the ESC Warehouses.

**Vote By Mail Ballots:** Approximately two weeks before the statutory deadline to deliver VBM ballots to voters, ballots are received at the ESC from the printer. These ballots are secured in the VBM Cage where they are prepared for delivery using the Blue Crest Relia-Vote system.

**Test Deck Ballots:** The test deck ballots are delivered to the ESC Warehouse and received by the Director of Operations. They are stamped “TEST DECK” and separated into precinct packets for use in testing. All test deck ballots are retrieved and accounted for when testing is completed and secured in the vault throughout the election.

## Ballot distribution

- a. Number and variations of ballots per precinct determined for Election Day and during the early voting period.
- b. Method for securing and controlling access to ballots.
- c. Process for distributing the physical ballots to precincts.

The Hillsborough County SOE uses historical voter turnout information and anticipated turnout figures to estimate the number of ballots required for an election.

Each precinct is assigned its own ballot style. If there is a split within the precinct, a ballot style is assigned to it. For primary elections, a ballot style is designated for each major party conducting nominating elections and a ballot style is designated for no party affiliation voters.

Ballots for Election Day voting are delivered to the ESC from the vendor, where they are examined to ensure the ballot packaging is intact and stored in a secured restricted area. The ballots are inventoried against the order that was placed and transferred to the respective ballot box. The ballots are stored in the precinct/polling location specific ballot box secured with a numbered seal in a locked warehouse that is protected by a security system and video surveillance system. Access is limited to the SOE and designated staff.

Ballots are delivered under the direction of staff from the Operations and Support Services Department to polling places for Election Day voting in locked ballot boxes secured with numbered seals. Using the Opening Verification Form, the Clerk verifies quantity and ballot style information prior to the opening of the polls on election morning and calls the SOE to report discrepancies.

Early Voting sites use ballot on demand to provide precinct specific ballots to voters. Blank ballot paper for Early Voting sites is secured at the ESC. Access is limited to the SOE and designated staff. The Clerk of each Early Voting site is notified of the time and date that the election supplies, including blank ballot paper, will be delivered. The blank ballot paper is then secured at the respective Early Voting site and custody is assumed by the Early Voting site Clerk and staff.

## Public logic and accuracy test

- a. Explain each test performed, including information about the test materials used for EV, ED and VBM devices.
- b. Information about the ballot test decks and pre-audited results used in testing.
- c. Seal, secure, retain election definition, test ballots, results, other materials; maintain record of proceedings.

Prior to the Public Logic and Accuracy Test, every DS200 unit that will be deployed for use in the election is tested with results documented on an L&A Checklist.

- ✓ Error Code/Message (if applicable)
- ✓ DS200 results uploaded successfully on Central Server

This comprehensive checklist includes:

### Step 1: Verify Correct Information on Configuration Report

- ✓ Current Time and Date
- ✓ Unit Serial Number
- ✓ Time Zone
- ✓ Modem Status
- ✓ Modem Type
- ✓ Modem ID
- ✓ Available Backup Storage
- ✓ Scanner FW
- ✓ Power Management
- ✓ DS200 Firmware
- ✓ Election Name
- ✓ Election Date

### Step 2: Process Test Decks

- ✓ Location number in header of this form, on DS200 lid and screen, on ballot box, and Zero Report all match
- ✓ On Zero Report, all races have zero (0) votes
- ✓ Ballots were processed in all 4 orientations
- ✓ Overvoted and blank ballots rejected on initial scan, then rescanned and accepted
- ✓ Multi-sheet sensor tested and functioning properly, ballots were rejected
- ✓ All test deck ballots were processed and public count matches Test Deck A-Card Total in header
- ✓ Test deck ballots were removed, hand-counted total is: \_\_\_\_, and returned to envelope

### Step 3: Close Poll

- ✓ DS200 public count matches Test Deck A-Card Total in header – Public count total is: \_\_\_\_
- ✓ Results tape match expected/pre-determined results

### Step 4: Modem Results (Verify Tab Room Readiness)

- ✓ DS200 results sent successfully YES or NO (if NO enter error code/message below)

### Step 5: Reset DS200

- ✓ DS200 is reset, Zero Report is printed w/ zero (0) votes for each race, and public count is: \_\_\_\_
- ✓ Configuration Report, Zero Report, Results Report, and 2nd Zero Report, on one tape, is removed
- ✓ New full roll of DS200 paper is installed
- ✓ DS200 is powered off and screen and lid are closed and locked

For each election, a quantity of precinct tabulators equal to five percent (5%) of the number of units to be fielded on Election Day or ten (10) units, whichever is greater, tabulators used for Early Voting, and automatic tabulating equipment used for processing VBM ballots, are publicly tested.

County candidates are provided with written notification of the Public Logic and Accuracy Test at the time of qualifying. Statewide candidates are notified by the Secretary of State to contact the county Supervisor of Elections for Logic and Accuracy scheduling. Written notice is also sent by certified mail at least thirty (30) days prior to the start of Early Voting to each County party chair of each political party and all candidates, other than statewide, whose names appear on the county's ballot and who did not receive notice at the time of qualifying. Public notice of time and place of Logic and Accuracy Testing is posted on the HCSOE website at least forty-eight (48) hours prior to its occurrence.

The testing begins with the election parameters loaded into the selected automatic tabulating equipment and a zero report produced by each tabulator tested to demonstrate that the tabulating equipment has no votes recorded for any offices or measures in the election. A test deck of pre-audited ballots is produced to record a predetermined number of valid votes for each candidate and on each measure. The test deck includes one or more ballots for each office with activated voting positions in excess of the number

allowed by law and at least one blank ballot to test the ability of the automatic tabulating equipment to reject such votes. The test deck also includes hand-marked ballots and ExpressVote ballots. The test deck is processed through the selected units. Similarly, a test is conducted on the VBM tabulation equipment. Results are collected from each unit tested and a cumulative report is produced for all units to confirm total results. Test totals are then compared to the expected outcome and verified by the Canvassing Board.

Once the Canvassing Board verifies that the Logic and Accuracy Test has been satisfactorily completed, the Canvassing Board signs all printed reports and the results of the tests are recorded in the Canvassing Board minutes. All signed materials, test decks, and reports are stored in a secured area at the ESC following the Logic and Accuracy Test.

Immediately after the completion of the public Logic and Accuracy Test, the Central Tabulation System

equipment is secured. A backup of the election database, test ballots, reports used in the Public Logic and Accuracy Test and an envelope containing the passwords are stored in a secured area and retained in the custody of the Canvassing Board. A copy of the election database is forwarded to the Division of Elections.

## Filing of election information

- a. File with DOE a copy of the L&A tested election database to be used in an election.
- b. Provide DS-DE 132 completed by individual who created database and definition IF not employee of the SOE.

Once the Canvassing Board verifies that the Logic and Accuracy Test has been satisfactorily completed, the Canvassing Board signs all printed reports and the results of the tests are recorded in the Canvassing Board minutes, in accordance with Chapter 101 Florida Statutes, and Rule 1S-2.015, Florida Administrative Code, the Supervisor of Elections sends by certified mail to the Department of State, Division of Elections (DOE):

- Copy of voting system software
- Copy of administrative database used to define the election

- Copy of all election-specific files generated and used by the system
- Documentation stating the release level of the precinct tabulation equipment and firmware
- Form DS-DE 132 (required if outside party creates election definition)

The system parameters disk is mailed to the DOE the day after the completion of the Logic and Accuracy Test.

## Section 3: Election

### Transport of ballots and/or election materials

- a. Recording date, time, and names of individuals who transported ballots, ExpressVote ballots, and/or election materials to a delivery site.
- b. Recording the date, time, and names of individuals who received the transported ballots, ExpressVote ballots, and/or election materials.
- c. Create and maintain secure location for storing and transporting voting devices once election definitions are loaded, including procedures used at locations outside the direct control of the SOE.
- d. Creating and maintaining an inventory of voting devices, at each storage location, for each election.
- e. Training plan for transport of ballots and/or election materials.

Election Day ballot custody is secured and documented continuously from initial receipt of ballots from the printer to records retention storage.

1. Upon receipt from the printer, Election Day ballots are placed in the ESC Warehouse under camera surveillance and restricted swipe card access in the custody of the Director of Operations.
  - ✓ Received from printer (*Documentation: Delivery Receipt*)
  - ✓ Quantities confirmed and quality checked (*Documentation: Order Confirmation*)
  - ✓ Sealed into ballot boxes (*Documentation: Custody Assignment Sheet and Opening Verification Form*)
2. Ballots are delivered to voting locations. Sealed boxes in which the ballots are locked are geotagged, in the custody of election staff couriers.
  - ✓ Delivered to voting locations (*Documentation: Delivery Sheet, Seal Verification and Geolocation Report*)
3. Ballots are at the Polling Location in the Custody of the Clerk
  - ✓ Ballot quantities and styles confirmed (*Documentation: Opening Verification Form*)
  - ✓ Distribution to voter (*Documentation: Epollbook Check-in*)
  - ✓ Ballots placed in sealed and barcoded containers and accounted for when voting ends (*Documentation: Closing Verification Form - Voted, Provisional, Spoiled, Unscanned*)
4. Ballots are delivered to drop sites in geotagged black ballot bags in the custody of the Clerk.
  - ✓ Delivered to Drop Site (*Documentation: Drop Site Log, Seal Verification, and Geolocation Report*)

5. Ballots are transported from the Drop Site to the ESC Warehouse in sealed and geotagged bags in the custody of elections staff couriers
  - ✓ Transported to ESC (*Documentation: Delivery Sheet, Seal Verification, and Geolocation Report*)
6. Ballots are in the ESC Warehouse under camera surveillance, restricted swipe card access in the Custody of the Director of Operations
  - ✓ Received at ESC (*Documentation: Receipt Log, Seal Verification*)
  - ✓ Scanned for inventory, image record, and reconciliation (*Documentation: Clear Audit Scanning Log and Reconciliation Report*)
  - ✓ Ballots In record storage for 22 months (*Documentation: Records Inventory Log*)

Election Day supplies are picked up by Clerks the weekend prior to Election Day at the ESC. The supplies include a Clerk's Briefcase, electronic poll books and accessories, name badges, and the clerk's folder containing forms. Backup precinct registers, unscanned ballot bag, voted provisional ballot bag, spoiled ballot envelope, election results bag, completed forms envelope, and seals are also delivered during Clerk's pickup in the Black Ballot Bag. The Clerk's Briefcase and Black Ballot Bag are stored and maintained in a separate secure area at the ESC for transfer to the Clerk during Clerk's pickup prior to the election. The Clerk maintains custody of the Clerk's Briefcase and Black Ballot Bag until arrival at the precinct/polling location.

Early Voting ballot custody is secured and documented continuously from initial receipt to records retention storage.



1. Upon receipt from the printer, Early Voting blank ballot stock is placed in the ESC Warehouse under camera surveillance and restricted swipe card access in the custody of the Director of Operations.
  - ✓ Ballot stock received from the printer (*Documentation: Delivery Receipt*)
  - ✓ Quantities confirmed and quality checked (*Documentation: Order Confirmation*)
  - ✓ Ballot stock assigned for delivery (*Documentation: Custody Assignment Sheet and Opening Verification Form*)
2. Ballot stock delivered to voting locations. The vehicles in which the blank ballot stock is delivered are geotagged.
  - ✓ Delivered to voting locations (*Documentation: Delivery Sheet and Geolocation Report*)
3. Ballot stock is at the Early Voting Site in the Custody of the Early Voting Clerk.
  - ✓ Verification of quantities received (*Documentation: Supplies Receipt Log*)
  - ✓ Ballot printed and distributed to voter (*Documentation: Epollbook Check-in*)
  - ✓ At the end of voting each day, ballots are placed in sealed and barcoded containers (*Documentation: Closing Verification Form - Voted, Provisional, Spoiled, Unscanned*)
4. Ballots are delivered to the ESC in geotagged vehicle daily.
  - ✓ Ballots are retrieved by the courier (*Documentation: Courier Log, Seal Verification, and Geolocation Report*)
5. Ballots are in the ESC Warehouse under camera surveillance, restricted swipe card access in the Custody of the Director of Operations
  - ✓ Transported to ESC (*Documentation: Courier Log, Seal Verification, and Geolocation Report*)
  - ✓ Ballots received at ESC (*Documentation: EV Receipt Log, Seal Verification*)
  - ✓ Scanned for inventory, image record, and reconciliation (*Documentation: Clear Audit Scanning Log and Reconciliation Report*)
  - ✓ Ballots In record storage for 22 months (*Documentation: Records Inventory Log*)

At each point of transfer of custody of ballots and election materials, accompanying documentation is signed by the person relinquishing and the person receiving custody.

Secure locations for storing voting devices are maintained within the elections office using multiple methods, such as CCTV surveillance and restricted swipe card access. Locations not under the direct control of the SOE are secured via locked room and/or polling places to which only SOE staff and polling clerks have keys. Transport security is achieved using chain of custody protocols, numbered and tamper evident seals, locks and geotags.

## Early voting requirements

- a. Ballot accountability, storage measures, security measures for ballots and election materials during EV.
- b. Verify the expected number of EV ballots were received at an early voting site prior to the opening of polls.
- c. Verifying that a voter, choosing to vote at an early voting site, receives the correct ballot.
- d. Verifying ID, seal, and protective counter numbers of voting devices used at early voting sites.
- e. Sealing or verifying the seals on the ballot box(es) used at early voting sites.
- f. Verifying the operability and readiness of voting devices used at early voting sites.
- g. Verifying that all counters except protective counters are set at zero on each voting device used EV sites.
- h. Printing record from each device at EV sites, to ensure no votes on the voting device (i.e., zero tapes).
- i. How unscanned and spoiled ballots are handled at early voting sites.
- j. Accounting for and monitoring VBM ballots deposited at a SBIS at an EV site, and SOE office.
- k. Verification if electronic or voter authorization slips/stubs, used to track voter during the EV voting process.
- l. Handling voting system malfunctions at an EV site.
- m. Securing voting machines at the close of the polls at an EV site, process for the close of each EV day.
- n. Accounting of all ballots and hybrid voting system paper outputs after the polls close at an EV site.
- o. Sealing or verifying seals on the voter authorization slips container(s) if used during EV.
- p. Recording and verifying votes cast (i.e., ballot accounting forms, etc).
- q. Tabulation of votes for EV
  - i. Daily process for counting and reconciliation of voted ballots and ExpressVote outputs during EV.
  - ii. Daily processing, tabulation, and accumulation of voted ballots, ExpressVote outputs, election data during EV.
  - iii. Processing and recording write-in and provisional ballots during EV period.
  - iv. Handling unreadable ballots during EV period.
  - v. Backup and recovery of tabulated results and voting system programs during EV period.
  - vi. Handling the results from each of the EV tabulators.
  - vii. Endorsing EV results by the Election Board.
  - viii. Transport EV results to the SOE central or regional site.
  - ix. Handle provisional ballot results.
  - x. Public viewing of the poll closing process at EV sites.
  - xi. Reconciling discrepancies between unused, tabulated, provisional, unscanned ballots; other discrepancies found during EV accumulation process.

The voting method employed for Early Voting sites uses a Marksense ballot completed by the voter and then inserted into the DS200 tabulator by the voter.

DS200s used for Early Voting retain election totals for all precincts. Election totals from DS200s used for Early Voting are directly uploaded into the election management system as per statute no later than 7:00 PM on the day before Election Day.

Early voting rooms are locked when not in use. Facility keys control access to the facility where the polling room is located and/or the polling room itself. There are two sets of facility keys for each Early Voting Team. The poll worker teams receive the keys, in a manila envelope, hand-delivered by the delivery driver on the scheduled equipment delivery day. The Clerk and Assistant Clerk from each team are responsible for a set of keys. Each night, the Clerk and Assistant Clerk take home a set of facility keys and a set of voting equipment keys. These items must never be left behind overnight.

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All voted ballots are returned to the Elections Service Center after the end of voting each day during the early voting period.

Ballots are in the ESC Warehouse under camera surveillance and in areas with restricted swipe card access in the custody of the Director of Operations and Warehouse senior staff.

The chain of custody is as follows:

- ✓ Ballot stock received from the printer – documented by delivery receipt.
- ✓ Quantities confirmed and quality checked – documented against the order confirmation.
- ✓ Ballots assigned for delivery – documented on the Custody Assignment Sheet.
- ✓ Ballots delivered to voting locations – geotagged and documented by the delivery sheet.

- ✓ Quantity received verified documented on the Opening Verification Form.
- ✓ Ballot distributed to voter – documented by epollbook check in.
- ✓ Ballots (voted, provisional, spoiled, unscanned) accounted for when voting ends – documented on the Closing Verification Form, sealed and barcoded.
- ✓ Ballots retrieved by courier staff and transported to the ESC—geotagged and documented on the Courier Log and Seal Verification.
- ✓ Ballots returned to the ESC—documented by EV Receipt Log and Seal Verification
- ✓ Ballots scanned for inventory, record image and reconciliation—documented by Clear Audit Scanning Log and Reconciliation Report

There are hundreds of different ballot styles for each election, based on the different districts in the county. A “split precinct” is one that requires more than one ballot style.

The ballot style is comprised of five digits. The first three numbers correspond to the voter’s precinct number. The fourth digit is reserved for splits, if one exists for the associated precinct. And in partisan elections, the last number represents the voter’s party affiliation.

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The Clerk and Assistant Clerk verify the seal numbers on the Lid Seal, Auxiliary Bin Seal, and Ballot Box Seal on the Opening Verification Form. The Clerk and Assistant Clerk sign, certifying the information is true and correct.

If, during this procedure, the Election Board discovers evidence of damage to or tampering with any seal on the DS200 tabulator, the tabulator in question is not put into service and the SOE office is notified immediately.

On the first day of Early Voting, the Clerk and Assistant Clerk follow the opening instructions to turn on and print the Configuration and Election Zero Report for the DS200 tabulator.

This is a process performed the first day of early voting confirming that all races on the Zero Report have zero vote totals. The Zero Report is a critical document that ensures that no ballots have been cast into the DS200 before the polls open. Poll workers use the First Day Opening Verification Form, located in the Clerk’s Folder, along with a set of voting equipment keys and the flashlight, to:

- ✓ Break the seal securing the Auxiliary bin, use the key to open it, and check to make sure no ballots or debris are inside.
- ✓ Before breaking the seal on the DS200 lid,

verify the seal matches the seal number recorded on the DS200 and Election Zero Report Verification section of the First Day Opening Verification Form. Then, using the key, unlock the lock, and lift the latches to open the lid.

The poll worker will then enter the election code. The Configuration Report will immediately begin to print. The Configuration Report lists storage memory availability, firmware and scanner information that has already been verified by the Elections Office.

The Election Zero Report will print. The poll worker will tear off both reports, leaving the Configuration Report attached to the Election Zero Report. He or she will verify the Election Zero Report against the DS200 Zero Report Sample Ballot found in the Clerk’s Folder to verify that all races appear on the report and each race has zero vote totals. The Clerk and Assistant Clerk must sign the Election Zero Report where indicated.

Both reports (Configuration and Election Zero Reports) are placed inside the DS200 Reports Bag.

The poll worker will finish completing the DS200 and Election Zero Report Verification section of the First Day Opening Verification Form by placing a checkmark, where indicated, to confirm the date, time, and site displayed on the DS200 screen are correct, that all races on the Election Zero Report have zero vote totals, and that the Election Zero Report has been signed by the Clerk and Assistant Clerk. The poll worker will then sign, date and record the time where indicated on the opening form.

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On each subsequent day of early voting, the poll worker will unlock the DS200 lid and display screen and place both in the upright position. Because the DS200 is plugged in, the unit will automatically power on opening to the Enter Election Code Screen.

Each day of Early Voting, the Configuration Report will print. The poll worker will tear the report off and place it inside the DS200 Reports Bag. Similar to the First Day Opening Verification Form, the poll worker completes the Daily Opening Verification Form after the first day, and each day thereafter.

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If the voter has spoiled their ballot or the DS200 Unit has rejected the voter's ballot for various reasons, the voter may request a replacement ballot. A voter may receive two (2) replacement ballots, for a total of three (3) ballots. A voter may only cast one (1) ballot. The clerk or assistant clerk will reverse the check in on the electronic pollbook to re-issue a ballot and will ask the voter to physically alter the spoiled ballot by notching, cutting or tearing through the timing marks on the spoiled ballot, or allow the poll worker to do so, after which the poll worker will write spoiled across the ballot and place the spoiled ballot inside the Spoiled Ballot Envelope.

When voting has ended for the day, the clerk or assistant clerk will retrieve the Spoiled Ballot Envelope, remove and count the spoiled ballots, verify the total counted matches the number indicated in the ePollbook, and record this total in section 1 of the Closing Verification Form. He or she will then return the spoiled ballots to the Spoiled Ballot Envelope and place the envelope in the side compartment of the Black Ballot Bag.

Voters have the option to return their Vote By Mail ballot at any one of the designated Early Voting sites. A sealed and locked Secure Ballot Intake Station (SBIS), with a Blue Ballot Transfer Container located inside of it, will be positioned at each Early Voting site. At least one poll worker is designated to stay by the SBIS at all times. The Clerk at the Early Voting site has keys to unlock the SBIS box. Once the voter deposits their voted ballot into the SBIS Box, the voter's ballot has been cast for the election and the ballot cannot be retrieved. At the end of voting each day, a poll worker will retrieve the SBIS Box, secure it inside the polling room, and call Poll Worker Services to inform the office that the site is closed and that daily closing procedures are underway.

The clerk retrieves the Blue Ballot Transfer Container from within the SBIS, checks to assure that no VBM ballots cast that day are left inside the SBIS, counts and records the VBM ballots, and then closes and seals the container.

The SOE courier will come each evening of Early Voting to retrieve the SBIS Blue Ballot Transfer Container and replace it with an empty Blue Ballot Transfer Container that will be used the next day.

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The Multi-Purpose Form is a double-sided document that contains five forms on one single sheet of paper that is used to identify an issue or a need a voter may have. The Multi-Purpose Form creates a paper trail of a voter's movement in the voting location. It is one of several SOE documents used in procedures constituting a system of checks and balances. It is one document allowing us to process a voter's address change, name change, declaration to secure or provide assistance, etc. Poll workers are trained to use extreme care in reviewing the form when it is completed by the voter at the Voter Check-In Table and/or the Voter Assistance Table.

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The DS200 unit has an uninterruptible power supply with an internal battery that is continuously charged, enabling the tabulator to continue counting ballots for a limited time during a power failure. In the unlikely instance there happens to be a power failure, the Clerk must be notified so they can immediately call Poll Worker Services to inform them of the situation. The DS200 unit may accept ballots a little slower than usual; however, as long as it accepts the ballots, the unit is working and votes are being recorded. If the internal battery is depleted, the poll worker is instructed to break the seal and unlock the Auxiliary Bin, and instruct voters to insert their voted ballot inside this bin, continuing to have voters insert their ballots inside the Auxiliary Bin until power is restored. Once power is restored, the Clerk will relock and seal the Auxiliary Bin and follow normal procedures. The Clerk will submit an incident report documenting the power failure and then update the incident report to include the time the power was restored.

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During Early Voting, at the end of each day, when voting has been completed, the Clerk and another poll worker record the number of "Ballots Cast" from the DS200 display screen on the Closing Verification Form. The Clerk and/or Assistant Clerk count and record on the Daily Closing Verification Form the number of Early Voting Check-ins, the number of spoiled ballots, the number of unscanned ballots, and the number of voted provisional ballots. All ballots are placed in the Black Ballot Bag(s) and secured with a numbered seal for return to the SOE Office. When the SOE representatives pick up the Black Ballot

Bag, they sign the Daily Closing Verification Form, verify the seal numbers, and take possession of the Black Ballot Bags from the Early Voting site.

The Black Ballot Bags are then transported to the SOE office where seal numbers are verified for custody transfer and the contents of the bags are sorted and stored in the secured Early Voting Cage under video surveillance.

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Daily closing procedures are as follows:

Announce Closing: Outside the entrance to the polling place, the clerk will announce that the polls are now closed according to the time on the cell phone. "The Polls are now closed. Voters currently in line can still cast a ballot; however, no additional voters may enter this line." Once the Clerk makes this announcement, a poll worker will stand behind the last person in line to establish the completion of voting. If a voter attempts to enter the line, the voter is informed that the polls have closed and he or she cannot enter the line. If the voter is confrontational, the Clerk is notified and Poll Worker Services is contacted for additional support. The Clerk is notified if there is a line at the time of closing with the approximate number of voters. The Clerk will then inform Poll Worker Services.

Process Remaining Voters: At the end of the voting day, poll workers allow any voters that were in line at the time of closing to cast their ballot. Voters continue to cast ballots as they would prior to the closing of the poll.

Set Up Public Observation Area: After the final voter has cast their ballot and departed, any public observers who want to observe the closing of the poll may enter the polling room. Chairs are placed along the wall for observers. Poll workers are instructed that all members of the public, including media, candidates, and Poll Watchers are allowed to observe the opening and closing procedures. Observers may not touch any equipment or materials, use cell phones, or otherwise interfere with the opening and closing procedures.

Photography is not permitted during the opening and closing processes.

Remove Unscanned Ballots: Removal of ballots from the DS200 is completed by the clerk and an Election Board member of a different party affiliation, as per the following four steps.

1. Remove the seal on the Auxiliary Bin. Thoroughly check for any ballots deposited inside.

2. Retrieve the Unscanned Ballot Bag from the side compartment of the Black Ballot Bag. Enclose unscanned ballot(s) inside the blue Unscanned Ballot Bag.

3. Write the total number of unscanned ballots in section 1 of the Closing Verification Form.

4. Return the Unscanned Ballot Bag to the side compartment of the Black Ballot Bag.

Retrieve Closing Verification Form: Remove the Opening and Closing Verification Form from the Clerks Folder. The Daily Closing Verification Form (on the reverse side of the Opening Verification Form) is dedicated to recording the total ballots cast at the polling place and verifying essential voting supplies are returned each day of Early Voting.

Record Check-in Totals: Once the last voter has been processed, cast their ballot, and has left the polling place, retrieve from the ePollbooks the total number of regular (issued) check-ins processed. Record the grand total of 'Issued' ballots in the Regular Check-Ins field of the Closing Verification Form.

Shutdown DS200 Unit(s): Steps are performed each day to shut down the DS200 unit. Shutdown procedures allow poll workers to reopen the poll the subsequent days of Early Voting. Immediately after the last voter has voted and departed the polling room and after recording the daily scanned ballot totals, the DS200 unit(s) are shut down. Once the screen turns completely black, the poll worker will close and lock the DS200 monitor, and will close, latch, and lock the lid.

Provisional and Spoiled Ballot: Remove the provisional ballots enclosed inside the Voted Provisional Ballot Bag and count the number of envelopes. The number counted should match the number indicated in the ePollbook. Record this number in section 1 of the Closing Verification Form. Then, return the provisional ballots to the Voted Provisional Ballot Bag and place the Voted Provisional Ballot Bag in the side compartment of the Black Ballot Bag. If the number counted does not match the number indicated in the ePollbook, an incident report documenting the reason for the discrepancy is submitted by the Clerk. The same steps are used to count and record the number of spoiled ballots – Retrieve the Spoiled Ballot Envelope. Remove and count the spoiled ballots. Verify the total counted matches the number

indicated in the ePollbook and record this total in section 1 of the Closing Verification Form. Return the spoiled ballots to the Spoiled Ballot Envelope and place the envelope in the side compartment of the Black Ballot Bag.

Account For and Pack All Voted Ballots: When removing the ballots from the ballot box, the poll workers ensure that the box is checked thoroughly so that no ballots are left inside.

Unlock the Ballot Box door and remove the ballots. Once removed, ensure that the ballots are stacked in the same orientation and placed neatly into the Black Ballot Bag.

Shut the ballot box door and relock.

1. Ensure all cancelled VBM ballots and completed Multi-Purpose Forms are placed inside the Completed Forms Envelope and the envelope is placed in the side compartment of the Black Ballot Bag.
2. Make sure the DS200 Reports Bag (with DS200 reports enclosed) and Accident Forms Envelope (with completed Accident Forms enclosed) are placed in the side compartment of the Black Ballot Bag.
3. Remove a numbered seal from the side pocket of the Black Ballot Bag. Secure the Black Ballot Bag by closing all zippers and placing a numbered seal through all zippers that accesses the enclosed ballots. Record the seal numbers placed on the Black Ballot Bag in section 2 of the Daily Closing Verification Form.
4. Retrieve the SBIS Blue Ballot Transfer Container and record the seal number in section 2 of the Closing Verification Form.
5. Finish completing section 2 of the Daily Closing Verification Form confirming the items listed are placed in the Black Ballot Bag.
6. In section 3 of the Daily Closing Verification Form, the Clerk and Assistant Clerk must sign, date, and record the time. Signatures confirm all information in sections 1, 2, and 3 are true and correct.
7. Have the Daily Closing Verification Form, Black Ballot Bag(s) and SBIS Blue Transfer Container ready and near the entrance/exit door for courier pickup.

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The DS200 Ballot Box is capable of holding approximately 2,500 sheets of paper. A Full Ballot Box Procedure is implemented when the ballot box has received more sheets of paper than it is designed to contain. Poll Worker Services will advise the Clerk how to proceed based on expected voter turnout and the time of day. If Poll

Worker Services advises that the voted ballots should be removed from the ballot box before the polls close, the clerk will perform the steps below to securely transfer ballots from the DS200 unit to a Black Ballot Bag to store the voted ballots.

The Clerk and DS200 Inspector will:

1. Inform the voters that there will be a slight delay in voting as the ballot box is full and the ballots must be removed and secured.
2. Open the main compartment of the Black Ballot Bag and remove any items inside, if applicable.
3. Break the seal and open the ballot box door.
4. Remove the ballots and place them neatly inside the Black Ballot Bag.
5. Zip the compartments of the Black Ballot Bag closed, and seal with a numbered seal.
6. Place the Black Ballot Bag in a secure location within the polling room.
7. Complete an incident report in the ePollbook recording the seal numbers placed on the Black Ballot Bag, and documenting the removal of ballots from the ballot box.
8. Close and reseal the ballot box door. Resume voting.

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Provisional Ballot Voter's Certificate and Affirmation Envelope is a large white envelope that the voter and the Clerk or Assistant Clerk must complete before the voter can receive their provisional ballot. All provisional ballot voters must return to the Voter Assistance Table once the voter has marked their ballot. The voted provisional ballot and the green striped privacy folder are sealed inside the completed Provisional Ballot Voter's Certificate and Affirmation Envelope and placed inside the green Voted Provisional Ballot Bag. Poll workers are trained to not allow a voter to insert their voted provisional ballot into the DS200 unit.

The Voted Provisional Ballot Bag is a large green zippered bag that all voted and sealed Provisional Ballot Affirmation and Certificate envelopes must be placed in after the voter returns their voted provisional ballot. Once the voter returns to the Voter Assistance Table with his or her provisional ballot, the poll worker will place the privacy folder, with provisional ballot inside, into the voter's completed Provisional Ballot Voter's Certificate and Affirmation envelope and seal the envelope. The poll worker will then remove the

attached Notice of Rights to Provisional Ballot Voters from the envelope and give the notice to the voter.

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Marksense ballots sorted by the DS200 tabulator and/or DS850 scanner, which could not be read, are presented to the Canvassing Board for inspection and determination of voter intent. When necessary, these ballots are forwarded to the Duplication Team to be recorded and duplicated, according to instructions from the Canvassing Board. After duplication, the ballots are processed and counted. Ballots that are received ripped, torn, wrinkled or otherwise damaged and cannot be fed through the tabulators are, at the direction of the Canvassing Board, forwarded to duplication.

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Back up of voting system programs includes: all software is retained on media and can be reinstalled; the electronic voting systems are backed up prior to the election and after results are collected; the DS200 ballot scanners produce a printed results tape; the voted ballots could be reprocessed; the voting system program may also be retained by the state via the required system parameter filing.

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When the tabulators are returned on the final day of Early Voting, they are placed in a secured restricted access room, under continuous CCTV surveillance. Under the direction of the Chief of Staff, the election is closed, the results tape is printed, and the results are uploaded into the Election Management system as required by statute. The uploaded results are compared against the DS200 tapes and voter turnout.

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Each day of Early Voting, a courier dispatched from the Elections Office retrieves the Black Ballot Bag(s) and SBIS Blue Ballot Transfer Container. The courier will also deliver any requested supplies. Once the courier arrives, the Clerk will give them the Daily Closing Verification Form so that they can verify that the seal numbers recorded on the form match the seals securing the bag(s) and SBIS Blue Ballot Transfer Container. Once they confirm that the information matches, the courier will complete section 4 of the Closing Verification Form, then place the completed Closing Verification Form in the side, unsealed pocket of the Black Ballot Bag. The courier will load the Black Ballot Bag and SBIS Blue Ballot Transfer Container

inside their vehicle and immediately depart for the Elections Office.

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Voters voting a provisional ballot complete a Provisional Ballot Voter's Certificate and Affirmation, which is printed on the provisional ballot envelope. The certificate has the voter's information, reason for provisional ballot, and an area for researching and canvassing the voter's eligibility. Upon review of the certificate and affirmation, the Canvassing Board determines the voter's eligibility. Accepted provisional ballots are recorded and added to the election results. At the conclusion of canvassing and processing of the provisional ballots, voters may check the status of their provisional ballot on the SOE website.

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For daily reconciliation, the previous day's voted ballots are counted. This count is compared to data derived from the ballot counter on the DS200s, and the number of voter check-ins. Any discrepancy is immediately addressed by reviewing daily incident forms, examining epollbook check-in data, and contacting the location Clerk for information to resolve any discrepancy.

## Election Day requirements

- a. Accountability, storage, specific security measures taken for ballots and election materials on ED.
- b. Verify number of ballots received at ED precincts; received correct ballots for that precinct.
- c. Verifying that a voter, choosing to vote on ED, receives the correct ballot.
- d. Verifying identification, seal, and protective counter numbers of voting devices used at ED precincts.
- e. Process for sealing or verifying the seals on the ballot box(es) used at ED precincts.
- f. Process for verifying the operability and readiness of voting devices used at ED precincts.
- g. Verifying all counters except protective counters are set at zero on each voting device used at ED precincts.
- h. Printing record from each voting device at ED precincts to ensure no votes on voting device. (i.e., zero tapes).
- i. How unscanned and spoiled ballots are handled at Election Day precincts.
- j. Process for accounting for and monitoring VBM ballots deposited at a SBIS at SOE office.
- k. Verification if electronic or voter authorization slips/stubs, used to track voter during ED.
- l. Handling voting system malfunctions at ED precincts.
- m. Securing voting machines at the close of the polls to prevent further voting at ED precincts.
- n. Accounting of all ballots and hybrid voting system paper outputs after the polls close at ED precincts.
- o. Sealing or verifying seals voter authorization slips container(s) if used at ED precincts.
- p. Tabulation of votes for ED
  - I. Counting and reconciliation of voted ballots and ExpressVote outputs at ED precincts.
  - II. Processing and recording write-in and provisional ballots at ED precincts.
  - III. Handling unreadable ballots at ED precincts.
  - IV. Backup and recovery of tabulated results and voting system programs on ED.
  - V. Printing of precinct results and results from individual tabulating device; recording and verifying votes cast.
  - VI. Endorsing the ED precinct results by the Election Board.
  - VII. Post a copy of ED precinct results.
  - VIII. Transport ED precinct results to a central or regional site.
  - IX. Consolidation of precinct and provisional ballot results.
  - X. Public viewing of the accumulation process.
  - XI. Reconciling discrepancies between unused, tabulated, provisional, unscanned ballots; other discrepancies found during the accumulation process.

Election Boards for each polling location are appointed by the SOE, pursuant to §102.012, Florida Statutes. An Election Board is comprised of poll workers who serve as Clerks and Inspectors. At least one poll worker is assigned as deputy at each polling location. All Election Board members receive training prior to scheduled elections, pursuant to §102.014, Florida Statutes.

The Opening Verification Form (OVF) is a document that allows the office to verify and affirm the secure exchange of documents, ballots, and equipment from departure from the Elections Office to delivery to the respective polling locations.

Poll Workers verify and affirm that the correct equipment was delivered, and that each item listed was delivered in the manner and quantity outlined on the form and that no tampering has taken place.

### OVF Section 1 – ePollbook and MiFi Verification

Completed Monday by the Clerk and Assistant Clerk. They verify the labels on the ePollbooks and MiFi match information on this form by placing a checkmark in the appropriate fields.

### OVF Section 2 – DS200 Unit Verification

Completed on Monday, once the AutoKart cover is removed, the Clerk and Assistant Clerk verify the seals on the DS200 lid and ballot box doors match the information on this form by placing a checkmark in the appropriate fields. The DS200 Unit is delivered locked and sealed. No seals are removed nor is the unit opened until Tuesday morning, Election Day. If a seal is broken, or a poll worker suspects the seal may have been tampered with, or the label information on the devices or voting equipment do not match the information on this form, a call is placed immediately to the SOE office.



### OVF Section 3 – Ballot Verification

On Tuesday morning, the Clerk along with an Election Board member of another party affiliation, break the seal and remove the ballots stored inside the ballot box. The Clerk and one other Election Board member of a different party affiliation count the number of ballots packed in the ballot box. The ballot count is compared to the recorded totals on the Opening Verification Form to ascertain correctness. If there are any discrepancies the Clerk immediately calls the SOE. The ballots are then compared to the precinct's sample ballot to ensure the proper ballot(s) was issued.

### OVF Section 4 – DS200 Tabulator and Election Zero Report Verification

On Tuesday morning, the Clerk and Assistant Clerk verify the seal numbers on the Lid Seal, Auxillary bin Seal, and Ballot Box Seal on the Opening Verification Form. If, during this procedure, the Election Board discovers evidence of damage to or tampering with any seal on the DS200 tabulator, the tabulator in question is not put into service and the SOE office is notified immediately.

The Clerk and Assistant Clerk perform the following steps:

1. Break the seal securing the Auxiliary bin. Use the key to open the bin. Check inside the bin to make sure no ballots or debris are inside.
2. Break the seal securing the DS200 lid. Use the key, unlock the lock, lift the latches and open the lid.
3. Use the key, unlock the display screen and raise it up. Since the AutoKart is plugged in and receiving power, once the screen is placed in the upright position, the DS200 will automatically power on.
4. On the opening screen, enter the election code, then press Accept. The Configuration Report will immediately begin to print. The Configuration Report lists storage memory availability, firmware and scanner information that has already been verified by the Elections Office.
5. Press the Open Poll button on the screen The Election Zero Report will print. Tear off both reports, leaving the Configuration Report attached to the Election Zero Report. Verify that all races appear and each race has zero vote totals. The Election Zero Report, produced at poll opening, shows the tabulator precinct number/polling

location designation and the ballot count at zero, confirming that no votes for any of the races or issues are recorded. The Clerk and Assistant Clerk review and verify that the date, time, precinct(s) and site location are correct. They also verify the values are zero for the ballot count and each race or issue. The Election Zero Report is also compared to the sample ballot to ensure the races or issues are the same.

6. The Clerk and Assistant Clerk sign the Election Zero Report and place it in the DS200 Reports Bag.
7. Once the Zero Report is verified and signed, press the Go to Voting Mode button. The 'Welcome. Please insert your ballot' screen appears and the DS200 is ready for voting.
8. Place the Configuration and Election Zero Reports inside the DS200 Reports Bag.
9. Place a checkmark, where indicated, to confirm all races have zero vote totals, the correct date, time, and location is displayed on the DS200 screen, and the zero report is signed by the Clerk and Assistant Clerk.

### OVF Section 5 – Certification

The Clerk, Assistant Clerk and another Election Board member sign, date and indicate the time to affirm all steps have been completed and verified.

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In preparation for distribution to a voter at the Ballot Distribution Table, ballots are placed into the ballot sorter inside the Ballot Tray. Ballots at the Ballot Distribution Table remain stored in the ballot tray at all times until a voter comes to retrieve their ballot. The ballot style label on the tray corresponds to the ballot style on the ballot. Ballot pads not in use at the Ballot Distribution Table are stored inside the gray supply tub, secured at the Voter Assistance Table.

After a voter has checked in and been verified as eligible to vote in the election at the precinct, the poll worker writes the ballot style number on a Ballot Style Ticket and initials where indicated. The Ballot Style Ticket is handed to the voter and the voter is directed to the Ballot Distribution Table.

The ballots are positioned in a way that they are not accessible to anyone but Poll Workers. Ballots remain in the ballot tray until a voter presents themselves to receive a ballot with their Ballot Style Ticket. The poll worker exchanges the ballot for the Ballot Style Ticket,

asking the voter to confirm that the ballot style numbers on the ticket and the ballot match.

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If a voter makes a mistake on his or her ballot, a replacement ballot may be issued to the voter at the Voter Assistance Table. Voters are allowed two replacement ballots. In the event an election has more than one page, the voter is allowed two replacement ballots per page. The Clerk or Assistant Clerk at the Voter Assistance Table completes the required information on the Spoiled Ballot Log and ensures the voter signs the Log. The Clerk or Assistant Clerk will ask the voter to physically alter the ballot by notching, cutting, or tearing through the timing marks on the spoiled ballot, or allow the poll worker to do so, after which the poll worker will write spoiled across the ballot and place the spoiled ballot inside the Spoiled Ballot Envelope.

The number of spoiled ballots are counted and recorded on the Closing Verification Form as part of the ballot reconciliation process. All spoiled ballots are placed in the Spoiled Ballot Envelope and then in the Black Ballot Bag, which is secured with a numbered seal for return to the SOE office.

Voters may not receive a replacement ballot if they have already cast their ballot into the DS200.

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The DS200 Ballot Box is capable of holding approximately 2,500 sheets of paper. A Full Ballot Box Procedure is implemented when the ballot box may receive more sheets of paper than it is designed to contain. When the current election is a single-page ballot, the public count located on the blue bar of the display screen, just above the protected count, will increase by one for each ballot cast. When the counter reaches approximately 2,400, the Full Ballot Box Procedure may be implemented, depending on how much time is left in the voting day. When the current election is a two-page ballot, the public count will still only increase by one when the voter casts the first page of the ballot. When the counter reaches approximately 1,200, the Clerk and Regional Tech are alerted so that Full Ballot Box Procedures may be implemented. In the event of a three-page ballot, the public count will again increase, by one when the voter casts their ballot. In this instance, Full Ballot Box Procedures may be implemented when the public count reaches approximately 800.

If the Full Ballot Box Procedures are implemented, the Regional Tech will supervise the secure transfer of ballots from the DS200 unit to a Black Ballot Bag to store the voted ballots. The Clerk and DS200 Inspector will:

1. Inform the voters that there will be a slight delay in voting as the ballot box is full and the ballots must be removed and secured to continue voting on the DS200.
2. Open the main compartment of the Black Ballot Bag and remove any items inside, if applicable.
3. Break the seal and open the ballot box door.
4. Remove the ballots and place them neatly inside the Black Ballot Bag.
5. Zip the compartments of the Black Ballot Bag closed, and seal with a numbered seal.
6. Place the Black Ballot Bag in a secure location within the polling room.
7. Complete an incident report in the ePollbook recording the seal numbers placed on the Black Ballot Bag, and document the removal of ballots from the ballot box.
8. Close and reseal the ballot box door.
9. Resume voting.

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Clerks have access to their assigned field operation support through a designated phone number, as well as access to the IT Help Desk. If a DS200 tabulator malfunctions, the Clerk contacts the IT Help Desk. If possible, the malfunction is resolved via the IT Help Desk. The IT Help Desk may deploy support for onsite assistance in troubleshooting the issue. If the resolution results in the replacement of voting equipment, Warehouse or IT staff provide the replacement equipment. In these instances, a DS200 Exchange Form is completed and signed by the Warehouse or IT staff and the Clerk.

The DS200 unit has an uninterruptible power supply with an internal battery that is continuously charged, enabling the tabulator to continue counting ballots for a limited time during a power failure. In the event of a power failure, the Clerk will immediately call the Regional Tech to inform them of the situation. The DS200 unit may accept ballots a little slower than usual; however, as long as it accepts the ballots, the unit is working and votes are being recorded.

If the internal battery is depleted, the Clerk will break the seal and unlock the Auxiliary Bin. Voters are instructed to insert their voted ballot inside the Auxiliary Bin until power is restored. Once power is

restored, the Clerk will relock and seal the Auxiliary Bin and resume normal procedures. The Clerk will submit an incident report documenting the power failure and then update the incident report to include the time the power was restored.

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On Election Day when the polls close and precinct tabulation has been completed, the Clerk and/or the Assistant Clerk record on the Closing Verification Form (CVF) the number of "Ballots Cast" from the Election Results Tape. The Clerk and/or the Assistant Clerk count the number of unscanned ballots, the number of spoiled ballots, and the number of voted provisional ballots, and record these totals on the Closing Verification Form. All voted ballots are placed in the Black Ballot Bag and secured with a numbered seal for return to the SOE office. All unused ballots are counted and placed in the DS200 unit ballot box. The ballot box door is sealed and the seal number is documented on the Closing Verification Form. The Black Ballot Bag is brought to the Drop Sites and then returned to the SOE office. The DS200 and election supplies (on the AutoKart) are picked up by or under the direction of Warehouse staff for return to the SOE.

The following procedures are implemented at the closing of the polls on election day:

1. Outside the entrance to the polling place at 7:00 PM, the Clerk will announce "The Polls are now closed. Voters currently in line can still cast a ballot; however, no additional voters may enter this line."
2. Once the Clerk makes this announcement, the deputy will stand behind the last person in line to establish the completion of voting. If a voter attempts to enter the line, the voter is informed that the polls have closed and they cannot enter the line. If the voter is confrontational, the Clerk is notified and he or she can contact the Regional Tech or the Elections Office for additional support. The deputy will also inform the Clerk if there is a line at the time of closing with the approximate number of voters. The Clerk will inform the Election Phone Bank.
3. Any voters in line at 7 PM are allowed to cast a ballot. Voters continue to cast ballots as they would prior to 7 PM.
4. After the final voter has cast their ballot and departed, any public observers who want to observe the closing of the poll may now enter the polling room. Any available chairs are placed along the wall for observers.

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Immediately after the last voter has voted and departed the polling room, the following steps are performed to close the poll on the DS200.

1. Unlock and open the access door to reveal the power and close polls buttons. Press the Close Polls button.
2. Press the Close Poll button on the screen to confirm the polls should be closed. The DS200 will automatically print 2 copies of the Election Results Report.
3. The next screen to appear indicates that transfer of the election results has begun. The DS200 will connect to the secure server at the Elections Office to transfer the results. Sending Results – Please Wait screen with several statuses will appear as the transfer process proceeds.
4. Once the transfer is complete, the screen will display Successfully Sent Results. If the results are not successfully transferred after three attempts, the poll worker will power down the unit, wait until the screen has gone black twice, remove the memory stick and secure it inside the Elections Result Container. A designated poll worker will then bring the memory stick to the Elections Service Center for manual upload.
5. When the DS200 has finished sending the results, a screen will appear indicating the unit can be turned off. The poll worker is instructed to wait to power down the unit until they receive a text message from the SOE office indicating that the site's results were received. Once text confirmation of successful results transmission is received, the poll worker may proceed with powering down the DS200 by pressing the Finished– Turn Off button.
6. Election Results Reports are removed, and the Clerk and Assistant Clerk each sign both copies.
7. One copy is placed inside the Election Results Container, located inside the Election Results Bag. The second copy is posted on the exterior door of the polling room.
8. Once the DS200 screen is completely black and the power light is off, the poll worker will remove the DS200 memory stick and secure it inside the Election Results Container with the Elections Results Report.
9. The seal inside the Elections Results Bag is removed and the Election Results Container is sealed. The seal number is written on the Closing

Verification Form, and the container is placed inside the Election Results Bag.

10. The DS200 monitor/screen is closed and locked; the DS200 lid is closed, the latched secured and the lid locked.
11. The AutoKart power strip is turned off and unplugged from the electrical outlet and secured onto the AutoKart.

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The ExpressVote closing instructions are to be completed by at least one Inspector unless there is a request for assistance from another team member.

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Once the last voter has been processed, cast their ballot, and left the polling place, the following processes are used to account for and pack ballots.

Remove the provisional ballots enclosed inside the Voted Provisional Ballot Bag and count the number of envelopes. The number counted should match the number indicated in the ePollbook. The poll worker will record this number in section 1 of the Closing Verification Form, return the provisional ballots to the Voted Provisional Ballot Bag, and place the Voted Provisional Ballot Bag in the side compartment of the Black Ballot Bag. If the number counted does not match the number indicated in the ePollbook, an incident report documenting the reason for the discrepancy is submitted.

The poll worker will retrieve the Spoiled Ballot Envelope, remove and count the spoiled ballots, verify the total counted matches the number indicated in the ePollbook and record this total in section 1 of the Closing Verification Form. The poll worker will return the spoiled ballots to the Spoiled Ballot Envelope and place the envelope in the side compartment of the Black Ballot Bag. If the number counted does not match the number indicated in the ePollbook, an incident report documenting the reason for the discrepancy is submitted.

Removal of unscanned ballots from the DS200 Auxiliary Bin is completed by the Clerk and an Election Board member of a different party affiliation as follows: Remove the seal on the Auxiliary Bin, open the bin and thoroughly check for any ballots deposited inside; retrieve the Unscanned Ballot Bag from the side compartment of the Black Ballot Bag and enclose the unscanned ballots inside the blue Unscanned Ballot Bag; write the total number of unscanned ballots in

section 1 of the Closing Verification Form; return the Unscanned Ballot Bag to the side compartment of the Black Ballot Bag.

Regular voted ballots are retrieved as follows: the poll worker will unlock the Ballot Box door and remove the ballots inside, ensure that the ballots are stacked in the same orientation and place the ballots neatly into the Black Ballot Bag. The poll worker will remove the numbered seals from the side pocket of the Black Ballot Bag, secure the Black Ballot Bag by closing all zippers and place a numbered seal on each of the 3 zippers that access the ballots enclosed inside.

Unused ballots are collected from the Ballot Distribution Table and gray supply tub at the Voter Assistance Table. All loose, unused ballots (ballots that are no longer in the shrink-wrapped packaging and were never issued to voters) are placed into the Unused Ballot Bag(s) in the Black Ballot Bag. Any ballots that were not used during Election Day remain in their packaging.

Unused ExpressVote Ballots are returned into the ExpressVote Ballot bag. All unused, shrink-wrapped ballot packages, the Unused Ballot Bag, and the ExpressVote Ballot bag are placed into the empty ballot box bin. The ballot box door is closed and relocked. A numbered seal from the side pocket of the Black Ballot Bag is retrieved and placed on ballot box door lock.

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The Closing Verification Form (CVF) is used to record the total ballots cast at the polling place and verify that voting supplies are returned Election night.

#### CVF Section 1 – Ballot Count

The Clerk records the totals for Regular Ballots Cast (totals from public count on DS200 or from Election Results Tape); Regular Check-Ins (total from ePollbook under Issued); Provisional Ballots (provisional envelopes placed in green Voted Provisional Ballot Bag); Unscanned Ballots (ballots removed from Auxiliary Bin and placed in blue Unscanned Ballot Bag); Spoiled Ballots (ballots placed in gray Spoiled Ballot Envelope); and Unused Ballots (ballots that have not been issued).

#### CVF Section 2 – Items Returned

The Clerk confirms each item listed has been placed inside the Black Ballot Bag, records the seal number placed on the compartments of the Black Ballot Bag, and confirms each item listed has been placed in the Clerk's Briefcase.

CVF Section 3 – Seals on Unused Ballots and DS200 Memory Stick Containers

The Clerk records the seal numbers on the Ballot Box into which unused (unissued) ballots and ExpressVote cards are placed. The Clerk also records the seal numbers for the memory stick containers.

CVF Section 4 – Certification

The Clerk and another election board member sign, date, and record the time the form was completed.

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On election night, the poll workers (usually the clerks) deliver their ballots, custody forms, electronic poll books, zero tape, results tape, configuration report, memory stick and supplies to one of the regional drop sites. Staff at the drop sites handle the check-ins.

When the Closing Verification Form is completed, the Black Ballot Bag(s), Clerk’s Briefcase, and AutoKart are packed, and all closing and packing procedures to restore the polling place to its original state have been performed, the clerk uses the Drop Site Information Sheet to return the Election Results Container, Black Ballot Bag(s), and Clerk’s Briefcase to the designated Drop Site.

The Clerk’s Briefcase and Black Ballot Bag(s) are loaded into the Clerk’s vehicle, preferably the trunk. The Election Results Container is loaded into the vehicle, preferably the passenger seat.

To minimize the wait time and/or any confusion at the Drop Site, the clerk will follow the directional signs to the supplies delivery point, and remain in the line in which they arrived to ensure this operation is done smoothly and accurately.

The clerk will remain in the vehicle. Once they arrive to the delivery point, the Drop Site representative will retrieve the Election Results Container, Black Ballot Bag(s) and Clerk’s Briefcase from the vehicle.

Once the Drop Site representative has verified receipt of these items the clerk is officially released from Election Day duties.

The Drop Site staff:

- ✓ Receive the DS200 Reports Bag (containing the zero report, results tape, configuration report, and DS200 memory stick) and records the time of receipt.

- ✓ Receive the precinct/polling location Black Ballot Bag (containing voted, unscanned, spoiled and provisional ballots, and backup precinct registers) and Clerk’s Briefcase (containing electronic poll books) and records the time of receipt.
- ✓ Verify the Memory Stick Container (enclosed inside the DS200 Reports Bag) and Black Ballot Bag seal numbers.

During election night check-in, staff at the ESC remove the precinct/polling location provisional ballot bag and send it to staff to verify the number of provisional ballots against the Closing Verification Form. The electronic poll books are removed from the Clerk’s Briefcase and back up precinct registers removed from the Black Ballot Bag and are delivered to staff for post-processing and voter history update.

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The voting method employed for polling locations uses a Marksense ballot completed by the voter and then inserted into the DS200 tabulator by the voter. The DS200 is programmed to retain the election totals for the respective precinct and furnish a tabulation of the precinct results at the closing of the polls. The SOE may receive precinct results via secure modem from precinct/polling location DS200 tabulators, after the polls have closed, and accumulate these results for reporting and public viewing.

If the results are not transmitted by modem for any reason, the Clerk, Assistant Clerk, or other designated poll worker will deliver the DS200 memory stick to the ESC for direct uploading of election results.

The DS200 memory stick and ballots from Election Day are returned to the ESC on election night from the drop off locations and placed in secure storage.

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A Write-in Board, which consists of two SOE staff members, reviews write-in reports that include images of all VBM, Early Vote, Election Day and provisional write-in votes. The Write-in Board identifies votes cast for qualified write-in candidates and presents its findings to the Canvassing Board for verification. Totals for qualified write-in candidates are included with Election Vote Totals.

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Provisional ballots are issued at the Voter Assistance Table. The voter is given the Provisional Ballot Voter’s

Certificate and Affirmation envelope and instructed to complete section 1. The Clerk or Assistant Clerk completes the information in sections 2 and 3. The Clerk or Assistant Clerk then provides the voter a ballot inside a provisional ballot privacy folder. The privacy folders designated for provisional ballots have a green stripe along the spine of the folder. The voter takes the ballot, marks the ballot, and places the ballot into the privacy folder. The voter returns to the Voter Assistance Table to place the privacy folder with ballot inside into the Provisional Ballot Voter's Certificate and Affirmation envelope. This envelope is sealed and inserted into the Voted Provisional Ballot Bag. After the polls have closed, and the last voter has cast his/her ballot, the voted Provisional Ballot Voter's Certificate and Affirmation envelopes are removed from the Voted Provisional Ballot Bag. The envelopes are counted and the total is recorded on the Closing Verification Form as part of the ballot reconciliation process. After counting and recording the number of voted Provisional Ballot Voter's Certificate and Affirmation envelopes, the envelopes are returned to the Voted Provisional Ballot Bag and then placed in the Black Ballot Bag, which is secured with a numbered seal for return to the SOE office.

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Marksense ballots sorted by the DS200 tabulator and/or DS850 scanner, which could not be read, are presented to the Canvassing Board for inspection and determination of voter intent. When necessary, these ballots are forwarded to the Duplication Team to be recorded and duplicated, according to instructions from the Canvassing Board. After duplication, the ballots are processed and counted.

Ballots that are received ripped, torn, wrinkled or otherwise damaged and cannot be fed through the DS850 scanners are, at the direction of the Canvassing Board, forwarded to duplication.

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Back up of voting system programs includes: all software is retained on media and can be reinstalled; the electronic voting systems are backed up prior to the election and after results are collected; the DS200 ballot scanners produce a printed results tape; the voted ballots could be reprocessed; the voting system program may also be retained by the state via the required system parameter filing.

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At the precinct/polling location, after the polls close, the Clerk and Assistant Clerk secure the tabulator from further voting. Once voting has ended, the DS200 tabulator prints a results tape and is ready to transmit results to the ESC. The results tape is signed by the Clerk and Assistant Clerk and delivered to the designated regional drop site on election night. A copy of the results tape is printed and posted for public viewing at the precinct/polling location by the Election Board after the polls have closed.

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If a court or the Governor extends voting hours, voters vote using a provisional ballot. The normal provisional ballot procedure is followed except that the extended hours provisional ballots are segregated from the normal provisional ballots. All extended hours provisional ballots are placed in the Black Ballot Bag and secured with a numbered seal for return to the SOE Office.

Voters voting a provisional ballot complete a Provisional Ballot Voter's Certificate and Affirmation, which is printed on the provisional ballot envelope. The certificate has the voter's information, reason for provisional ballot, and an area for researching and canvassing the voter's eligibility. Upon review of the certificate and affirmation, the Canvassing Board determines the voter's eligibility. Accepted provisional ballots are recorded and added to the election results. At the conclusion of canvassing and processing of the provisional ballots, voters may check the status of their provisional ballot on the SOE website.

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Collection and reporting of election results is done in the tabulation room at the ESC located in Tampa, FL. Viewing of the process is facilitated by windows between the tabulation room and the public/media room.

Election results are displayed on monitors in the public/media room during the Election Night tabulation process. Printed preliminary results may be provided periodically throughout the tabulation process and made available to various press agencies in hard copy or by fax or email. Results are also available on the SOE website.

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Any discrepancy between the number of voters who checked in via electronic poll books and signed the

precinct register and the tabulation count is described by the Clerk on the Closing Verification Form or on a Voting Incident Form. Comparison of precinct tape results and results received via modem is conducted by the Canvassing Board to confirm the match of all results. Following the election, precinct total numbers and precinct electronic poll book and register numbers are reconciled again during the process of updating voter history.

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The process for accounting for and monitoring of VBM ballots deposited at a Secure Ballot Intake Station (SBIS) at the Supervisor's office include the following:

Each SBIS and Blue Ballot Transfer Container is labeled to indicate which location it will be used at and locked and sealed when in use.

The SBIS is delivered by SOE staff to the office where it will be used and placed so that it is under continual surveillance by SOE staff. An SBIS may be permanently installed at an SOE office.

During the day, as monitored by SOE staff, if a replacement is needed due to high volume, a new SBIS is delivered. The ballots in the full Blue Ballot Transfer Container will be counted. It will then be sealed and locked, with the date, time, count of ballots and seal number being logged and signed for on the SBIS Chain of Custody Form. The full Blue Ballot Transfer Container (labeled, sealed and locked) is returned to the secured, surveilled, restricted access VBM cage at the ESC Warehouse and remitted to the custody of the Director of Voter Services.

For a permanently installed SBIS when its capacity is reached, SOE staff will unlock the SBIS, retrieve the container within which the ballots are located, seal the container, and deliver to the VBM cage and the custody of the Director of Voter Services.

When opened in the VBM cage, a daily SBIS Chain of Custody Form is maintained to record the number of VBM ballots received in the SBIS. The ballots are then processed as per standard VBM ballot handling.

On Election Day, each SBIS at the Supervisor of Elections offices is removed from service at 7:00 PM when voting has ended, and returned to the VBM cage for standard VBM ballot handling.

## Vote-by-mail ballot handling

- a. Security measures for transporting, collecting, and storing blank and voted VBM ballots and related materials prior to and after an election
- b. Determining and verifying VBM ballot variations (i.e., UOCAVA, SWAB, FWAB, or Dom Civ).
- c. Verify that voters are issued the correct VBM ballot.
- d. Precluding voters from voting at the polls and casting a VBM ballot.
- e. Receiving and recording receipt of VBM ballots (Dom Civ, SWAB, FWAB) and determining which ones should be counted if more than one per voter is received.
- f. Security measures to ensure safekeeping of VBM ballots by the SOE.
- g. Opening valid VBM ballots in preparation for tabulation.
- h. Recording and storing the voted ballots or ExpressVote outputs which were duplicated.
- i. Allowing the public to examine VBM ballots prior to opening and processing.

VBM ballots are received directly from the contract printer and stored in a secured restricted area in the custody of the Director of Operations and Support Services and designated staff. VBM ballots are printed and delivered daily as needed.

VBM ballots are processed at the ESC on DS850 high-speed readers designed for this purpose, or on DS200 tabulators that are programmed to accept multiple precinct styles.

VBM ballot styles are determined by processes described in the section titled Ballot Preparation. A barcode containing the precinct, split (if applicable), party (if applicable) and page number is assigned to each unique precinct ballot variation and printed in the margin of the ballot sheet.

The quantity of ballots ordered for VBM voting is determined by the number of requests on file for each ballot style. Ballots may also be printed upon demand, either by in-house Ballot on Demand (BOD) printing or through an off-site vendor.

After receipt from the supplier, ballots are inspected, logged in, and stored in a secured area in the ESC warehouse.

In preparation for mailing, the VBM ballot coordinator requests and receives, through the voter registration system, a VBM ballot mailing list in batches – uniformed services and civilians residing overseas; absent domestic military voters residing within the United States; voters who registered by mail and who have not met statutory ID requirements; and domestic civilian

voters. From these batches, the VBM ballot packages are assembled by the Blue Crest Relia-Vote system.

A team of at least two designated SOE employees coordinates the operation of the Relia-Vote system, which ensures that each voter that has requested a VBM ballot receives their ballot. The Relia-Vote system tracks every ballot from the time the ballot enters the system until the ballot is sorted for mailing by the US Postal Service. Additionally, the Relia-Vote system coordinates delivery tracking of ballots within the US Postal Service.

The voter's record reflects the date his/her request for a VBM ballot was received by the SOE, mailed by the VBM ballot department, and returned as voted.

When the electronic poll books are prepared, if a voter has requested a VBM ballot, the notation "Absentee Ballot Mailed/Issued" is indicated. If a voted VBM ballot is received by the SOE, the notation "Absentee Ballot Received/Voted" or "VOTED" is indicated on the voter's record. These notations allow the Election Board to verify a voter's eligibility to vote during Early Voting and on Election Day.

The following procedures also preclude voters from voting at the polls or Early Voting and casting VBM ballots:

- A voter who requested and received a VBM ballot but then goes to the precinct/polling location on Election Day or Early Voting with the VBM ballot is allowed to vote a regular ballot if the VBM ballot is surrendered and physically altered in a manner that notches, cuts, or tears through the timing marks. The Poll Worker writes "Cancelled"



on the outer envelope of the VBM ballot. The cancelled VBM ballot is placed in the Completed Forms Envelope and returned to the SOE office.

- A voter who requested and received a VBM ballot but then goes to the precinct/polling location on Election Day or Early Voting without the VBM ballot is allowed to vote a provisional ballot if it cannot be determined whether the voted VBM ballot was received by the SOE. If it can be determined by contacting the SOE office or via the electronic poll book data base that the voter has not already voted a VBM ballot, the voter may vote a regular ballot at the precinct/polling location or Early Voting site. The VBM ballot is blocked.
- A voter who has requested and returned a VBM ballot to the SOE, but who goes to an Early Voting site or precinct/polling location on Election Day maintaining he/she has not returned the ballot and is still eligible to vote, will be given a provisional ballot.

The voter's record on the electronic poll book reflects the date his/her request for a VBM ballot was received by the SOE, mailed by the SOE to the voter, and returned as voted to the SOE.

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When VBM ballots in their unopened certificate envelopes are received by the SOE, they are date/time-stamped and logged into the voter registration system. The elector's signature on the certificate envelope is checked against the signature of record. All staff who perform signature verification are certified via the Department of State signature verification training course.

If the certificate has not been signed by the voter, or the signature does not match the signature on file, the ballot is set aside. Attempt is made to notify the voter that the signature is missing or mismatched. Until 5 PM on the second day after an election, the voter is allowed to complete and submit an affidavit in order to cure the unsigned or mismatched ballot.

If the VBM ballot appears to be invalid (for reasons other than signature defects), the VBM ballot is coded for review by the Canvassing Board.

The voted ballots in their unopened certificate envelopes are stored by group batch, in a secured area at the ESC.

VBM ballots set aside for review by the Canvassing Board are presented to the board in their unopened certificate envelopes. All VBM ballots rejected as illegal by the Canvassing Board are retained unopened and in accordance with records retention schedules. The reason for rejection is noted and a tally of rejected ballots is made.

\*\*\*

Ballots accepted by the Canvassing Board are opened and processed in accordance with the following functions:

- Voted VBM ballot envelopes are slit open and placed in trays.
- Trays are delivered to SOE staff supervised by senior SOE management.
- Staff removes the secrecy envelopes/sleeves from the mailing envelopes.
- Staff checks the mailing envelopes to see that nothing has been left inside, and then sets the envelopes aside. Mailing envelopes are kept in group batch order.
- Staff removes the VBM ballots from the secrecy envelopes/sleeves.
- Staff stacks the secrecy envelopes/sleeves and checks to be sure that no VBM ballots have been left in them.
- When all of the envelopes have been opened, the ballots are placed in a container and delivered directly to the tabulation room.
- After the VBM ballots have been tabulated, they are placed in a labeled container and stored in a secured area.

\*\*\*

State Write-in Ballots (SWAB) are canvassed, but not tabulated, on Election Day. If a regular VBM ballot is received from the voter after the State Write-in Ballot is received, the regular VBM ballot is counted for the election and the SWAB is canceled and retained unopened in a secure area with other canceled ballots.

When received by the SOE, Federal Write-in Absentee Ballots (FWAB) are placed under the control of the VBM ballot coordinator. The FWAB is date/time-stamped

and logged into the voter registration system with a note flagging it as a FWAB. FWABs are held unopened until election night. If a FWAB is accepted and a regular VBM ballot is received prior to Election Day, the FWAB is canceled and the regular ballot is processed for the election.

Ballots received up to 10 days after the date of a federal or special election from overseas voters are placed under the control of the VBM ballot coordinator and are canvassed, opened, and counted in a presidential preference primary election and general election if postmarked by election day.

The Canvassing Board convenes on or after the tenth day following an election in which there are federal candidates or a special election. The regular VBM ballots or FWABs received after Election Day, until the tenth day following the federal election, are opened.

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As to custody of voted ballots returned by voters to offices of the SOE in a SBIS Ballot Box:

- Prior to Election Day, voted ballots in their certificate envelopes, sealed by the voters and returned to SOE offices are placed in a SBIS box. At the end of each day, the SBIS Blue Ballot Transfer Container or ballot box with the ballots is delivered to the VBM coordinator at the ESC by members of the SOE staff.
- On Election Day or night, voted ballots in their certificate envelopes, sealed by the voters and returned to SOE offices are placed in a SBIS ballot box. At 7:00 PM, on Election Day, the SBIS Blue Ballot Transfer Container or ballot box with the ballots are delivered to the VBM coordinator at the ESC by members of the SOE staff.

As to custody of voted ballots returned by voters to remote Early Voting locations:

- Voted ballots in their certificate envelopes, sealed by the voters and returned to Early Voting locations are placed in a SBIS ballot box. An SOE staff member maintains custody and control of the secure ballot box at all times. At the end of each day, the ballots are counted, the count recorded, and the SBIS Blue Ballot Transfer Container with

the ballots is delivered to the VBM coordinator at the ESC by members of the SOE staff.

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Pursuant to §101.5612, Florida Statutes, the Logic and Accuracy Test for the optical scan readers is performed prior to the processing and scanning of VBM ballots. With the approval of the Canvassing Board, the opening and scanning process begins. The VBM coordinator presents the VBM Ballot Canvass Report to the Canvassing Board. VBM ballots that need a determination by the board are handled individually and processed separately. In the event a paper ballot is damaged to the point that it cannot be automatically read, the damaged ballot is duplicated as requested by the Canvassing Board.

VBM ballots are logged in batches by groups of precincts. A ballot custody sheet for each group is completed with the date, time, and number of VBM ballots presented for tabulation. A batch log is maintained as a double check that all VBM ballots have been accounted for. VBM ballots that have been processed are boxed and sealed. Any VBM ballots required for audits are retrieved under the direction of the Canvassing Board and transferred to a sealed container prepared for the audit team. In the alternative, as permitted by rule, the Canvassing Board may direct that an automated independent audit be performed using the Clear Audit system.

\*\*\*

Under the direction of the Canvassing Board, the functions of the Duplicating Board are performed by at least two members of the SOE staff. Each damaged or faxed ballot is consecutively numbered and stamped "ORIGINAL", and each replacement ballot is marked with the number of the ballot it duplicates and is indicated as "DUPLICATE". One staff member marks the duplicate ballot according to the voter's intent as per the direction of the Canvassing Board, and the other staff member reviews and affirms the accuracy of the markings. The duplicated ballots are tabulated. All ballots that require duplication are stored, with a duplication log, in a secure duplication storage area separate from other voted ballots.

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Observation of duplication per F.S. 101.5614(4)(a) is accommodated as per the following:

1. Dates and times during which duplication is authorized to occur will be contained in a notice published on the Supervisor of Elections' 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. Observers shall be restricted to a suitable area within the duplication room from which they can hear and see the duplication stations.
6. Use of personal computers and devices, including cell phones, is prohibited in the duplication room.
7. Eating or drinking is prohibited in the duplication room.
8. 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.
9. 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.

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Observation of opening and processing VBM ballots per F.S.101.5612(2) is accommodated as per the following:

1. Dates and times during which VBM opening may occur will be contained in a notice published on the Supervisor of Elections' 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 tabulation room.
8. 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.

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Review or inspection of certain materials by authorized persons per F.S. 101.572(2) is accommodated as per the following:

1. Dates and times during which review or inspection of certain materials by authorized person may occur will be contained in a notice published 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 a form requesting access and submit the form to the Supervisor of Elections office. Appointments are limited and will be assigned on a first-come, first-served basis.
3. The requester will schedule the date he or she seeks reasonable access.
4. 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.
5. A staff member will escort the designee to the review/inspection area. The designee will electronically view voters' application signatures and their corresponding vote by mail certificate signature.

6. Use of personal computers and devices, including cell phones, is prohibited in the review/inspection area.
7. Eating or drinking is prohibited in the review/inspection area.
8. The appointment will end promptly at the scheduled time.

Observation of tabulation as per F.S. 101.5612(2) is accommodated as follows:

1. Dates and times during which tabulation and testing may occur will be contained in a notice published on the Supervisor of Elections' 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.

Public inspection of ballots and certificates per F.S. 101.572(1) is accommodated as follows:

1. Dates during which public inspection of ballots and certificates may occur will be contained in a notice published 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 and will receive a name tag which must be worn at all times.
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. The session will end promptly as scheduled.

## Section 4: Post-election

### Receiving and preparing voted ballots (after 7 p.m. on Election Day)

- a. Receiving and preparing ExpressVote outputs and voted ballots, including provisional ballots, election data, and memory devices.
- b. Verify ballot containers are properly secured and accounted for and seal numbers are correct.
- c. Verify/reconcile ballot container(s) for each precinct contain hybrid voting system paper outputs, unused ballots, and voted ballots, including provisional ballots, unscanned ballots, spoiled ballots, and write-in ballots as shown to exist on the ballot accounting forms completed by each election board for that purpose.
- d. Inspect ballots or ExpressVote outputs to identify those that must be duplicated or upon which voter intent is unclear, thus, requiring a determination by the Canvassing Board, including the process used for keeping a record of which marksense ballots or paper outputs are submitted to the Canvassing Board and the disposition of those marksense ballots or paper outputs.

After the polls close, the DS200 results memory stick and Election Results Report are removed from the DS200 ballot scanner. The memory stick and Election Results Report are placed inside a container that is secured with a numbered seal. The zero tape, configuration report, and sealed memory stick container (with memory stick and results report enclosed) are placed in the DS200 Reports Bag in the presence of the Election Board. The Clerk returns the Reports Bag (zero tape, results tape, configuration report, and results memory stick) to their assigned Drop Site.

The voted ballots are retrieved from the DS200 ballot box. The voted ballots are placed in a Black Ballot Bag and sealed with a numbered security seal. The Clerk returns the ballots in the Black Ballot Bag, along with the unscanned ballots, backup precinct registers, provisional ballots, spoiled ballots, and electronic poll books to their assigned Drop Site.

The Closing Verification Form documents the time that the DS200 Reports Bag left the precinct. At the Drop

Site, the Reports Bag Check-in Log documents the time the memory stick, zero tapes, configuration report, results tape, Black Ballot Bag and Clerk's Briefcase are delivered to the Drop Site by the Clerk.

On Election Night at the ESC Warehouse, staff under the direction of the Director of Operations and Support Services, receive materials from the regional drop sites, and scan the seals and/or barcodes on the critical items (black ballot bag in which is sealed regular voted ballots, clerk's briefcase, precinct registers, provisional ballot envelop, unscanned ballot envelop, and spoiled ballot envelop). An accounting is made for each precinct and location to assure all materials are in the possession of the SOE. On Election Night, staff begin processing provisional ballots, and continue this process if necessary the morning after the election. Unscanned ballots are delivered to Elections Tabulation staff for tabulation. Any ballots that require duplication and determination of voter intent are processed as per Canvassing Board guidelines.

## Post-election audit

- a. Random selection of races and precincts for a manual audit or automated independent audit, or both.
- b. Random selection of races and precincts if a separate municipal or local election is held on ED and the Canvassing Board certifies the elections, if applicable.
- c. Determine the ballot count of the random selection, segregated by ballot type.
- d. Allow the public to inspect the VBM ballots before moving forward with conducting the post-election audit.
- e. Ensure the public does not interfere with or otherwise disturb the post-election audit.
- f. Ensuring security of ballots and ExpressVote outputs, chain of custody controls, protocols for authorized access, and secure storage of ballots and ExpressVote outputs that will be used in the audit.

Under the direction of the Canvassing Board, a manual or automated independent audit (AIA) is conducted after each election.

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*In the case of a manual audit*, an excel file may be created which contains one spreadsheet that assigns a number to each race on the ballot, and another spreadsheet that lists each precinct. A race is selected through the randomization function of Excel. Based on the race selected, the precincts to be audited are selected through the randomization function of Excel. The randomization function is performed at the Canvassing Board meeting. Alternatively, the Canvassing Board may use identical numbered balls or tags to randomly select a race and precinct(s) to be audited.

The Director of Information Technology provides a report from the Election Management System containing the number of ballots subject to the audit, by precinct and by method of voting (Election Day, Vote By Mail, Early Vote and Provisional). Ballots are stored in areas surveilled by CCTV and with swipe card access in the warehouse according to method of voting (e.g. Early Vote, Vote by Mail, Election Day). All ballots subject to the manual audit are gathered by staff under the direction of the Chief of Staff and delivered to the tabulation room which is surveilled by CCTV and has limited swipe card access. The ballots are kept separated by precinct and method of voting in the tabulation room until such time as the public audit is to commence.

For the manual audit, the ballots are delivered to the room in which the Canvassing Board will meet, and teams of two manually count the ballots. Members of the public may be present, and the Canvassing Board maintains order. The teams complete the counts and fill

out the appropriate paperwork. Once all teams are finished, the documentation is presented to the Canvassing Board for review and acceptance. Upon completion of the manual audit, the ballots are returned for storage to the warehouse.

Post-election manual audits are conducted in the Elections Service Center training room which is large enough to accommodate the Canvassing Board, SOE staff, and public observers.

A member of the Canvassing Board is present during any times in which ballots are transported out of the locked storage areas and when ballots are removed from their sealed storage containers.

From the time the audit is started until the time the audit is completed the ballots are under the supervision of the Canvassing Board.

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*For an Automated Independent Audit*, the HCSOE may utilize the state certified Clear Audit system to conduct post-election audits. Staff will scan ballots into the audit system periodically throughout the election in advance of conducting post-election audits. All scanning into the audit system will take place during publicly noticed and accessible sessions.

To facilitate observation, each session during which scanning will take place will be posted in the Canvassing Board meeting notice and calendar. This information includes canvassing board meetings and ballot processing sessions, as well as timeframes for scanning

ballots into the audit system, audit review, and potential meetings to conduct any recounts should they be needed.

In advance of an AIA, each scanner to be used is tested to assure proper operation, and a Logic and Accuracy Test is conducted. The Canvassing board randomly selects the race(s) and precincts(s) to be audited, or the Canvassing Board may direct a 100% audit of all races and precincts. The AIA system shall produce and print the tally for all races from the selected precincts of ballots cast by ballot type. After the AIA system tally is finalized and compiled, the Board shall compare the results to the official vote totals for all races in the selected precincts. The results of the AIA are 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  $\frac{1}{2}$  of 1%, the Board shall record the result on the Voting System Post-Election Audit Report. If the discrepancy is  $\frac{1}{2}$  of 1% or more, the Board investigates 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. The Board prepares a Discrepancy Report for Automated Independent Audit, or the AIA system may print a report with the same required information. The Board also explains the discrepancy on the Voting System Post-Election Audit Report.

The location of the audit is posted along with the notice of the audit. Supervisor of Elections employees deliver ballots for the randomly drawn precincts from the secure storage area to the audit area. Canvassing Board members, Supervisor of Elections employees, and/or audit team members may handle or touch ballots. Florida law prohibits all others from handling ballots. Should the audit recess for any reason, ballots are secured.

## Ballot and election materials security – post election

- a. Ballot accountability, storage, and security measures of ballots and election materials until they are destroyed.
- b. Individuals who have authorized access, and who have authority to permit access to stored election materials.

All voted precinct ballots that were cast on Election Day or at an Early Voting location are secured in a locked, access-controlled area with video surveillance until after the contest of election period. These ballots are then stored in the records retention room of the access-controlled warehouse for twenty-two months.

All voted VBM and provisional ballots that have been processed on the DS850 central count scanners are stored in ballot storage boxes. These ballot storage boxes are stored in a VBM cage with access control and video surveillance until after the contest of election period. These ballots are then stored in the records

retention room of the access-controlled warehouse for twenty-two months.

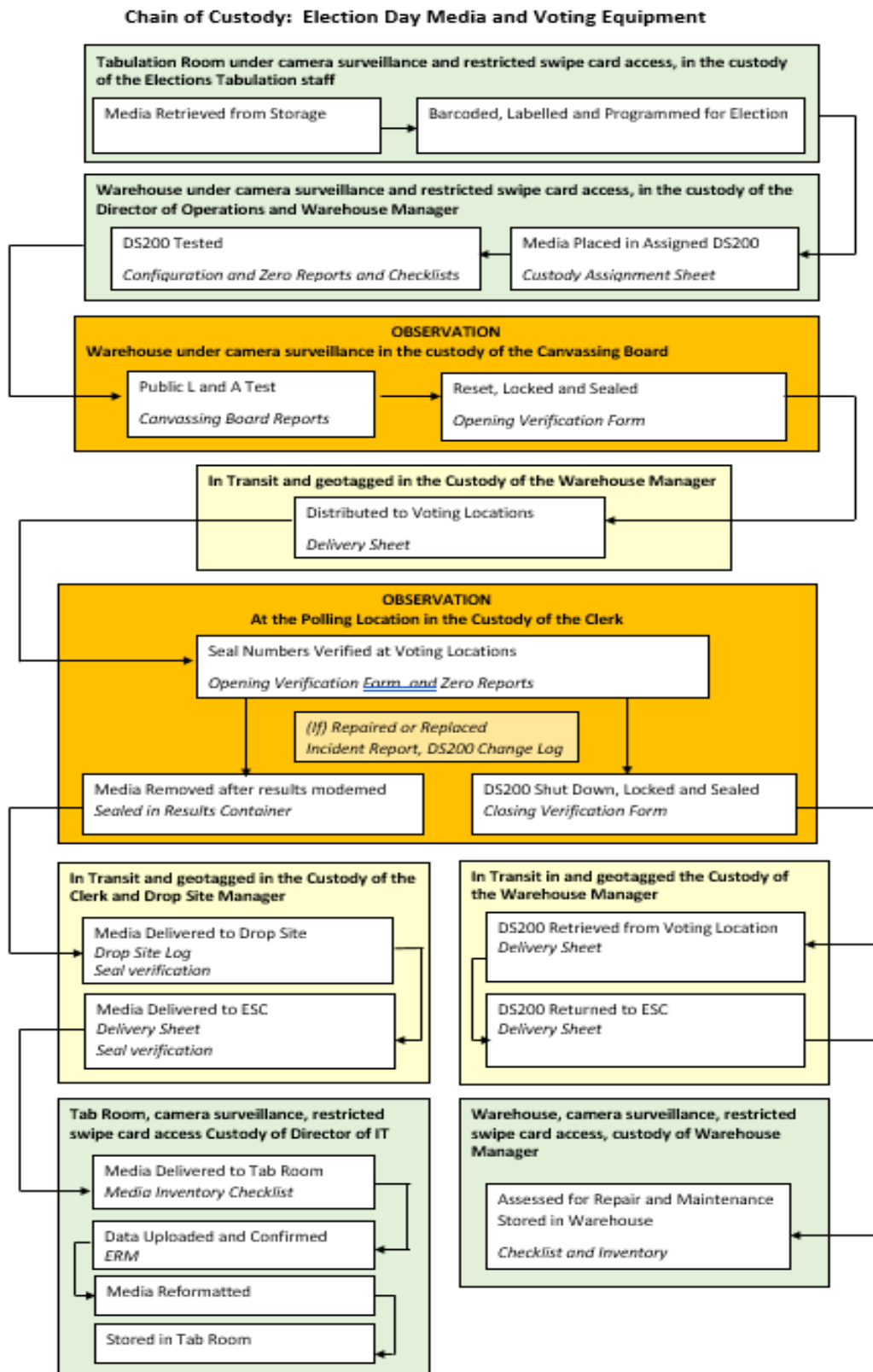
All provisional and VBM ballots rejected by the Canvassing Board are stored in the records retention room of the access-controlled warehouse for twenty-two months.

Election materials are retained as per records retention requirements in the ESC Warehouse and/or records retention room. The Director of Operations and Support Services retains custody of the materials and controls access of staff to the secured areas.

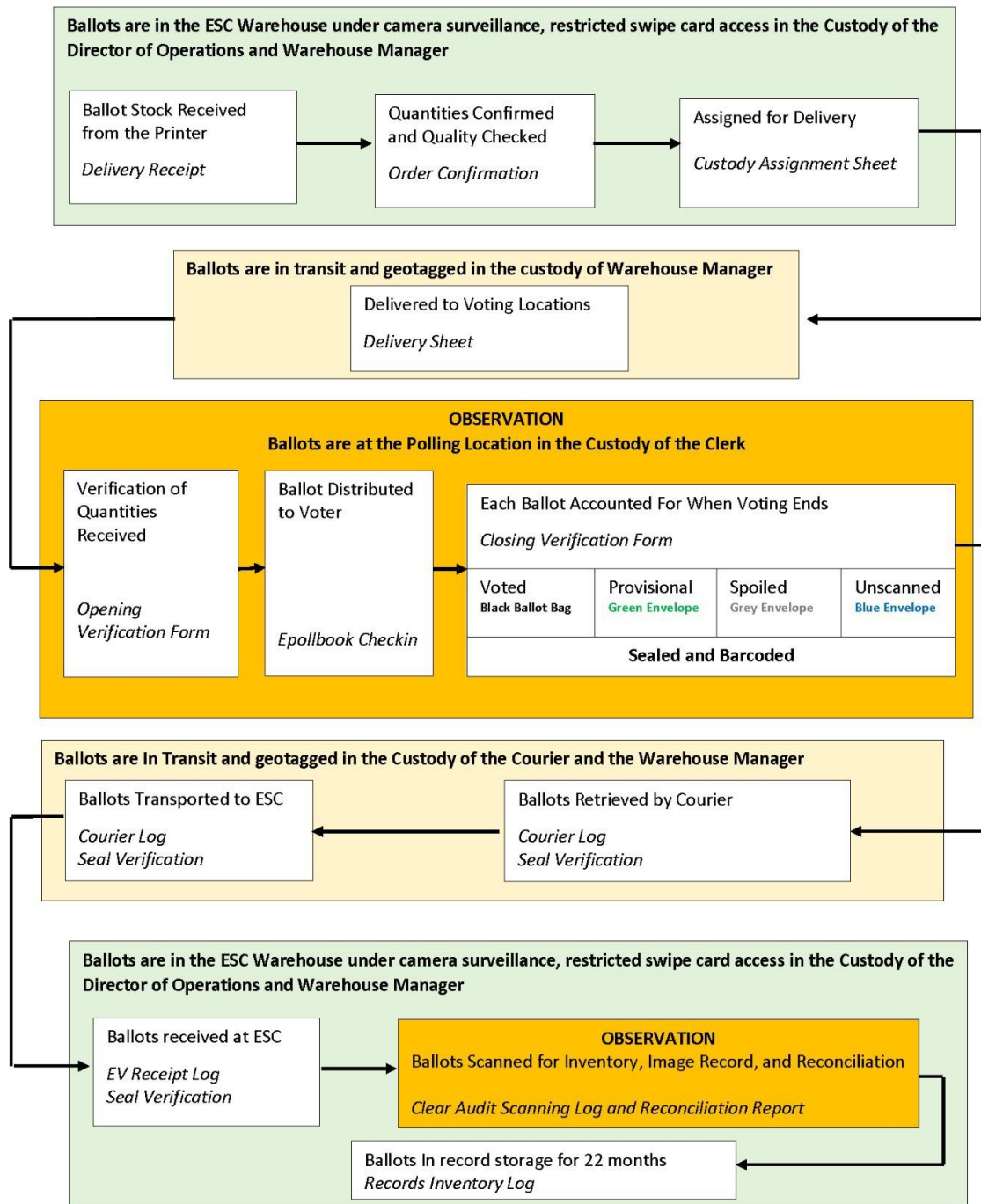


Appendices

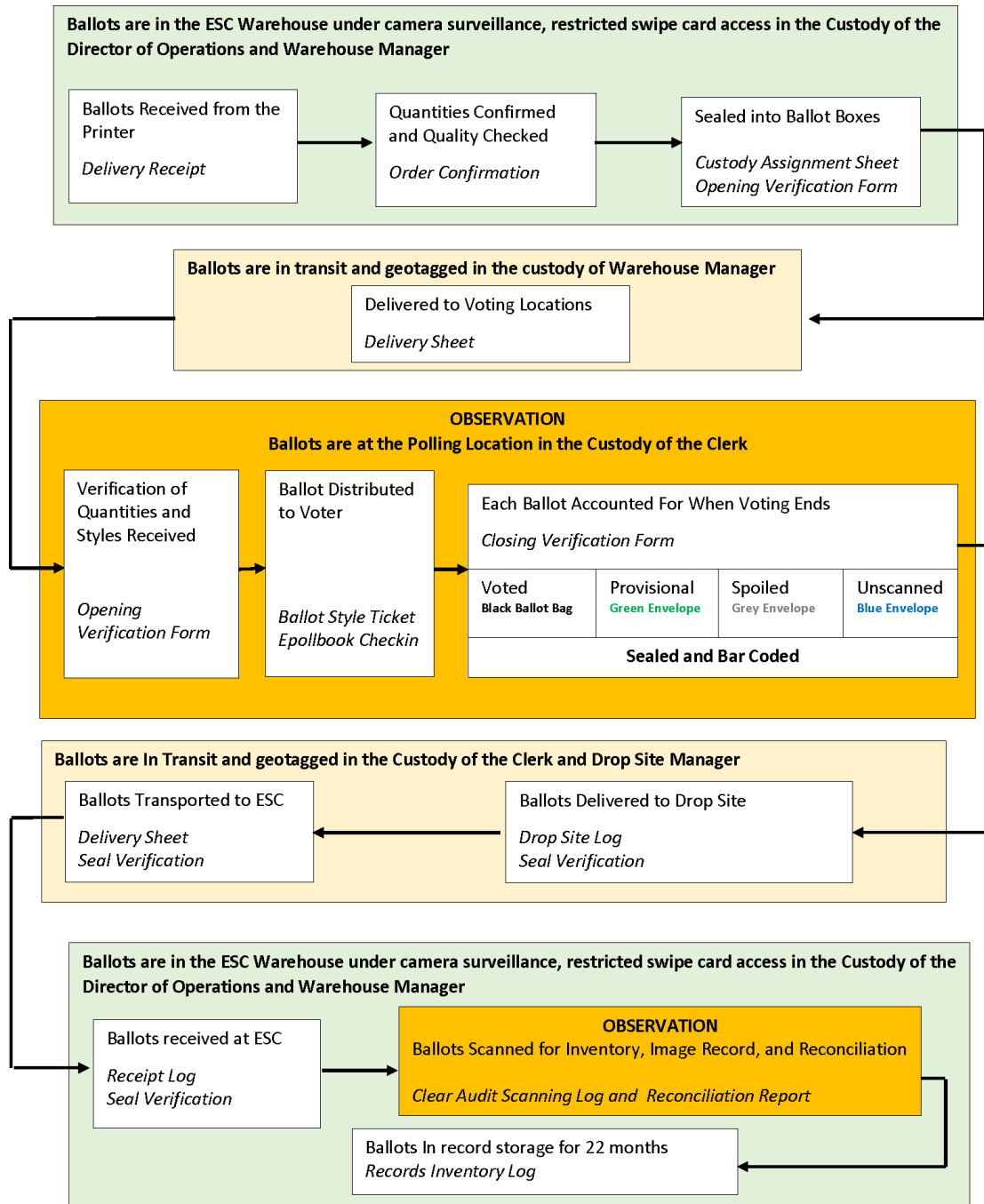
Chain of Custody: Election Day Media and Voting Equipment



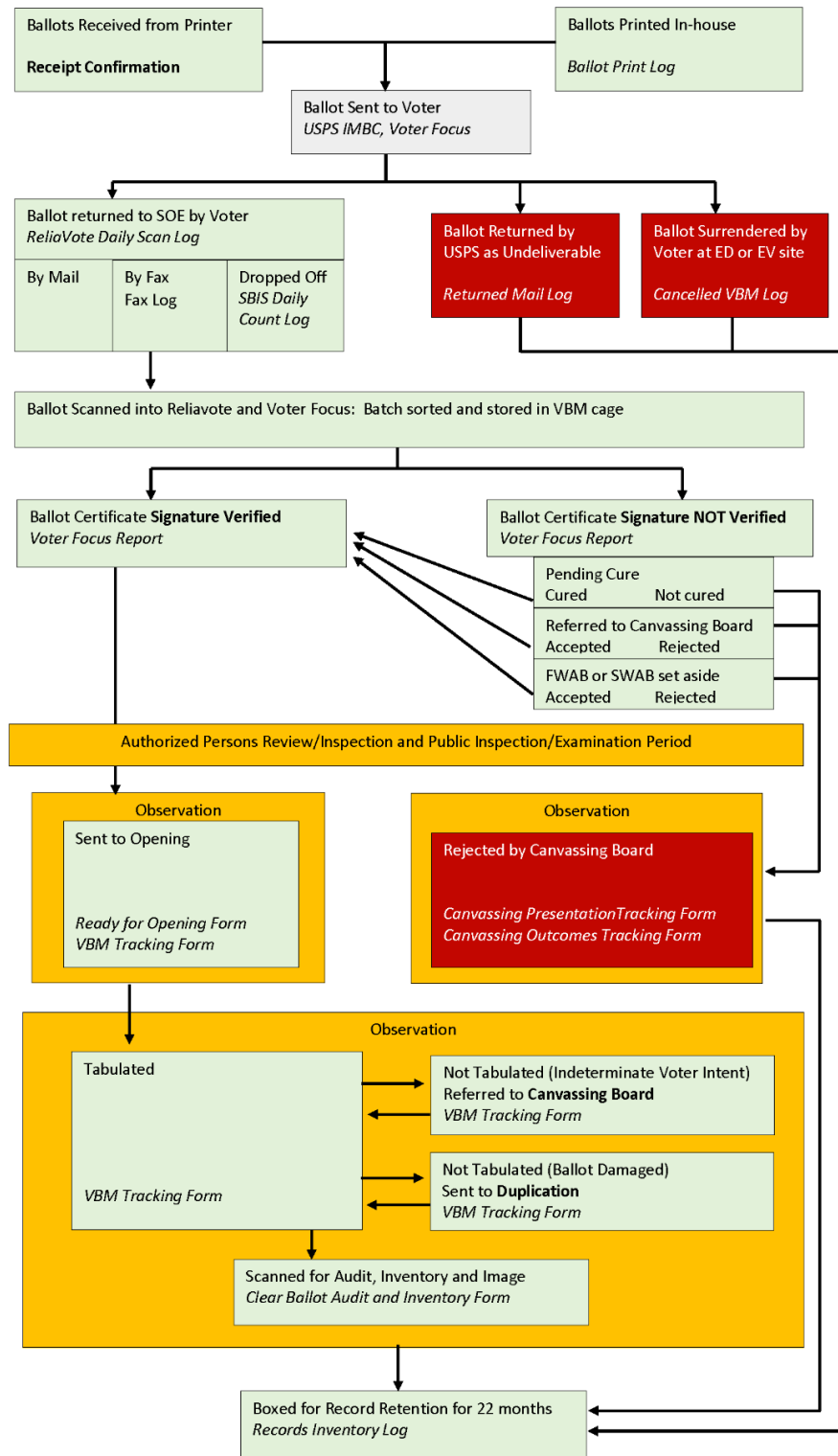
## Chain of Custody: Early Voting Ballots



## Chain of Custody: Election Day Ballots



# Chain of Custody: Vote By Mail Ballots



## Election Schedule

Attached is a template for a standard election cycle schedule. This schedule is updated, adjusted and re-issued annually.

Appendix: Election Schedule

January Event	Legal Reference	Date
First day of regular Legislative Session.	Art. III, §3(b), Fla. Const. - Regular session of the legislature shall convene on the 2nd Tuesday after the 1st Monday in January of each even-numbered year.	9-Jan
First day for SOE to prepare and upload daily electronic files of VBM ballot request information to the DOS.	§101.62, F.S.; Rule 1S-2.043, F.A.C. – 60 days prior to the PPP on a daily basis by 8 a.m. and continuously until 15 days after the Election.	19-Jan
Revisions to security procedures due to the DOS.	§101.015, F.S. and Rule 1S-2.015, F.A.C - At least 45 days before early voting begins for the election in which they are to take effect.	19-Jan
Deadline for SOE to certify to the Division of Elections address and registration list maintenance activities for prior six months.	§§98.065 and 98.075, F.S.; Rule 1S-2.041 F.A.C – No later than January 31 of each year.	31-Jan

February Event	Legal Reference	Date
End of period in which SOE must report weekly on initiative petition activity (instead of monthly).	§100.371, F.S. - On the last day of each month, or on the last day of each week from December 1 on an odd-numbered year through February 1 of the following year.	1-Feb
Initiative petition signature certification deadline.	Art. XI, §5, Fla. Const. and §100.371(1), F.S. – No later than February 1 of the year in which the General Election is held.	1-Feb
Supervisors may update and post the new cost of signature verification of initiative petitions.	§ 100.371, F.S. - On February 2 of each even-numbered year.	2-Feb
Deadline for SOE to mail time and location of logic and accuracy to test county party chairs and candidates who did not receive notice at qualifying.	§101.5612, F.S. - At least 30 days prior to the beginning of early voting.	3-Feb
Deadline for SOE to mail VBM ballots to absent statewide and uniformed overseas voters (UOCAVA).	§101.62, F.S. - At least 45 days prior to each election.	3-Feb
Division of Elections to submit to the U.S. Department of Justice information on county compliance with 45-day UOCAVA VBM ballot send-out.	43 days before the Presidential Preference Primary Election.	5-Feb
Beginning of mandatory window for SOE to mail VBM ballots to all domestic (non-UOCAVA) voters who requested VBM ballots.	§101.62, F.S. - Between 40th and 33rd day before the Election.	8-Feb
Canvassing board may begin canvassing VBM ballots.	§101.68, F.S. – Upon completion of Logic and Accuracy testing.	8-Feb
Logic and accuracy (L&A) testing may begin.	§101.5612, F.S. – No more than 25 days prior to beginning of early voting.	8-Feb
Close of mandatory window for SOE to mail VBM ballots to all domestic (non-UOCAVA) voters who requested VBM ballots.	§101.62, F.S. – Between 40th and 33rd day before the election.	15-Feb
Deadline for SOE to designate early voting sites.	§101.657, F.S. – No later than the 30th day before an election.	18-Feb
Deadline for SOE to designate secure ballot intake station locations and to provide the Division of Elections with the addresses for each station.	§101.69(2)(b), F.S. – No later than the 30th day prior to the election.	18-Feb
First day a registered voter or poll watcher may file a challenge to another voter in the same county.	§101.111, F.S. - No sooner than 30 days before an election.	18-Feb
Deadline for poll watcher designations for early voting sites.	§101.131, F.S. - Before noon at least 14 days before early voting begins.	19-Feb
Deadline to register to vote (book closing).	§97.055, F.S. - On the 29th day before each election. The 29th day fell on a Saturday, Sunday, or legal holiday, so the deadline is the next that is not a Sunday or legal holiday. Moved from Feb 19 to Feb 20 due to Washington's Birthday.	20-Feb
Deadline for SOE to approve poll watchers for early voting sites.	§101.131, F.S. – No later than 7 days before early voting begins.	26-Feb
Deadline for SOE to appoint poll workers.	§102.012, F.S. – At least 20 days before the election.	28-Feb

March Event	Legal Reference	Date
Deadline for DOE to compile and make available bookclosing reports	§98.0981, F.S. - No later than 10 days after the date of bookclosing.	1-Mar
First day of Early Voting.	§101.657, F.S. - On the 15th day before an election.	4-Mar
Deadline to submit ED poll watcher designations.	§101.131, F.S. –Noon of the 2nd Tues before election day	5-Mar
First day for SOE to prepare and upload daily electronic files of early voting summary and early voting details to the DOS.	§101.657, F.S. and Rule 1S-2.043, F.A.C.– No later than noon of each day for the previous day's activities.	5-Mar
Deadline for SOE to receive requests to mail VBM ballots	§101.62, F.S. –5 p.m. on the 12th day before the Election.	7-Mar
Last day of regular Legislative Session.	Art III, §3(d), Fla. Const.	8-Mar
Beginning of period in which "Emergency excuse" affidavit required for pick-up of VBM ballot.	§101.62, F.S. - SOE may not allow pick-up of VBM ballot after start of mandatory EV unless voter provides affidavit. Exception exists for supervised voting in ALFs	9-Mar
Last day for SOE to mail VBM ballots.	§101.62, F.S. – No later than 10 days before the election.	9-Mar
Deadline for SOE to approve poll watchers and provide poll watcher identification badges for election day.	§101.131, F.S. - On or before the Tuesday before the Election.	12-Mar
Deadline for SOE to mail or email sample ballots.	§101.20, F.S. - At Least 7 days before an election.	12-Mar
Deadline for late registration for specified subcategory of UOCAVA individuals.	§97.0555, F.S. and Rule 1S-2.029, F.A.C.– 5 p.m. on the Friday before the election.	15-Mar
Last day of Early Voting.	§101.657, F.S. - On the 2nd day before an election.	17-Mar
Deadline for SOE to publish notice regarding signature updates.	§98.077, F.S. - Once each General Election year, before the PPP or Primary, whichever occurs first.	18-Mar
Deadline to upload results of EV and VBM ballots canvassed and tabulated by the end of the early voting period	§102.141(4)(a), F.S. - By 7:00 p.m. on the day before the election	18-Mar
Deadline to publish sample ballot in newspaper.	§101.20, F.S. - Before the day of the election.	18-Mar
Last day for SOE to prepare and upload daily electronic files of early voting summary and early voting details to the DOS	§101.657, F.S. - No later than noon of each day for the previous day's activities.	18-Mar
Deadline for county canvassing boards to begin filing preliminary election results with the DOS.	§102.141, F.S. – Within 30 minutes after the polls close and at least every 45 minutes until all results reported.	19-Mar
Deadline for receipt of non-UOCAVA VBM ballots.	§101.67 F.S., – 7 p.m. on election day.	19-Mar
Deadline to post on website the number of VBM ballots that have been received and the number that remain uncounted.	§102.072 F.S. – Beginning at 7 p.m. on election day and continuing once every hour while counting.	19-Mar
PRESIDENTIAL PREFERENCE PRIMARY ELECTION	§103.101, F.S. - Held on the 3rd Tuesday in March of each presidential election year.	19-Mar
Beginning of period in which SOE must conduct annual list maintenance program.	§98.065, F.S. -At least every year, but must be completed no later than 90 days prior to the date of any federal election (2024 period must end by May 22).	20-Mar
Deadline for returns from all polling places to be submitted to the county canvassing board.	§102.141, F.S. - On or before 2 a.m. of the day following the election.	20-Mar
Deadline to provide evidence of eligibility or submit an affidavit to cure signature deficiency on provisional ballot.	§101.048, F.S. - 5 p.m. on the 2nd day following the election.	21-Mar
Deadline for voter to submit VBM ballot cure affidavit.	§101.68(4), F.S. –5 p.m. on the 2nd day after the election.	21-Mar
Deadline for canvassing board to file Unofficial Results.	§102.141, F.S. - Noon on the 4th day after the election.	23-Mar
DOE to publish Notice of General Election in a in each county twice before beginning of the qualifying period.	§100.021, F.S. – During the 30 days prior to the 1st day of qualifying (Qualifying begins April 22, 2024).	23-Mar
Deadline for federal, judicial, state attorney and public defender candidates seeking to qualify by the petition method to submit their signed petitions to SOE.	§§99.095 and 105.035, F.S. - Before noon of the 28th day preceding the 1st day of the qualifying period for the office sought.	25-Mar
Deadline for receipt of overseas ballots.	§101.6952(5), F.S. - Postmarked or signed and dated by date of election and received by 10 days from date of election.	29-Mar
Public audits from end of prior year from state executive committees and county executive committees are due to the DOE and SOE, respectively.	§103.121 - Before April 1 of the ensuing year after audit	31-Mar



April Event	Legal Reference	Date
County canvassing boards to begin publicly noticed audit of the voting system.	§101.591, F.S. - Immediately following the certification of the election by the county canvassing board.	1-Apr
Deadline for county canvassing boards to certify and submit Official Results to the DOS.	§102.112, F.S. – Noon on the 13th day following the election.	1-Apr
Deadline for SOE to begin annual list maintenance program.	§98.065, F.S. -At least every year, but must be begin no later than April 1.	1-Apr
Deadline for supervisor to file with the DOE a copy of, or an export file from, the results database of the county's voting system.	§102.141(10), F.S. - At the same time the official results are certified.	1-Apr
Elections Canvassing Commission meets to certify the official results.	§102.111, F.S. – 8 a.m. on the 14th day after the election.	2-Apr
Last day for SOE to prepare and upload daily electronic files of VBM ballot request information to the DOS.	§101.62, F.S.; Rule 1S-2.043, F.A.C. – Beginning 60 days before the PPE on a daily basis by 8 a.m. until 15 days after the Election	3-Apr
14-day period begins allowing qualifying officers to accept and hold qualifying papers for judicial, state attorney, and public defender candidates to be processed and filed during the qualifying period.	§§99.061 and 105.031, F.S. – Not earlier than 14 days prior to the beginning of the applicable qualifying period.	8-Apr
Deadline for county canvassing boards to complete the voting system audit and for the results to be made public.	§101.591, F.S. - No later than 11:59 p.m. on the 7th day following certification of the election by the county canvassing board.	8-Apr
Deadline for officers qualifying as judicial, state attorney, and public defender candidates to submit written resignations if the terms of the offices, or any part thereof, run concurrently with each other.	§99.012, F.S. - At least 10 days prior to the 1st day of the applicable qualifying period.	12-Apr
Deadline for SOE to certify the number of valid signatures for judicial, state attorney, and public defender candidates seeking to qualify by the petition method.	§§99.095, 105.035, and 105.035 (4)(b) F.S.– No later than the 7th day before the 1st day of the qualifying period.	15-Apr
Deadline for SOE to provide the Department with official voting history, precinct-level election results, a reconciliation of history and precinct-level results, and precinct boundary data.	§98.0981, F.S. – Within 10 business days after certification of election results by Elections Canvassing Commission.	16-Apr
Deadline for SOE to make available information about provisional ballots to individual voters on free access system.	§101.048, F.S. - No later than 30 days following the election.	18-Apr
Qualifying period begins for federal, judicial, state attorney, and public defender candidates.	§§99.061 and 105.031, F.S. – Noon of the 120th day prior to the date of the Primary Election.	22-Apr
Qualifying period ends for federal, judicial, state attorney, and public defender candidates.	§§99.061 and 105.031, F.S. – No later than noon of the 116th day prior to the date of the Primary Election.	26-Apr
Deadline for SOE to submit reports on the conduct of the election to the Division of Elections.	§102.141, F.S. – 20 business days after the Elections Canvassing Commission Certifies the election.	30-Apr

Appendix Election Schedule

May Event	Legal Reference	Date
Deadline for DOE to certify to the SOE the names of all duly qualified judicial, state attorney, and public defender candidates who qualified with the Department.	§99.061, F.S. – Within 7 days after close of qualifying.	3-May
First day state write-in VBM ballots made available to overseas voters requesting such ballot.	§101.6951, F.S. – 180 days prior to the General Election.	9-May
Deadline for state senator, state representative, multicounty, county and district candidates (other than judicial, state attorney or public defender candidates) seeking to qualify by the petition method to submit their signed petitions to SOE.	§99.095, F.S. – Before noon of the 28th day preceding the 1st day of the qualifying period for the office sought.	13-May
DOE to remit to the respective state executive committees of political parties their share of filing fees and party assessments from judicial, state attorney, and public defender candidates.	§99.103, F.S. – No later than 20 days after the close of qualifying.	16-May
Deadline for SOE to notify overseas voters of upcoming election.	§100.025, F.S. – At least 90 days prior to the election.	22-May
End of period in which SOE must conduct annual list maintenance program.	§98.065, F.S. -At least every year, but must be completed no later than 90 days prior to the date of any federal election.	22-May
14-day period begins for qualifying officers to accept qualifying papers for state senator, state representative, multicounty, county and district candidates (other than judicial, state attorney or public defender candidates) to be processed and filed during the qualifying period.	§99.061, F.S. – No earlier than 14 days prior to the 1st day of qualifying.	27-May
Written resignations due for officers qualifying as a candidate for state senator, state representative, multicounty, county and district candidates (other than judicial, state attorney or public defender candidates) if the terms of the offices, or any part thereof, run concurrently with each other.	§99.012, F.S. – At least 10 days prior to the 1st day of qualifying.	31-May

June Event	Legal Reference	Date
Deadline for DOE to report to the Florida Legislature voter registration and voter history information.	§98.0981, F.S.; Rule 1S-2.053, F.A.C. – Within 60 days after certification by the Elections Canvassing Commission of election results for the election.	1-Jun
Deadline for SOE to certify the number of valid signatures for state senator, state representative, multicounty, county and district candidates (other than judicial, state attorney or public defender candidates) seeking to qualify by the petition method.	§99.095, F.S. – No later than the 7th day before the first day of qualifying.	3-Jun
Qualifying begins for all state senator, state representative, multicounty, county and district candidates (other than judicial, state attorney or public defender candidates).	§99.061, F.S. – Noon of the 71st day prior to the date of the Primary Election.	10-Jun
Qualifying ends for all state senator, state representative, multicounty, county and district candidates (other than judicial, state attorney or public defender candidates).	§99.061, F.S. – No later than noon of the 67th day prior to the date of the Primary Election.	14-Jun
SOE to submit to the DOE a list containing the names, party affiliations, and addresses of all candidates who have qualified with them, and the offices for which persons qualified.	§99.092, F.S. – Immediately after the last day for qualifying.	15-Jun
Deadline for DOE to certify to the SOE the names of all duly qualified state senator, state representative, multicounty, and district candidates (other than judicial, state attorney or public defender candidates) who have qualified with the Department.	§99.061, F.S. – Within 7 days after the closing date for qualifying.	21-Jun
Deadline for SOE to submit any revisions to county security procedures to the DOS.	§101.015, F.S.; Rule 1S-2.015, F.A.C. – At least 45 days before early voting begins.	21-Jun
First day for SOE to prepare and upload daily electronic files of VBM ballot request information to the DOE for the Primary and General Elections.	§101.62, F.S.; Rule 1S-2.043, F.A.C. – 60 days prior to the Primary Election on a daily basis by 8 a.m. and continuously until 15 days after the General Election.	21-Jun
Qualifying period begins for write-in candidates for the joint candidacy of president and vice president.	§103.022, F.S. – At any time after the 57th day prior to the date of the Primary Election.	25-Jun

July Event	Legal Reference	Date
Qualifying ends for write-in candidates for the joint candidacy of president and vice president.	§103.022, F.S. – Before noon on the 49th day prior to the date of the Primary Election.	2-Jul
Deadline for DOE to remit to the respective state executive committees of political parties their share of filing fees and party assessments from federal, gubernatorial, cabinet, state senator, state representative, multicounty, county and district candidates (other than judicial, state attorney or public defender candidates).	§99.103, F.S. – No later than 20 days after the close of qualifying.	4-Jul
Deadline by when SOE must mail notice of time and location of logic and accuracy test (L&A test) to county party chairs and candidates who did not receive notice at qualifying.	§101.5612, F.S. – At least 30 days before early voting is scheduled to start in the county.	6-Jul
Deadline for SOE to send VBM ballots to absent stateside uniformed and overseas voters (UOCAVA).	§101.62, F.S. – No fewer than 45 days before the Primary Election.	6-Jul
DOE to submit to the U.S. DOJ information on county compliance with 45-day UOCAVA VBM ballot send-out.	43 days before the Primary Election.	8-Jul
Beginning of mandatory window to mail VBM ballots to all domestic (non-UOCAVA) voters who requested VBM ballots.	§101.62, F.S. – Between 40th and 33rd day before the election.	11-Jul
Earliest date that canvassing of VBM ballots may begin after completion of logic and accuracy (L&A) test.	§101.68(2)(a), F.S. – Upon completion of the public testing of automatic tabulating equipment.	11-Jul
Earliest date that logic and accuracy (L&A) test may be conducted.	§101.5612, F.S. – No more than 25 days before early voting starts.	11-Jul
Deadline to remit filing fees to state executive committee of the political parties of the candidates qualifying with the SOE.	§99.061, F.S. – Within 30 days after the close of qualifying.	14-Jul
Deadline by when candidates for President and Vice-President with minor political party affiliation but unaffiliated with any national party holding a national convention to name candidates must submit petitions to SOE from which signatures solicited to obtain 1 % of the registered electors.	§103.021, F.S. – No later than noon on July 15 of each presidential election year.	15-Jul
Deadline by when candidates for President and Vice-President with no party affiliation must submit petitions to SOE from which signatures solicited to obtain 1 % of the registered electors in the state.	§103.021, F.S. – No later than noon on July 15 of each presidential election year.	15-Jul
Close of mandatory window for SOE to mail VBM ballots to all domestic (non-UOCAVA) voters who requested VBM ballots.	§101.62, F.S. – Between 40th and 33rd day before the election.	18-Jul
Deadline for SOE to designate early voting sites and to provide the Division of Elections with addresses, dates and hours for early voting sites.	§101.657, F.S. – No later than the 30th day prior to the election.	21-Jul
Deadline for SOE to designate secure ballot intake station locations and to provide the Division of Elections with the addresses for each station.	§101.69(2)(b), F.S. – No later than the 30th day prior to the election.	21-Jul
First day a registered voter or poll watcher may file a voter challenge in the same county.	§101.111, F.S. – No sooner than 30 days before an election.	21-Jul
Deadline to register to vote (book closing).	§97.055, F.S. – On the 29th day before each election.	22-Jul
Deadline to submit poll watcher designations for early voting sites.	§101.131, F.S. – Before noon at least 14 days before early voting begins.	22-Jul
Deadline for SOE to approve poll watchers and provide poll watcher identification badges for early voting sites.	§101.131, F.S. – No later than 7 days before early voting begins.	29-Jul
Deadline for SOE to appoint poll workers.	§102.012, F.S. – At least 20 days prior to any election.	31-Jul
Deadline to certify address and registration list maintenance activities for the prior six months.	§§98.065 and 98.075, F.S.; Rule 1S-2.041, F.A.C. – No later than July 31 of each year.	31-Jul
Deadline to submit HAVA “Balance” Report (i.e., remaining balance of HAVA funds as of June 30, 2024).	Help America Vote Act (HAVA)(52 U.S.C. §§ 20901–21145).	31-Jul

August Event	Legal Reference	Date
DOE compiles/makes available bookclosing reports	§98.0981, F.S. - No later than 10 days after the date of bookclosing.	1-Aug
Deadline to post election preparation report	§100.032, F.S. – At least 3 months before a general election.	5-Aug
First day of Early Voting.	§101.657, F.S.– 15th day before an election.	5-Aug
Deadline to submit ED poll watcher designations.	§101.131, F.S. –Noon of the 2nd Tuesday preceding the election.	6-Aug
First day to prepare and upload daily early voting summary and early voting details files.	§101.657, F.S.; Rule 1S-2.043, F.A.C. – No later than noon of each day for the previous day’s activities.	6-Aug
Deadline to notify overseas voters of upcoming General Election.	§100.025, F.S. – At least 90 days prior to regular primary and general elections.	7-Aug
Last day state write-in VBM ballot available.	§101.6951, F.S. – 180 to 90 days prior a general election.	7-Aug
Deadline to request VBM ballot.	§101.62, F.S. –5 p.m. on the 12th day before the election.	8-Aug
Beginning of period in which “Emergency excuse” affidavit required for pick-up of VBM ballot.	§101.62, F.S. - Supervisor may not allow pick-up of VBM ballot after start of mandatory EV unless voter provides affidavit.	10-Aug
Last day for SOE to mail VBM ballots requested.	§101.62, F.S. – No later than 10 days before the election.	10-Aug
ED poll watchers and provide ID badges.	§101.131, F.S. – On or before the Tuesday before the election.	13-Aug
Deadline to mail or email sample ballots to voters.	§101.20, F.S. – At least 7 days prior to any election.	13-Aug
Deadline for late registration for a specified subcategory of UOCAVA individuals.	§97.0555, F.S. and Rule 1S-2.029, F.A.C.– 5 p.m. on the Friday before the election.	16-Aug
Last day of Early Voting.	§101.657, F.S. – On the 2nd day before an election.	18-Aug
Upload EV and VBM ballots canvassed/counted.	§102.141 (4)(a), F.S. – By 7 p.m. on the day before the election.	19-Aug
Deadline to publish sample ballot in newspaper.	§101.20, F.S. – Before the day of the election.	19-Aug
Last day to prepare and upload daily early voting summary and early voting files to the DOS.	§101.657, F.S.; Rule 1S-2.043, F.A.C.– No later than noon of each day for the previous day’s activities.	19-Aug
Deadline to certify number of electors who signed petitions for candidates for Pres and VP with minor political party but unaffiliated with party holding a national convention, and for candidates for Pres and VP with no party affiliation.	§ 103.021, F.S. - On or before the day of the primary election.	20-Aug
Deadline for county canvassing boards to begin filing preliminary election results with the DOS.	§102.141, F.S. – Within 30 minutes after the polls close and at least every 45 minutes until all results reported.	20-Aug
Deadline for receipt of VBM ballots.	§101.67, F.S. –7 p.m. election day.	20-Aug
Deadline to post number of VBM ballots received and number that remain uncounted.	§102.072, F.S. – Beginning at 7 p.m. on election day and continuing once every hour while counting.	20-Aug
PRIMARY ELECTION	§100.061, F.S. – On Tues 11 weeks prior to the General Election.	20-Aug
Deadline for returns from all polling places to be submitted to the canvassing board.	§102.141, F.S. – On or before 2 a.m. of the day following any election.	21-Aug
Deadline to provide evidence of eligibility or submit cure affidavit for provisional ballot.	§101.048, F.S.; Rule 1S-2.037, F.A.C.– No later than 5 p.m. on the 2nd day following the election.	22-Aug
Deadline to submit VBM ballot cure affidavit.	§101.68(4), F.S. – Until 5 p.m. on the 2nd day after the election.	22-Aug
Deadline to file First Unofficial Results	§102.141, F.S. –noon of the 3rd day after any primary election.	23-Aug
Deadline by when Governor nominates presidential electors of each political party.	§ 103.021, F.S. - No later than August 24 of each presidential election year.	24-Aug
Deadline for minor political party affiliated with national party holding a nominating convention for Pres/VP to file certificate with candidate names.	§ 103.021, F.S. - No later than 5 p.m. on August 24 of each presidential election year.	24-Aug
First period to advertise proposed constitutional amendments in a newspaper of general circulation	Art XI, §5(d), Fla. Const. - Once in the 10th week, and once in the 6th week preceding the week in which the election is held.	25-Aug
File 2nd Unofficial Results, if recount conducted.	§102.141, F.S. –3 p.m. of the 5th day after any primary election.	25-Aug
Canvassing boards begin publicly noticed audit of voting system unless manual recount undertaken.	§101.591, F.S. – Immediately following the certification of the election by the county canvassing board.	28-Aug
Deadline to submit Official Results.	§102.112, F.S. – Noon on the 8th day following primary election.	28-Aug
Deadline to file with copy of, or export file from, the results database of the county’s voting system.	§102.141(10), F.S. & 1S-2.053, F.A.C. - At the same time as the official results are certified.	28-Aug
Elections Canvassing Commission certifies Official Results.	§102.111, F.S. – 8 a.m. on the 9th day after a primary election.	29-Aug

September Event	Legal Reference	Date
Deadline for county canvassing boards to complete the voting system audit and for the results to be made public unless manual recount undertaken pursuant to §102.166, F.S.	§101.591, F.S.; Rule 1S-5.026, F.A.C. – No later than 11:59 p.m. on the 7th day following certification of the election by the county canvassing board.	4-Sep
Deadline for SOE to submit any revisions to county security procedures to the DOS.	§101.015, F.S.; Rule 1S-2.015, F.A.C. – At least 45 days before early voting begins (specific date will depend on when county will begin conducting early voting).	6-Sep
Deadline for SOE to provide the Department with official voting history, precinct-level election results, a reconciliation of history and precinct-level results, and precinct boundary data.	§98.0981, F.S. – Within 10 business days after certification of election results by Elections Canvassing Commission.	12-Sep
Deadline for SOE to make available information about provisional ballot to individual voters on free access system.	§101.048, F.S. – No later than 30 days following the election.	19-Sep
Deadline for SOE to mail notice of time and location of logic and accuracy test (L&A test) to county party chairs and candidates who did not receive notice at qualifying.	§101.5612, F.S. – At least 30 days prior to the beginning of early voting.	21-Sep
Deadline for SOE to send VBM ballots to absent stateside uniformed and overseas voters (UOCAVA).	§101.62, F.S. – Not less than 45 days before the General Election.	21-Sep
Second period in which proposed constitutional amendments are advertised in a newspaper of general circulation in each county.	Art XI, §5(d), Fla. Const. - Once in the 10th week, and once in the 6th week immediately preceding the week in which the election is held, the proposed amendment shall be published in one newspaper of general circulation in each county.	22-Sep
Division of Elections to submit to the U.S. Department of Justice information on county compliance with 45-day UOCAVA VBM ballot send-out.	43 days before the General Election.	23-Sep
Beginning of mandatory window for SOE to mail VBM ballots to all domestic (non-UOCAVA) voters who requested VBM ballots.	§101.62, F.S. – Between 40th and 33rd day before the election.	26-Sep
Canvassing board may begin canvassing VBM ballots.	§101.68(2)(a), F.S. - Upon completion of the public testing of automatic tabulating equipment.	26-Sep
Deadline for SOE to submit reports on the conduct of the election to the Division of Elections.	§102.141, F.S. – 20 business days after the Elections Canvassing Commission Certifies the election.	26-Sep
Earliest date that logic and accuracy (L&A) test may be conducted.	§101.5612, F.S. – No more than 25 days before early voting starts.	26-Sep

October Event	Legal Reference	Date
Close of mandatory window for SOE to mail VBM ballots to all domestic (non-UOCAVA) voters who requested VBM ballots.	§101.62, F.S. – Between 40th and 33rd day before the election.	3-Oct
Deadline for SOE to designate early voting sites and to provide the Division of Elections with addresses, dates, and hours for early voting sites.	§101.657, F.S. – No later than the 30th day prior to the election.	6-Oct
Deadline for SOE to designate secure ballot intake station locations and to provide the Division of Elections with the addresses for each location.	§101.69(2)(b), F.S. – No later than the 30th day prior to the election.	6-Oct
First day a registered voter or poll watcher may file a voter challenge in the same county.	§101.111, F.S. – No sooner than 30 days before an election.	6-Oct
Deadline to register to vote (book closing).	§97.055, F.S. – On the 29th day before each election. If the 29th day falls on a Sunday or a legal holiday, the registration books must be closed on the next day that is not a Sunday or a legal holiday.	7-Oct
Deadline to submit poll watcher designations for early voting sites.	§101.131, F.S. – Before noon at least 14 days before early voting begins (specific date will depend on when county will begin conducting early voting).	7-Oct
Deadline for SOE to approve poll watchers and provide poll watcher identification badges for early voting sites.	§101.131, F.S. – No later than 7 days before early voting begins.	14-Oct
Deadline for SOE to appoint poll workers.	§102.012, F.S. – At least 20 days prior to any election.	16-Oct
Deadline for DOE to compile and make available bookclosing reports	§98.0981, F.S. - No later than 10 days after the date of bookclosing.	17-Oct
First day of Early Voting.	§101.657, F.S. –15th day before an election.	21-Oct
Deadline to submit poll watcher designations for election day.	§101.131, F.S. – Before noon on the 2nd Tuesday preceding the election.	22-Oct
First day for SOE to prepare and upload daily electronic files of early voting summary and early voting details to the DOS.	§101.657, F.S.; Rule 1S-2.043, F.A.C.– No later than noon of each day for the previous day’s activities.	22-Oct
Deadline for SOE to receive requests for VBM ballots.	§101.62, F.S. – No later than 5 p.m. on the 12th day before the election.	24-Oct
Beginning of period in which “Emergency excuse” affidavit required for pick-up of VBM ballot.	§101.62, F.S. - Supervisor may not allow pick-up of VBM ballot after start of mandatory early voting period unless voter provides affidavit; Exception exists for supervised voting in assisted living facilities as provided in §101.655, F.S.	26-Oct
Deadline for SOE to mail VBM ballots requested.	§101.62, F.S. – No later than 10 days before the election.	26-Oct
Deadline for DOE to report to the Florida Legislature voter registration and voting history information.	§98.0981, F.S.; Rule 1S-2.053, F.A.C. – Within 60 days after certification by the Elections Canvassing Commission of the election results for the election.	28-Oct
Deadline for SOE to approve poll watchers and provide poll watcher identification badges for election day.	§101.131, F.S. – On or before the Tuesday before the election.	29-Oct
Deadline for SOE to mail or email sample ballots to voters.	§101.20, F.S. – At least 7 days prior to any election.	29-Oct

November Event	Legal Reference	Date
Deadline for late registration for specified subcategory of UOCAVA individuals.	§97.0555, F.S. and Rule 1S-2.029, F.A.C.– 5 p.m. on the Friday before the election.	1-Nov
Last day of Early Voting.	§101.657, F.S. – On the 2nd day before an election.	3-Nov
Deadline for SOE to publish sample ballot in newspaper	§101.20, F.S. – Before the day of the election.	4-Nov
Deadline to upload into county election management system the results of all early voting and VBM ballots that have been canvassed and tabulated by the end of the early voting period.	§102.141 (4)(a) - By 7 p.m. on the day before the election.	4-Nov
Last day for SOE to prepare and upload daily electronic files of early voting summary and early voting details to the DOS.	§101.657, F.S.; Rule 1S-2.043, F.A.C. – No later than noon of each day for the previous day’s activities.	4-Nov
Deadline for county canvassing boards to begin filing preliminary election results with the DOS.	§102.141, F.S. – Within 30 min after polls close and at least every 45 min until all results reported.	5-Nov
Deadline for receipt of non-UOCAVA VBM ballots.	§101.67, F.S., – 7 p.m. on election day.	5-Nov
Deadline to post on website the number of VBM ballots that have been received and the number that remain uncounted.	§102.072, F.S. – Beginning at 7 p.m. on election day and continuing once every hour while counting.	5-Nov
GENERAL ELECTION	§100.031, F.S. – On the 1st Tuesday after the 1st Monday in November of each even numbered year	5-Nov
Deadline for returns from all polling places to be submitted to the county canvassing board.	§102.141, F.S. – On or before 2 a.m. of the day following any election.	6-Nov
Expiration of registration of each 3rd Party Voter Registration Organization who registered for the 2024 Election Cycle	§97.0575, F.S. - The registration of a 3rd party voter registration organization expires at the conclusion of the election cycle.	6-Nov
Deadline to provide evidence of eligibility or to submit an affidavit to cure a signature deficiency on a provisional ballot.	§101.048, F.S.; Rule 1S-2.037, F.A.C. – No later than 5 p.m. on the 2nd day following the election.	7-Nov
Deadline for voter to submit VBM ballot cure affidavit.	§101.68(4), F.S. – Until 5 p.m. on the 2nd day after the election.	7-Nov
Deadline for county canvassing boards to file First Unofficial Results with the DOS.	§102.141, F.S. – No later than noon of the 4th day after a general election.	9-Nov
Deadline for county canvassing boards to file Second Unofficial Results with the DOE (only if recount was conducted).	§102.141, F.S. – No later than 3 p.m. of the 9th day after the election.	14-Nov
Deadline for receipt of overseas ballots.	§101.695(5), F.S. - Ballot must be postmarked or signed and dated no later than the date of the election and received no later than 10 days from the date of the election.	15-Nov
County canvassing boards to begin publicly noticed audit of the voting system (unless manual recount undertaken pursuant to §102.166, F.S.).	§101.591, F.S.; Rule 1S-5.026, F.A.C. – Immediately following the certification of the election by the county canvassing board.	18-Nov
Deadline for county canvassing boards to submit Official Results to the DOS.	§102.112, F.S. – By noon on the 13th day following the election.	18-Nov
Deadline to file with the DOE a copy of, or an export file from, the results database of the county’s voting system.	§102.141(10), F.S. & 1S-2.053, F.A.C - At the same time the official results are certified.	18-Nov
Elections Canvassing Commission meets to certify Official Results for federal, state, and multicounty offices.	§102.111, F.S. – 8 a.m. on the 14th day after a General Election.	19-Nov
The DOE certifies as elected the presidential electors of the candidates for President and Vice-President and prepares the Certificate of Ascertainment.		19-Nov
Last day to prepare and upload daily electronic files of VBM ballot request information for the Primary and General Elections.	§101.62, F.S.; Rule 1S-2.043, F.A.C. – Beginning 60 days prior to the Primary Election on a daily basis by 8 a.m. until 15 days after the General Election.	20-Nov
Deadline for county canvassing boards to complete the voting system audit and for the results to be made public (unless manual recount undertaken pursuant to §102.166, F.S.).	§101.591, F.S.; Rule 1S-5.026, F.A.C. – No later than 11:59 p.m. on the 7th day following certification of the election by the county canvassing board.	25-Nov



December Event	Legal Reference	Date
Deadline for SOE to submit request to Chief Financial Officer for reimbursement regarding petition signatures verified at no charge to a candidate or committee based on undue burden affidavit.	§99.097, F.S. – No later than December 1 of the general election year.	1-Dec
Deadline for SOE to provide the Department with official voting history, precinct-level election results, a reconciliation of history and precinct-level results, and precinct boundary data.	§98.0981, F.S. – Within 10 business days after certification of election results by Elections Canvassing Commission.	3-Dec
Deadline for SOE to make available information about provisional ballots to individual voters on free access system.	§101.048, F.S. – No later than 30 days following the election.	5-Dec
Deadline for SOE to certify that post-election certification voting system audit done with report submitted or that no audit done due to manual recount undertaken pursuant to §102.166, F.S.	§101.591, F.S. – By December 15 of each general election year.	15-Dec
Deadline for SOE to submit reports on the total number of overvotes and undervotes in the President and Vice President race to the DOS.	§101.595, F.S. – No later than December 15 of each general election year.	15-Dec
Deadline for SOE to submit reports on voter education programs to the DOS.	§98.255, F.S.; Rule 1S-2.033, F.A.C. - By December 15 of each general election year.	15-Dec
Florida Electoral College meets to finalize Certificates of Votes by presidential electors chosen based on election results for President and Vice-President.		16-Dec
Deadline for SOE to submit reports on the conduct of the election to the Division of Elections.	§102.141, F.S. – 20 business days after the Elections Canvassing Commission Certifies the election.	17-Dec
All login accounts for access to statewide VBM ballot request information automatically expire.	Rule 1S-2.043, F.A.C. - At the end of each general election year.	31-Dec
Deadline for SOE to remove post-election all designated inactive voters who have not voted or attempted to vote, requested a VBM ballot, or updated their voter registration record in two general elections since they were first made inactive.	§98.065(4)(c), F.S.; Rule 1S-2.041(2), F.A.C.; and 52 U.S.C. §2057 National Voter Registration Act (NVRA). - No later than December 31 in the same year of the second federal election.	31-Dec
Deadline for SOE to submit to the DOE HAVA Funds Expenditure Reports for use of funds relating to voter education, poll worker training, federal election activities, voting systems assistance, optical scan and ballot-on-demand for the reporting period October 1, 2023 through September 30, 2024.	Help America Vote Act (HAVA) (52 U.S.C. §§ 20901–21145).	31-Dec
Election administrators to review records against Records Retention Schedule for Election Records (GS-3) and internal office retention schedule and identify and schedule disposition of records that have met retention.	Florida Public Records Law.	31-Dec