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1 A bill to be entitled
2 An act relating to elections; amending s. 101.045,
3 F.S.; permitting an elector who changes his or her
4 legal residence to vote in the precinct to which he or
5 she has moved even if the change of residence is not
6 within the same county; amending s. 101.161, F.S.;
7 limiting the ballot summary of a joint resolution to
8 75 words in length; deleting a provision that
9 authorizes the use of multiple ballot statements to
10 explain a joint resolution proposal; deleting a
11 presumption that a ballot statement consisting of the
12 full text of an amendment or revision is a clear and
13 unambiguous statement of the substance and effect of
14 the measure; amending s. 101.62, F.S.; revising the
15 dates for when an absentee ballot request must be
16 received and mailed; amending s. 101.657, F.S.;
17 revising and expanding locations that may be
18 designated as early voting sites; deleting a
19 requirement that an early voting site be designated
20 and used as such for at least 1 year before an
21 election; increasing and specifying the days and hours
22 for conducting early voting at certain elections;
23 providing an effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:

26
27 Section 1. Subsection (2) of section 101.045, Florida
28 Statutes, is amended to read:

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29 101.045 Electors must be registered in precinct;
 30 provisions for change of residence or name.—

31 (2) (a) An elector who moves from the precinct in which the
 32 elector is registered may be permitted to vote in the precinct
 33 to which he or she has moved his or her legal residence, if ~~the~~
 34 ~~change of residence is within the same county and~~ the elector
 35 completes an affirmation in substantially the following form:

36 Change of Legal Residence of Registered

37 Voter

38 Under penalties for false swearing, I, ...(Name of voter)...,
 39 swear (or affirm) that the former address of my legal residence
 40 was ...(Address of legal residence)... in the municipality of
 41, in County, Florida, and I was registered to vote in
 42 the precinct of County, Florida; that I have not voted
 43 in the precinct of my former registration in this election; that
 44 I now reside at ...(Address of legal residence)... in the
 45 Municipality of, in County, Florida, and am therefore
 46 eligible to vote in the precinct of County, Florida;
 47 and I further swear (or affirm) that I am otherwise legally
 48 registered and entitled to vote.

49 ...(Signature of voter whose address of legal residence has
 50 changed)...

51 ~~(b) Except for an active uniformed services voter or a~~
 52 ~~member of his or her family, an elector whose change of address~~
 53 ~~is from outside the county may not change his or her legal~~
 54 ~~residence at the polling place and vote a regular ballot;~~
 55 ~~however, such elector is entitled to vote a provisional ballot.~~

56 (b)-(e) An elector whose name changes because of marriage

57 | or other legal process may be permitted to vote, provided such
58 | elector completes an affirmation in substantially the following
59 | form:

60 | Change of Name of Registered
61 | Voter

62 | Under penalties for false swearing, I, ... (New name of
63 | voter)..., swear (or affirm) that my name has been changed
64 | because of marriage or other legal process. My former name and
65 | address of legal residence appear on the registration records of
66 | precinct as follows:

67 | Name
68 | Address.....
69 | Municipality.....
70 | County.....
71 | Florida, Zip.....

72 | My present name and address of legal residence are as follows:

73 | Name
74 | Address.....
75 | Municipality.....
76 | County.....
77 | Florida, Zip.....

78 | and I further swear (or affirm) that I am otherwise legally
79 | registered and entitled to vote.

80 | ...(Signature of voter whose name has changed)...

81 | (c) ~~(d)~~ Instead of the affirmation contained in paragraph
82 | (a) or paragraph (b) ~~(e)~~, an elector may complete a voter
83 | registration application that indicates the change of name or
84 | change of address of legal residence.

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85 | ~~(d)-(e)~~ Such affirmation or application, when completed and
86 | presented at the precinct in which such elector is entitled to
87 | vote, and upon verification of the elector's registration, shall
88 | entitle such elector to vote as provided in this subsection. If
89 | the elector's eligibility to vote cannot be determined, he or
90 | she shall be entitled to vote a provisional ballot, subject to
91 | the requirements and procedures in s. 101.048. Upon receipt of
92 | an affirmation or application certifying a change in address of
93 | legal residence or name, the supervisor shall as soon as
94 | practicable make the necessary changes in the statewide voter
95 | registration system to indicate the change in address of legal
96 | residence or name of such elector.

97 | Section 2. Subsections (1) and (3) of section 101.161,
98 | Florida Statutes, are amended to read:

99 | 101.161 Referenda; ballots.—

100 | (1) Whenever a constitutional amendment or other public
101 | measure is submitted to the vote of the people, a ballot summary
102 | of such amendment or other public measure shall be printed in
103 | clear and unambiguous language on the ballot after the list of
104 | candidates, followed by the word "yes" and also by the word
105 | "no," and shall be styled in such a manner that a "yes" vote
106 | will indicate approval of the proposal and a "no" vote will
107 | indicate rejection. The ballot summary of the amendment or other
108 | public measure and the ballot title to appear on the ballot
109 | shall be embodied in the joint resolution, constitutional
110 | revision commission proposal, constitutional convention
111 | proposal, taxation and budget reform commission proposal, or
112 | enabling resolution or ordinance. The ballot summary of the

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113 amendment or other public measure shall be an explanatory
114 statement, not exceeding 75 words in length, of the chief
115 purpose of the measure. In addition, for every amendment
116 proposed by initiative, the ballot shall include, following the
117 ballot summary, a separate financial impact statement concerning
118 the measure prepared by the Financial Impact Estimating
119 Conference in accordance with s. 100.371(5). The ballot title
120 shall consist of a caption, not exceeding 15 words in length, by
121 which the measure is commonly referred to or spoken of. This
122 subsection does not apply to constitutional amendments or
123 revisions proposed by joint resolution.

124 (3) (a) ~~Each joint resolution that proposes a~~
125 ~~constitutional amendment or revision shall include one or more~~
126 ~~ballot statements set forth in order of priority. Each ballot~~
127 ~~statement shall consist of a ballot title, by which the measure~~
128 ~~is commonly referred to or spoken of, not exceeding 15 words in~~
129 ~~length, and either a ballot summary that describes the chief~~
130 ~~purpose of the amendment or revision in clear and unambiguous~~
131 ~~language, or the full text of the amendment or revision. The~~
132 ~~Department of State shall furnish a designating number pursuant~~
133 ~~to subsection (2) and the appropriate ballot statement to the~~
134 ~~supervisor of elections of each county. The ballot statement~~
135 ~~shall be printed on the ballot after the list of candidates,~~
136 ~~followed by the word "yes" and also by the word "no," and shall~~
137 ~~be styled in such a manner that a "yes" vote will indicate~~
138 ~~approval of the amendment or revision and a "no" vote will~~
139 ~~indicate rejection.~~

140 ~~(b)1.~~ Any action for a judicial determination that the

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141 ballot title or summary ~~one or more ballot statements~~ embodied
142 in a joint resolution is ~~are~~ defective must be commenced by
143 filing a complaint or petition with the appropriate court within
144 30 days after the joint resolution is filed with the Secretary
145 of State. The complaint or petition shall assert all grounds for
146 challenge to the ballot title or summary ~~each ballot statement~~.
147 Any ground not asserted within 30 days after the joint
148 resolution is filed with the Secretary of State is waived.

149 (b)2- The court, including any appellate court, shall
150 accord an action described in paragraph (a) ~~subparagraph 1-~~
151 priority over other pending cases and render a decision as
152 expeditiously as possible. If the court finds that the ballot
153 title or summary is ~~all ballot statements embodied in a joint~~
154 ~~resolution~~ ~~are~~ defective and further appeals are declined,
155 abandoned, or exhausted, unless otherwise provided in the joint
156 resolution, the Attorney General shall, within 10 days, prepare
157 and submit to the Department of State a revised ballot title or
158 ballot summary that corrects the deficiencies identified by the
159 court, and the Department of State shall furnish a designating
160 number and the revised ballot title or ballot summary to the
161 supervisor of elections of each county for placement on the
162 ballot. The court shall retain jurisdiction over challenges to a
163 revised ballot title or ballot summary prepared by the Attorney
164 General, and any challenge to a revised ballot title or ballot
165 summary must be filed within 10 days after a revised ballot
166 title or ballot summary is submitted to the Department of State.

167 ~~3. A ballot statement that consists of the full text of an~~
168 ~~amendment or revision shall be presumed to be a clear and~~

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169 ~~unambiguous statement of the substance and effect of the~~
170 ~~amendment or revision, providing fair notice to the electors of~~
171 ~~the content of the amendment or revision and sufficiently~~
172 ~~advising electors of the issue upon which they are to vote.~~

173 Section 3. Subsection (2) of section 101.62, Florida
174 Statutes, is amended to read:

175 101.62 Request for absentee ballots.—

176 (2) A request for an absentee ballot to be mailed to a
177 voter must be received no later than 5 p.m. on the fifteenth
178 ~~sixth~~ day before the election by the supervisor of elections.
179 The supervisor of elections shall mail absentee ballots to
180 voters requesting ballots by such deadline no later than 13 4
181 days before the election.

182 Section 4. Paragraphs (a) and (d) of subsection (1) of
183 section 101.657, Florida Statutes, are amended to read:

184 101.657 Early voting.—

185 (1)(a) As a convenience to the voter, the supervisor of
186 elections shall allow an elector to vote early in the main or
187 branch office of the supervisor. The supervisor shall mark,
188 code, indicate on, or otherwise track the voter's precinct for
189 each early voted ballot. ~~In order for a branch office to be used~~
190 ~~for early voting, it shall be a permanent facility of the~~
191 ~~supervisor and shall have been designated and used as such for~~
192 ~~at least 1 year prior to the election.~~ The supervisor may also
193 designate as an early voting site any suitable location in the
194 county, including any city hall or permanent public library
195 ~~facility as early voting sites;~~ however, if so designated, the
196 sites must be geographically located so as to provide all voters

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197 | in the county an equal opportunity to cast a ballot, insofar as
198 | is practicable. The results or tabulation of votes cast during
199 | early voting may not be made before the close of the polls on
200 | election day. Results shall be reported by precinct.

201 | (d) Early voting shall begin on the 15th ~~10th~~ day before
202 | an election that contains state or federal races and end on the
203 | 2nd ~~3rd~~ day before the election, and shall be provided for at
204 | least ~~no less than~~ 6 hours but not ~~and no~~ more than 12 hours per
205 | day at each site during the applicable period. For purposes of a
206 | primary election or a special election held pursuant to s.
207 | 100.101, early voting shall begin on the 8th day before the
208 | election and end on the 2nd day before the election. Early
209 | voting shall be provided for 8 hours per day at each site during
210 | the applicable period and an aggregate of at least 8 hours on
211 | the weekend. The supervisor of elections may provide early
212 | voting for elections that are not held in conjunction with a
213 | state or federal election. However, the supervisor has the
214 | discretion to determine the hours of operation of early voting
215 | sites in those elections.

216 | Section 5. This act shall take effect July 1, 2013.