

THE FLORIDA SENATE
2013 SUMMARY OF LEGISLATION PASSED
Committee on Ethics and Elections

CS/HB 7013 — Florida Election Code

by Appropriations Committee; Ethics and Elections Subcommittee; and Rep. Boyd
(CS/CS/CS/SB 600 by Rules Committee; Community Affairs Committee; Ethics and Elections
Committee; and Senator Latvala)

CS/HB 7013 is an omnibus elections bill consisting of numerous significant changes to the Florida Election Code that include:

- **Early Voting:** providing a minimum of 8 days of early voting up to a maximum of 14 days of early voting; permitting early voting to begin as early as the 15th day prior to the election; requiring early voting between the 10th day before the election and the 3rd day before the election; permitting early voting on the second day before the election; permitting between 8 and 12 hours per day of early voting; requiring a minimum of 64 hours of early voting; permitting a maximum of 168 hours allowable; permitting Supervisors of Elections ("Supervisor") flexibility to schedule site hours by location; expanding the list of permissible early voting sites to include fairgrounds, civic centers, courthouses, county commission buildings, stadiums, convention centers, government-owned senior centers, and government-owned community centers; permits Supervisors to select one additional early voting site of his or her choosing under certain circumstances; requires Supervisors to have at least the same number of early voting sites in a general election as were utilized in the 2012 general election.
- **Election Preparation Report:** creating a requirement that Supervisors create an election preparation report addressing staffing and equipment for the general election; requiring the Supervisors to post the election preparation report on the Supervisors' official website.
- **Legislative Ballot Summaries:** providing that the first ballot summary for a legislative constitutional amendment or revision must be no longer than 75 words; any other alternative ballot summary is not subject to the 75 word limitation; providing that an invalidated summary being rewritten by the Attorney General is not subject to the 75 word limitation.
- **Late Registration:** extending the deadline for a uniformed services member or Merchant Marine and his/her family member who has returned from military deployment or activation to register to vote until 5 p.m. on the Friday before an election.
- **County Canvassing Boards:** allowing appointment of alternate members in addition to substitute members; requiring the Supervisors to upload Early Voting and Absentee ballots that have been canvassed and tabulated by the end of early voting by 7 p.m. on the day before the election; providing that the tabulation and results of the uploaded Early Voting and Absentee ballots uploaded are not public until the polls close.
- **Absentee Ballots:** requiring absentee ballot requests for ballots which are to be sent to an address other than the one on file in the Florida Voter Registration System to be made in writing and signed by the elector; providing an exemption to that requirement for absent uniformed service voters and overseas voters; requiring the free access system to indicate when an absentee ballot was returned unsigned; providing a method to cure an unsigned absentee ballot by submitting an affidavit up to 5 p.m. on the day before an election;

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making it a first degree misdemeanor for a person who, for pecuniary or other benefit, distributes, orders, requests, collects, delivers or otherwise possesses more than two absentee ballots per election in addition to his or her own ballot or a ballot belonging to an immediate family member; codifying the federal consent decree to provide that an absentee ballot from uniformed service voters and overseas voters must be counted if they were signed and dated, or postmarked, no later than election day and were received by the Supervisor no later than 10 days after the election; expanding the consent decree to require counting of all votes cast in all races in a Presidential Preference Primary or general election; prohibiting distribution of absentee ballots to an elector or an elector's immediate family member on election day unless there is an emergency rendering the elector unable to go to his or her polling place; permitting the use of a voter's signature on file in a precinct register to verify the signature on an absentee ballot.

- **Primary Election Date:** moving the primary election date to 10 weeks before the general election.
- **No Solicitation Zone:** prohibiting establishment of a no solicitation zone, designation of an area in which solicitors are required to stay, or otherwise restricting access to voters outside of the 100 foot statutory no solicitation zone; clarifying that soliciting voters is prohibited within 100 feet of a Supervisor's office where absentee ballots are requested and printed on demand for the convenience of electors who appear in person to request the absentee ballots.
- **Voting System Vendors:** requiring anyone who submits an electronic or electromechanical voting system for approval, or any person entering a contract for the sale or lease of such equipment, to provide the Department of State the name, address, and telephone number of a registered agent within the state; creating a mechanism for the Department to investigate defective voting systems, suspend sales and use of systems, and impose a civil penalty against vendors under certain circumstances; providing for vendor disclosure of defects in voting systems to the Department; providing that, if a defect is found which was not disclosed by the vendor, the system may not be used or sold until the system has been inspected by the Department; exempts all proceedings from the Administrative Procedures Act in ch. 120, F.S.
- **Voting System Audit:** creating an option for the Canvassing Board to conduct an automated, independent audit; specifying that the automated, independent audit would consist of a public tally of the votes cast across every race that appears on the ballot in at least 20 percent of randomly-chosen precincts; requiring the Department of State to adopt rules for approval of an independent, automated audit system and provide minimum standards.
- **Change of Address at the Polls:** providing an exception for an elector who has moved to an assigned precinct that uses an electronic database as the precinct register at the polling place.
- **ADA Voting Equipment:** providing that voting equipment must be available for the disabled that meets the requirements in the federal Help America Vote Act and s. 101.56062, F.S., by the year 2020.
- **Multi-Language Ballots:** allowing Supervisors in counties that are subject to the federal multi-language ballot requirement to petition the U.S. Department of Justice for authority

to print and deliver single language ballots for each minority language required to be provided.

- **Presidential Preference Primaries:** removing the presidential preference primary date selection committee; providing instead that the primary dates will be on the first Tuesday that the major political parties' rules allow for allocating delegates without penalty.
- **Committees of Continuous Existence:** providing that the gifts law and honoraria law apply to Committees of Continuous Existence ("CCEs") and reporting individuals or procurement employees through September 30, 2013, when CCEs are de-certified under the campaign finance bill.

If approved by the Governor, these provisions take effect January 1, 2014, except where otherwise provided therein.

Vote: Senate 27-13; House 115-1