

By Representative Stafford

1 A bill to be entitled
2 An act relating to elections; amending s.
3 101.657, F.S.; providing an alternative
4 procedure for voting by absentee ballot;
5 amending s. 102.012, F.S.; revising the
6 requirement establishing the composition of
7 election boards; eliminating the requirement
8 that poll workers be trained at formal classes;
9 amending s. 102.021, F.S., to conform; amending
10 s. 102.031, F.S.; providing for a deputy
11 sheriff to be present at each polling place;
12 providing an effective date.

13

14 Be It Enacted by the Legislature of the State of Florida:

15

16 Section 1. Section 101.657, Florida Statutes, is
17 amended to read:

18 101.657 Voting absentee ballots in person.--

19 (1) Notwithstanding s. 97.021(1), any qualified and
20 registered elector who is unable to attend the polls on
21 election day may pick up and vote an absentee ballot in person
22 at the office of, and under the supervision of, the supervisor
23 of elections in accordance with the provisions of ss. 101.64,
24 101.647, and 101.65. Before receiving the ballot, the elector
25 must present a Florida driver's license, a Florida
26 identification card issued under s. 322.051, or another form
27 of picture identification approved by the department ~~of State.~~
28 If the elector fails to furnish the required identification,
29 or if the supervisor is in doubt as to the identity of the
30 elector, the supervisor must follow the procedure prescribed
31 in s. 101.49.

1 (2)(a) As an alternative to an elector casting an
2 absentee ballot in accordance with the provisions of ss.
3 101.64, 101.647, and 101.65, the supervisor of elections may
4 allow the elector to cast an absentee ballot in the main or
5 branch office of the supervisor by depositing the voted ballot
6 in a voting device used by the supervisor to collect or
7 tabulate ballots. The results or tabulation may not be made
8 before the close of the polls on election day.

9 (b) An elector casting an absentee ballot under this
10 subsection must provide a form of picture identification
11 approved by the department and must complete an in-office
12 voter certificate in substantially the following form:

13
14 IN-OFFICE VOTER CERTIFICATE

15
16 I, , am a qualified and registered voter of County,
17 Florida. I do solemnly swear or affirm that I am the person so
18 listed on the voter registration rolls of County and that
19 I reside at the listed address. I understand that if I commit
20 or attempt to commit fraud in connection with voting, vote a
21 fraudulent ballot, or vote more than once in an election I
22 could be convicted of a felony of the third degree and both
23 fined up to \$5,000 and imprisoned for up to 5 years. I
24 understand that my failure to sign this certificate and have
25 my signature witnessed invalidates my ballot. I am entitled to
26 vote an absentee ballot because I am unable to attend the
27 polls on election day.

28
29 (Voter's Signature)

30
31 (Address)

1
2(City/State)....
3
4(Name of Witness)....
5
6(Signature of Witness)....
7
8(Type of Identification Provided)....
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10 (c) Any elector may, in accordance with the provisions
11 of s. 101.111, challenge an elector seeking to cast an
12 absentee ballot under this subsection. Any challenged ballot
13 must be placed in a regular absentee ballot envelope. The
14 canvassing board shall review the ballot and decide the
15 validity of the ballot by majority vote.

16 (d) Notwithstanding ss. 101.68 and 102.141(2), the
17 canvass of returns for ballots cast under this subsection
18 shall be substantially the same as votes cast by electors in
19 precincts, as provided in s. 101.5614.

20 Section 2. Subsections (1) and (8) of section 102.012,
21 Florida Statutes, are amended to read:

22 102.012 Inspectors and clerks to conduct elections.--

23 (1) The supervisor of elections of each county, at
24 least 20 days prior to the holding of any election, shall
25 appoint two election boards for each precinct in the county;
26 however, the supervisor of elections may, in any election,
27 appoint one election board if the supervisor has reason to
28 believe that only one is necessary. Except as otherwise
29 provided in subsection (6),each election board shall be
30 composed of at least two ~~three~~ inspectors and a clerk. The
31 clerk shall be in charge of, and responsible for, seeing that

1 the election board carries out its duties and
2 responsibilities. Each inspector and each clerk shall take and
3 subscribe to an oath or affirmation, which shall be written or
4 printed, to the effect that he or she will perform the duties
5 of inspector or clerk of election, respectively, according to
6 law and will endeavor to prevent all fraud, deceit, or abuse
7 in conducting the election. The oath may be taken before an
8 officer authorized to administer oaths or before any of the
9 persons who are to act as inspectors, one of them to swear the
10 others, and one of the others sworn thus, in turn, to
11 administer the oath to the one who has not been sworn. The
12 oaths shall be returned with the poll list and the returns of
13 the election to the supervisor. In all questions that may
14 arise before the members of an election board, the decision of
15 a majority of them shall decide the question. The supervisor
16 of elections of each county shall be responsible for the
17 attendance and diligent performance of his or her duties by
18 each clerk and inspector.

19 (6) In any precinct in which there are fewer than 300
20 registered electors, it is not necessary to appoint two
21 election boards, but one such board will suffice. Such board
22 shall be composed of at least one inspector and one clerk.

23 (8) The supervisor of elections shall conduct training
24 ~~classes~~ for inspectors, clerks, and deputy sheriffs prior to
25 each first primary, general, and special election for the
26 purpose of instructing such persons in their duties and
27 responsibilities as election officials. A certificate may be
28 issued by the supervisor of elections to each person
29 completing such training. No person shall serve as an
30 inspector, clerk, or deputy sheriff for an election unless
31 such person has completed the training ~~class~~ as required. A

1 person who has attended previous training ~~classes~~ conducted
2 within 2 years of the election may be appointed by the
3 supervisor to fill a vacancy on election day. If no person
4 with prior training is available to fill such vacancy, the
5 supervisor of elections may fill such vacancy in accordance
6 with the provisions of subsection (9) from among persons who
7 have not received the training required by this section.

8 Section 3. Subsection (2) of section 102.021, Florida
9 Statutes, is amended to read:

10 102.021 Compensation of inspectors, clerks, and deputy
11 sheriffs.--

12 (2) Inspectors and clerks of election and deputy
13 sheriffs serving at the precincts may receive compensation and
14 travel expenses, as provided in s. 112.061, for attending the
15 poll worker training ~~classes~~ required by s. 102.012(8).

16 Section 4. Subsection (2) of section 102.031, Florida
17 Statutes, is amended to read:

18 102.031 Maintenance of good order at polls;
19 authorities; persons allowed in polling rooms; unlawful
20 solicitation of voters.--

21 (2) The sheriff shall deputize a deputy sheriff for
22 each polling place ~~precinct~~ who shall be present during the
23 time the polls are open and until the election is completed,
24 who shall be subject to all lawful commands of the clerk or
25 inspectors, and who shall maintain good order. The deputy may
26 summon assistance from among bystanders to aid him or her when
27 necessary to maintain peace and order at the polls.

28 Section 5. This act shall take effect July 1, 2000.
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HOUSE SUMMARY

Provides an alternative procedure for voting by absentee ballot. Revises the requirement establishing the composition of election boards. Eliminates the requirement that poll workers be trained at formal classes. Provides for a deputy sheriff to be present at each polling place. See bill for details.