

By Representatives Frankel and Smith

1 A bill to be entitled
2 An act relating to elections; amending s.
3 98.097, F.S.; requiring that the central voter
4 file administered by the Division of Elections
5 of the Department of State immediately reflect
6 changes to information in the file and that
7 such changes be immediately available statewide
8 to users of the file; amending s. 98.255, F.S.;
9 requiring the division to adopt rules
10 establishing standards for voter education and
11 training programs to be provided by the
12 supervisor of elections in each county;
13 providing annual appropriations therefor and
14 requiring annual reports thereon; amending s.
15 100.011, F.S.; placing the opening and closing
16 of the polls on Eastern Standard Time
17 throughout the state; extending the time the
18 polls are open; amending ss. 101.45, 101.65,
19 and 101.67, F.S., relating to duties of the
20 election board prior to opening the polls in
21 precincts where voting machines are used, to
22 instructions to absent electors, and to the
23 deadline for receiving absentee ballots,
24 respectively, to conform; amending s. 101.111,
25 F.S.; authorizing election officials to
26 challenge the right of any person to vote;
27 providing for issuance of provisional ballots
28 to challenged voters under certain
29 circumstances; providing requirements for such
30 ballots; providing for review and canvassing of
31 such ballots; amending ss. 98.481 and 101.657,

1 F.S., to conform; creating s. 101.005, F.S.;
2 providing for a uniform statewide voting system
3 and ballots; providing rulemaking authority to
4 the department to implement and adopt standards
5 for the system, including ballot requirements;
6 providing an appropriation for the counties to
7 purchase the new system; amending s. 101.015,
8 F.S.; prohibiting the certification for use in
9 this state of certain voting systems; amending
10 ss. 97.021, 101.5603, 101.5606, and 101.5614,
11 F.S., to conform; creating s. 101.6575, F.S.;
12 requiring the office of the supervisor of
13 elections and any branch office to be open on
14 the Saturday prior to any statewide election or
15 other election held in conjunction therewith,
16 for the purpose of allowing early in-person
17 absentee voting for that election; creating s.
18 101.725, F.S.; providing for a Voter's Bill of
19 Rights; providing responsibilities of
20 supervisors of elections; amending s. 102.012,
21 F.S.; requiring the division to adopt rules
22 establishing standards for poll worker
23 training; amending s. 102.141, F.S.; specifying
24 what constitutes active participation in a
25 campaign or candidacy in an election being
26 canvassed for purposes of disqualification of a
27 canvassing board member; amending ss. 233.061
28 and 233.0612, F.S.; making voting instruction
29 in the public schools a required rather than an
30 optional element of the curriculum; creating a
31 task force to study the establishment of an

1 independent State Board of Elections; providing
2 for appointment of members and authorizing
3 reimbursement for per diem and travel expenses
4 incurred in official duties; providing for
5 staffing and funding by the Executive Office of
6 the Governor; providing for a report and
7 termination of the task force upon submission
8 of the report; providing effective dates.
9

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

11
12 Section 1. Section 98.097, Florida Statutes, is
13 amended to read:

14 98.097 Central voter file; administration by division;
15 public access.--

16 (1) There is hereby established a central voter file,
17 to be administered by the division, which shall be a
18 statewide, centrally maintained database containing the voter
19 registration information of all counties in this state. The
20 central voter file must be a real-time voter file that
21 reflects any change to the information in the file immediately
22 upon receipt and makes such information immediately available
23 statewide to the users of the voter file.

24 (2) All voter registration records and other
25 information in the central voter file, excluding any
26 information that is confidential or exempt from public records
27 requirements, shall be considered public records for the
28 purposes of chapter 119.

29 (3) The central voter file shall be self-sustaining.

30 Section 2. Section 98.255, Florida Statutes, is
31 amended to read:

1 98.255 Voter educational and training programs and
2 materials.--

3 (1) Each supervisor of elections is authorized to
4 provide voter educational programs and materials of a
5 nonpartisan nature in his or her county as he or she may deem
6 appropriate, subject to the requirements of subsection (2).
7 Such programs and materials shall not include any
8 questionnaire or survey relating to candidates or issues.

9 (2) The division shall adopt rules containing minimum
10 standards for voter education and training programs to be
11 provided by the supervisor of elections in each county. The
12 programs shall include, but not be limited to, voter
13 eligibility requirements; voter registration requirements,
14 including deadlines to register; ballot and other voting
15 procedures; common voter errors; and absentee ballot request
16 and voting requirements.

17 (3) Nothing in this section shall preclude the
18 division from providing voter education programs on a
19 statewide basis.

20 (4) There is appropriated annually from the General
21 Revenue Fund to the department an amount equal to not less
22 than per registered voter in the state, to be allocated
23 to the office of each county supervisor of elections on the
24 same basis, for the purpose of providing voter education and
25 training programs. Each county supervisor of elections shall
26 provide to the division an annual report concerning the
27 programs provided and utilized under this section and an
28 assessment of the success of each program provided.

29 Section 3. Subsection (1) of section 100.011, Florida
30 Statutes, is amended to read:

31

1 100.011 Opening and closing of polls, all elections;
2 expenses.--
3 (1) The polls shall be open at the voting places
4 throughout the state at 7 ~~7:00~~ a.m. Eastern Standard Time, on
5 the day of the election, and shall be kept open throughout the
6 state until 8 ~~7:00~~ p.m. Eastern Standard Time, of the same
7 day, ~~and the time shall be regulated by the customary time in~~
8 ~~standard use in the county seat of the locality.~~ The
9 inspectors shall make public proclamation of the opening and
10 closing of the polls. During the election and canvass of the
11 votes, the ballot box shall not be concealed.

12 Section 4. Subsection (1) of section 101.45, Florida
13 Statutes, is amended to read:

14 101.45 Election board opening polls.--

15 (1) The election board of each precinct shall attend
16 the polling place at least 1 hour before the opening of the
17 polls on ~~by 6 a.m.~~ of the day of the election and shall
18 arrange the furniture, stationery, and voting machines. The
19 keys to the machines shall be delivered to the election
20 officers at least 1 hour before the opening of the polls on ~~by~~
21 ~~6 a.m.~~ of the day of the election in a sealed envelope on
22 which shall be written or printed the number and location of
23 the machine, the number of the seal, and the number registered
24 on the protective counter or device, as reported by the
25 custodian. The said envelope shall not be opened until at
26 least one member of the board from each of two political
27 parties is present and shall have examined the envelope to see
28 that same has not been opened. Before opening the envelope,
29 the election officers present shall examine the number on the
30 seal on the machine, also the number registered on the
31 protective counter, and see if they are the same as the number

1 written on the envelope. If they are not the same, the
2 custodian or an authorized person must be present when the
3 machine is opened to reexamine such machine and certify that
4 it is properly arranged. If the numbers are found to agree
5 with those on the envelope, the election officer shall proceed
6 to open the doors concealing the counters and each officer
7 shall carefully examine every counter and see that it
8 registers zero, and same is subject to the inspection of
9 official watchers. The machine shall remain locked against
10 voting until the polls are opened, and only electors shall
11 operate same.

12 Section 5. Section 101.65, Florida Statutes, is
13 amended to read:

14 101.65 Instructions to absent electors.--The
15 supervisor shall enclose with each absentee ballot separate
16 printed instructions in substantially the following form:

17

18 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT.

19 1. VERY IMPORTANT. In order to ensure that your
20 absentee ballot will be counted, it should be completed and
21 returned as soon as possible so that it can reach the
22 supervisor of elections of the county in which your precinct
23 is located no later than 8 7 p.m. Eastern Standard Time on the
24 day of the election.

25 2. Mark your ballot in secret as instructed on the
26 ballot. You must mark your own ballot unless you are unable to
27 do so because of blindness, disability, or inability to read
28 or write.

29 3. Place your marked ballot in the enclosed secrecy
30 envelope.

31

1 4. Insert the secrecy envelope into the enclosed
2 mailing envelope which is addressed to the supervisor.

3 5. Seal the mailing envelope and completely fill out
4 the Voter's Certificate on the back of the mailing envelope.

5 6. VERY IMPORTANT. In order for your absentee ballot
6 to be counted, you must sign your name on the line above
7 (Voter's Signature), place the last four digits of your Social
8 Security number in the space provided, and your ballot must be
9 witnessed in either of the following manners:

10 a. One witness, who is a registered voter in the
11 state, must affix his or her signature, printed name, address,
12 voter identification number, and county of registration on the
13 voter's certificate. Each witness is limited to witnessing
14 five ballots per election unless certified as an absentee
15 ballot coordinator. A candidate may not serve as an attesting
16 witness.

17 b. Any notary or other officer entitled to administer
18 oaths or any Florida supervisor of elections or deputy
19 supervisor of elections, other than a candidate, may serve as
20 an attesting witness.

21 7. Mail, deliver, or have delivered the completed
22 mailing envelope. Be sure there is sufficient postage if
23 mailed.

24 8. FELONY NOTICE. It is a felony under Florida law to
25 accept any gift, payment, or gratuity in exchange for your
26 vote for a candidate. It is also a felony under Florida law to
27 vote in an election using a false identity or false address,
28 or under any other circumstances making your ballot false or
29 fraudulent.

30 Section 6. Subsection (2) of section 101.67, Florida
31 Statutes, is amended to read:

1 101.67 Safekeeping of mailed ballots; deadline for
2 receiving absentee ballots.--

3 (2) All marked absent electors' ballots to be counted
4 must be received by the supervisor by 8 7 p.m. Eastern
5 Standard Time on the day of the election. All ballots
6 received thereafter shall be marked with the time and date of
7 receipt and filed in the supervisor's office.

8 Section 7. Section 101.111, Florida Statutes, is
9 amended to read:

10 101.111 Person desiring to vote may be challenged;
11 challenger to execute oath; oath of challenged elector;
12 determination of challenge.--

13 (1) When the right to vote of any person who desires
14 to vote is questioned by any election official, elector, or
15 watcher, the challenge shall be reduced to writing with an
16 oath as provided in this section, giving reasons for the
17 challenge, which shall be delivered to the clerk or inspector.
18 Any election official, elector, or authorized poll watcher
19 challenging an elector at an election shall execute the oath
20 set forth below:

21
22 OATH OF PERSON ENTERING CHALLENGE

23
24 State of Florida
25 County of

26
27 I do solemnly swear that my name is; that I am a member
28 of the party; that I am years old; that I was born
29 in the state of.... or the country of; that my residence
30 is on street, in the municipality of; and that I
31 have reason to believe that is attempting to vote

1 illegally and the reasons for my belief are set forth herein
2 to wit:
3
4

5 ... (Signature of person challenging voter) ...

6
7 Sworn and subscribed to before me this day of,
8 ...(year)....

9 ... (Clerk of election) ...

10
11 ~~(2) Before a challenged elector is permitted to vote~~
12 ~~by any officer or person in charge of admission to the polling~~
13 ~~place, the challenged elector's right to vote shall be~~
14 ~~determined in accordance with the provisions of subsection~~
15 ~~(3).~~ The clerk or inspector shall immediately deliver to the
16 challenged elector a copy of the oath of the person entering
17 the challenge and shall request the challenged elector to
18 execute the following affidavit:

19
20 OATH OF CHALLENGED VOTER

21
22 State of Florida
23 County of

24
25 I do solemnly swear that my name is; that I am a member
26 of the party; that I am years old; that I was born
27 in the state of or the country of; that my residence
28 is on street, in the municipality of, in this the
29 precinct of county; that I personally made
30 application for registration and signed my name and that I am
31 a qualified voter, and I am not registered to vote in any

1 other precinct other than the one in which I am presently
2 seeking to vote.

3 ...(Signature of voter)...

4
5 Sworn and subscribed to before me this day of,
6 ...(year)....

7 ...(Clerk of election or Inspector)...

8
9 Any inspector or clerk of election may administer the oath.

10 (3)(a) If the challenged person refuses to make and
11 sign the affidavit, the clerk or inspector shall refuse to
12 allow him or her to vote.

13 (b) If such person makes the affidavit, the inspectors
14 and clerk of election shall compare the information in the
15 affidavit with that entered on the registration books opposite
16 the person's name, and, upon such comparison of the
17 information and the person's signature and the taking of other
18 evidence which may then be offered, the clerk and inspectors
19 shall decide by a majority vote whether the challenged person
20 may vote. If the challenged person is unable to write or sign
21 his or her name, the clerk or inspector shall examine the
22 precinct register to ascertain whether the person registered
23 under the name of such person is represented to have signed
24 his or her name. If the person is so represented, then he or
25 she shall be denied permission to vote without further
26 examination; but, if not, then the clerk or one of the
27 inspectors shall place such person under oath and orally
28 examine him or her upon the subject matter contained in the
29 affidavit, and, if there is any doubt as to the identity of
30 such person, the clerk or inspector shall compare the person's
31 appearance with the description entered upon the precinct

1 register opposite the person's name. The clerk or inspector
2 shall then proceed as in other cases to determine whether the
3 challenged person may vote.

4 (c) If such person makes the affidavit and if, upon
5 investigation, the clerk and inspectors by majority vote
6 decide that the challenged elector may not vote, the
7 challenged elector shall be issued a provisional ballot, which
8 may be completed by the challenged elector. Upon completion of
9 the provisional ballot, it shall be sealed in a separate
10 envelope, which is to be signed by the challenged elector
11 under penalty of perjury stating his or her eligibility to
12 vote and on which the clerk or an inspector notes the reasons
13 for issuing the provisional ballot. The canvassing board shall
14 review the reasons for issuance of each provisional ballot,
15 including not only the reasons set forth by the clerk or
16 inspector but also any other information or evidence presented
17 to it, prior to making a determination of whether the
18 provisional ballot will be counted. If counted, the
19 provisional ballot shall be included in any certification or
20 amended certification of the election results.

21 Section 8. Section 98.481, Florida Statutes, is
22 amended to read:

23 98.481 Challenge to electors.--In any county using a
24 precinct register in lieu of registration books at the polls,
25 the right to vote of any person who desires to vote may be
26 challenged in accordance with the provisions of s. 101.111,
27 except that the clerk or inspector shall compare information
28 supplied by such person with that entered or described on the
29 precinct register opposite the elector's name.

30 Section 9. Subsection (4) of section 101.657, Florida
31 Statutes, is amended to read:

1 101.657 Voting absentee ballots in person.--
2 (4) Any elector may challenge an elector seeking to
3 cast an absentee ballot under the provisions of s. 101.111.
4 ~~Any challenged ballot must be placed in a regular absentee~~
5 ~~ballot envelope. The canvassing board shall review the ballot~~
6 ~~and decide the validity of the ballot by majority vote.~~
7 Section 10. Effective upon this act becoming a law,
8 section 101.005, Florida Statutes, is created to read:
9 101.005 Uniform statewide voting system and ballots.--
10 (1) Notwithstanding any other provision of law to the
11 contrary, there shall be a uniform statewide voting system,
12 beginning with the primary and general elections to be held in
13 2002. The uniform statewide voting system shall be a
14 marksense or optical scan voting system using precinct
15 tabulation certified by the department. Such system may be
16 updated for subsequent elections as needed.
17 (2) The ballots used by the uniform statewide voting
18 system shall be uniform, to the extent practicable, and must
19 be approved by the department prior to use in any election.
20 (3) The department may adopt rules pursuant to ss.
21 120.536(1) and 120.54 necessary to implement this section and
22 to specify both the standards for the uniform statewide voting
23 system, including those relating to software, hardware,
24 accuracy, and security, and the requirements for the ballots
25 used by such system, including those relating to the order and
26 manner of arrangement of the names of candidates and issues in
27 order to ensure consistency and those relating to the
28 placement of the voting squares in order to eliminate
29 confusion as to which name or issue a square belongs.
30 Section 11. The sum of \$40 million is appropriated
31 from the General Revenue Fund to the Department of State for

1 fiscal year 2001-2002, for distribution to the various
2 counties required by this act to acquire a new voting system,
3 to cover the costs of acquisition of such system.

4 Section 12. Subsection (7) is added to section
5 101.015, Florida Statutes, to read:

6 101.015 Standards for voting systems.--

7 (7) The Department of State shall not certify for use
8 in this state any voting system that uses punchcards, that is
9 a manual paper ballot or machine lever system, or that is a
10 marksense or optical scan system that uses central tabulation.

11 Section 13. Paragraph (c) of subsection (2) of section
12 97.021, Florida Statutes, is amended to read:

13 97.021 Definitions.--For the purposes of this code,
14 except where the context clearly indicates otherwise, the
15 term:

16 (2) "Ballot" or "official ballot" when used in
17 reference to:

18 (c) "Electronic or electromechanical devices" means a
19 ballot which is voted by the process of ~~punching~~ or marking
20 with a marking device for tabulation by automatic tabulating
21 equipment or data processing equipment.

22 Section 14. Subsections (5) and (8) of section
23 101.5603, Florida Statutes, are amended to read:

24 101.5603 Definitions relating to Electronic Voting
25 Systems Act.--As used in this act, the term:

26 (5) "Marking device" means ~~either an approved~~
27 ~~apparatus used for the piercing of ballots by the voter or any~~
28 approved device for marking a ballot with ink or other
29 substance which will enable the ballot to be tabulated by
30 means of automatic tabulating equipment.

31

1 (8) "Voting device" means ~~either an apparatus in which~~
2 ~~ballots are inserted and used in connection with a marking~~
3 ~~device for the piercing of ballots by the voter or an~~
4 apparatus by which votes are registered electronically.

5 Section 15. Subsection (10) of section 101.5606,
6 Florida Statutes, is amended to read:

7 101.5606 Requirements for approval of systems.--No
8 electronic or electromechanical voting system shall be
9 approved by the Department of State unless it is so
10 constructed that:

11 (10) It is capable of automatically producing precinct
12 totals in printed or ~~marked, or punched~~ form, or a
13 combination thereof.

14 Section 16. Subsection (7) of section 101.5614,
15 Florida Statutes, is amended to read:

16 101.5614 Canvass of returns.--

17 (7) Absentee ballots may be counted by automatic
18 tabulating equipment if they have been ~~punched or~~ marked in a
19 manner which will enable them to be properly counted by such
20 equipment.

21 Section 17. Section 101.6575, Florida Statutes, is
22 created to read:

23 101.6575 Early in-person absentee voting.--The office
24 of the supervisor of elections and each branch office must be
25 open from 9 a.m. until 5 p.m., using the customary time in
26 standard use in the locality, on the Saturday prior to any
27 statewide election or other election held in conjunction
28 therewith, for the purpose of permitting voters to cast their
29 ballots for that election on a day prior to the election that
30 is not a standard workday and that might, therefore, be more
31 convenient. Such voters shall be considered absentee voters

1 voting in person, and the ballots for such early voting shall
2 be absentee ballots prepared for that purpose and canvassed as
3 other absentee ballots voted in person are canvassed. The
4 division may adopt rules as necessary to carry out the
5 provisions of this section.

6 Section 18. Section 101.725, Florida Statutes, is
7 created to read:

8 101.725 Voter's Bill of Rights.--

9 (1) The supervisor of elections in each county shall
10 have posted at each polling place in the county a Voter's Bill
11 of Rights in the following form:

12 VOTER'S BILL OF RIGHTS

13 Each registered voter in this state has the right to:

- 14 1. Vote and have his or her vote accurately counted.
- 15 2. Cast a vote if he or she is in line when the polls
16 are closing.
- 17 3. Ask for and receive assistance in voting.
- 18 4. A replacement ballot if he or she has voted in
19 error.
- 20 5. An explanation if his or her registration is in
21 question.
- 22 6. If his or her registration is in question, cast a
23 provisional ballot.
- 24 7. Prove his or her identity by signing an affidavit
25 if election officials doubt the voter's identity.
- 26 8. Written instructions to use when voting, and, upon
27 request, oral instructions in voting from elections officers.
- 28 9. Vote free from coercion or intimidation by
29 elections officers or any other person.
- 30 10. Vote on a voting machine that is in working
31 condition and that will allow votes to be accurately cast.

1 (2) The supervisor of elections shall have the Voter's
2 Bill of Rights [printed in a large font and in English and,
3 where applicable, in Spanish and Creole] and make it available
4 at each polling place in the form of a handbill so that voters
5 may individually review their rights.

6 Section 19. Subsection (10) is added to section
7 102.012, Florida Statutes, to read:

8 102.012 Inspectors and clerks to conduct elections.--

9 (10) The division shall adopt rules creating minimum
10 standards for poll worker training and basic poll worker
11 skills to be provided by each supervisor of elections to
12 assist in training inspectors, clerks, and deputy sheriffs in
13 their duties and responsibilities as election officials.

14 Section 20. Subsection (1) of section 102.141, Florida
15 Statutes, is amended to read:

16 102.141 County canvassing board; duties.--

17 (1)(a) The county canvassing board shall be composed
18 of the supervisor of elections; a county court judge, who
19 shall act as chair; and the chair of the board of county
20 commissioners. In the event any member of the county
21 canvassing board is unable to serve, is a candidate who has
22 opposition in the election being canvassed, or is an active
23 participant in the campaign or candidacy of any candidate who
24 has opposition in the election being canvassed, such member
25 shall be replaced as follows:

26 1.(a) If no county court judge is able to serve or if
27 all are disqualified, the chief judge of the judicial circuit
28 in which the county is located shall appoint as a substitute
29 member a qualified elector of the county who is not a
30 candidate with opposition in the election being canvassed and
31 who is not an active participant in the campaign or candidacy

1 of any candidate with opposition in the election being
2 canvassed. In such event, the members of the county
3 canvassing board shall meet and elect a chair.

4 2.(b) If the supervisor of elections is unable to
5 serve or is disqualified, the chair of the board of county
6 commissioners shall appoint as a substitute member a member of
7 the board of county commissioners who is not a candidate with
8 opposition in the election being canvassed and who is not an
9 active participant in the campaign or candidacy of any
10 candidate with opposition in the election being canvassed.
11 The supervisor, however, shall act in an advisory capacity to
12 the canvassing board.

13 3.(c) If the chair of the board of county
14 commissioners is unable to serve or is disqualified, the board
15 of county commissioners shall appoint as a substitute member
16 one of its members who is not a candidate with opposition in
17 the election being canvassed and who is not an active
18 participant in the campaign or candidacy of any candidate with
19 opposition in the election being canvassed.

20 4.(d) If a substitute member cannot be appointed as
21 provided elsewhere in this paragraph subsection, the chief
22 judge of the judicial circuit in which the county is located
23 shall appoint as a substitute member a qualified elector of
24 the county who is not a candidate with opposition in the
25 election being canvassed and who is not an active participant
26 in the campaign or candidacy of any candidate with opposition
27 in the election being canvassed.

28 (b) For purposes of this subsection, a person shall be
29 considered an active participant in the campaign or candidacy
30 of a candidate who has opposition in the election being
31 canvassed if the person publicly supports or endorses such

1 candidate, campaigns for or on behalf of such candidate, or
2 makes a contribution to the campaign of such candidate.

3 Section 21. Paragraph (s) is added to subsection (2)
4 of section 233.061, Florida Statutes, to read:

5 233.061 Required instruction.--

6 (2) Members of the instructional staff of the public
7 schools, subject to the rules and regulations of the
8 commissioner, the state board, and the school board, shall
9 teach efficiently and faithfully, using the books and
10 materials required, following the prescribed courses of study,
11 and employing approved methods of instruction, the following:

12 (s) Voting instruction, including the use of county
13 voting machines.

14 Section 22. Section 233.0612, Florida Statutes, is
15 amended to read:

16 233.0612 Authorized instruction.--Each school district
17 may provide students with programs and instruction at the
18 appropriate grade levels in areas including, but not limited
19 to, the following:

20 (1) Character development, ethics, and law education.

21 (2) The objective study of the Bible and religion.

22 (3) Traffic education.

23 (4) Free enterprise and consumer education.

24 (5) Programs to encourage patriotism and greater
25 respect for country.

26 (6) Drug abuse resistance education.

27 (7) Comprehensive health education.

28 (8) Care of nursing home patients.

29 (9) Instruction in acquired immune deficiency
30 syndrome.

31

1 ~~(10) Voting instruction, including the use of county~~
2 ~~voting machines.~~

3 (10)~~(11)~~ Before-school and after-school programs.

4 Section 23. (1) There is created a task force to
5 examine the functions of the Division of Elections of the
6 Department of State and of the Secretary of State, as the
7 duties of such office and officer pertain to elections
8 administration, and to make recommendations to the Governor
9 and Legislature on how elections administration in the state
10 may be restructured to be administered by a nonpartisan,
11 independent Florida State Board of Elections. The Executive
12 Office of the Governor shall provide staff and funding for the
13 task force. The task force shall consist of 15 members
14 appointed by the Governor, seven of whom shall be electors
15 registered in the Republican Party, seven of whom shall be
16 electors registered in the Democratic Party, and one of whom
17 shall be affiliated with neither party. At least two of the
18 members shall be representatives from the offices of different
19 county supervisors of elections. Task force members must be
20 appointed by July 1, 2001.

21 (2) Each appointed member shall serve at the pleasure
22 of the Governor. A vacancy on the task force shall be filled
23 in the same manner as the original appointment.

24 (3) The task force shall elect a chair from among its
25 members.

26 (4) The task force shall hold its organizational
27 meeting by August 1, 2001, and thereafter shall meet as
28 necessary at the call of the chair at the time and place
29 designated by the chair. A quorum is necessary for the
30 purpose of conducting official business of the task force.
31 The task force shall use accepted rules of procedure to

1 conduct its meetings and shall keep a complete record of each
2 meeting.

3 (5) Members of the task force shall serve without
4 compensation but are entitled to reimbursement for per diem
5 and travel expenses incurred in the performance of their
6 duties as provided in s. 112.061, Florida Statutes.

7 (6) The task force shall examine the functions of
8 elections administration in the state and make recommendations
9 as to the powers and duties to be assumed by the board; the
10 number, method of appointment, and length of terms of members
11 of the board; the organizational structure of the board; and
12 any other consideration necessary to the creation of a
13 separate, nonpartisan, independent board of elections.

14 (7) The task force shall submit its recommendations in
15 a report to the Governor, the President of the Senate, and the
16 Speaker of the House of Representatives no later than February
17 1, 2002. The task force is abolished upon submission of the
18 report.

19 (8) This section shall take effect upon this act
20 becoming a law.

21 Section 24. Except as otherwise provided herein, this
22 act shall take effect January 1, 2002.
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HOUSE SUMMARY

Requires that the central voter file administered by the Division of Elections of the Department of State immediately reflect changes to information in the file and that such changes be immediately available statewide to users of the file.

Requires the division to adopt rules establishing standards for voter education and training programs to be provided by the supervisor of elections in each county. Provides annual appropriations therefor and requires annual reports thereon.

Places the opening and closing of the polls on Eastern Standard Time throughout the state, and extends the time the polls are open by 1 hour. Amends provisions of law relating to duties of the election board prior to opening the polls in precincts where voting machines are used, to instructions to absent electors, and to the deadline for receiving absentee ballots, respectively, to conform.

Authorizes election officials to challenge the right of any person to vote. Provides for issuance of provisional ballots to challenged voters under certain circumstances. Provides requirements for such ballots. Provides for review and canvassing of such ballots.

Provides for a uniform statewide voting system and ballots, beginning with the primary and general elections to be held in 2002, and requires the voting system to be a marksense or optical scan system with precinct tabulation. Provides rulemaking authority to the department to implement and adopt standards for the system, including ballot requirements. Provides an appropriation for the counties to purchase the new system.

Prohibits the certification for use in this state of any voting system that uses punchcards, that is a manual paper ballot or machine lever system, or that is a marksense or optical scan system that uses central tabulation.

Requires the office of the supervisor of elections and any branch office to be open on the Saturday prior to any statewide election or other election held in conjunction therewith, for the purpose of allowing early in-person absentee voting for that election.

Creates a Voter's Bill of Rights. Provides for display and distribution. Prescribes responsibilities of the

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1 supervisors of elections in making the Voter's Bill of
 2 Rights available to and viewable by the public.

3 Specifies what constitutes active participation in a
 4 campaign or candidacy in an election being canvassed for
 5 purposes of disqualification of a canvassing board
 6 member.

7 Requires the division to adopt rules establishing
 8 standards for poll worker training.

9 Makes voting instruction in the public schools a required
 10 rather than an optional element of the curriculum.

11 Creates a task force to study the establishment of an
 12 independent State Board of Elections. Provides for
 13 appointment of members and authorizes reimbursement for
 14 per diem and travel expenses incurred in official duties.
 15 Provides for staffing and funding by the Executive Office
 16 of the Governor. Provides for a report and termination of
 17 the task force upon submission of the report.

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