

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

Representative(s) Ryan offered the following:

Amendment (with title amendment)

Remove from the bill: Everything after the enacting clause
and insert in lieu thereof:

Section 1. Subsections (11) through (20) and (22) through (30) of section 97.021, Florida Statutes, are renumbered as subsections (12) through (21) and (24) through (32), respectively, present subsection (21) is renumbered as subsection (22) and amended, and new subsections (11) and (23) are added to said section, to read:

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

(11) "Error in the vote tabulation" means the failure of a vote tabulation system to count a vote for a candidate when the voter's intent is clearly ascertainable.

(21) "Primary election" means an election held preceding the general election for the purpose of nominating a party nominee to be voted for in the general election to fill

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1 a national, state, county, or district office. The ~~first~~
2 primary election is a nomination or elimination election ~~the~~
3 ~~second primary is a nominating election only.~~

4 (23) "Provisional ballot" means a ballot issued to a
5 voter by the election board at the polling place on election
6 day for one of the following reasons:

7 (a) The voter's name does not appear on the precinct
8 register and verification of the voter's eligibility cannot be
9 determined.

10 (b) There is an indication on the precinct register
11 that the voter has requested an absentee ballot and there is
12 no indication whether the voter has returned the absentee
13 ballot.

14 Section 2. Section 100.061, Florida Statutes, is
15 amended to read:

16 100.061 ~~First~~ Primary election.--In each year in which
17 a general election is held, a ~~first~~ primary election for
18 nomination of candidates of political parties shall be held on
19 the second Tuesday in September ~~9 weeks prior to the general~~
20 ~~election. The~~ Each candidate receiving the highest number ~~a~~
21 ~~majority~~ of the votes cast in each contest in the ~~first~~
22 primary election shall be declared nominated for such office.
23 If two or more persons receive an equal and highest number of
24 votes for the same office, such persons shall draw lots to
25 determine who shall receive the nomination.~~A second primary~~
26 ~~election shall be held as provided by s. 100.091 in every~~
27 ~~contest in which a candidate does not receive a majority.~~

28 Section 3. Sections 100.091 and 100.096, Florida
29 Statutes, are repealed.

30 Section 4. Section 10.1008, Florida Statutes, is
31 amended to read:

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1 10.1008 Applicability.--This joint resolution applies
2 with respect to the qualification, nomination, and election of
3 members of the Legislature in the primary ~~primaries~~ and
4 general elections ~~election~~ to be held in 1992 and thereafter.

5 Section 5. Subsection (1) of section 97.055, Florida
6 Statutes, is amended to read:

7 97.055 Registration books; when closed for an
8 election.--

9 (1) The registration books must be closed on the 29th
10 day before each election and must remain closed until after
11 that election. If an election is called and there are fewer
12 than 29 days before that election, the registration books must
13 be closed immediately. When the registration books are closed
14 for an election, voter registration and party changes must be
15 accepted but only for the purpose of subsequent elections.
16 ~~However, party changes received between the book-closing date~~
17 ~~of the first primary election and the date of the second~~
18 ~~primary election are not effective until after the second~~
19 ~~primary election.~~

20 Section 6. Subsection (3) of section 97.071, Florida
21 Statutes, is amended to read:

22 97.071 Registration identification card.--

23 (3) In the case of a change of name, address, or party
24 affiliation, the supervisor must issue the voter a new
25 registration identification card. ~~However, a registration~~
26 ~~identification card indicating a party affiliation change made~~
27 ~~between the book-closing date for the first primary election~~
28 ~~and the date of the second primary election may not be issued~~
29 ~~until after the second primary election.~~

30 Section 7. Subsection (3) of section 97.1031, Florida
31 Statutes, is amended to read:

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1 97.1031 Notice of change of residence within the same
2 county, change of name, or change of party.--

3 (3) When an elector seeks to change party affiliation,
4 the elector must provide a signed, written notification of
5 such intent to the supervisor and obtain a registration
6 identification card reflecting the new party affiliation,
7 ~~subject to the issuance restriction in s. 97.071(3).~~

8 Section 8. Subsection (1) of section 98.081, Florida
9 Statutes, is amended to read:

10 98.081 Names removed from registration books;
11 restrictions on reregistering; recordkeeping; restoration of
12 erroneously or illegally removed names.--

13 (1) Any person who requested that his or her name be
14 removed from the registration books between the book-closing
15 date of the first primary election and the date of the
16 subsequent general election ~~second primary~~ may not register in
17 a different political party during the period ~~until~~ after the
18 date of the ~~second~~ primary election and before the date of the
19 subsequent general election.

20 Section 9. Subsections (1), (2), and (8) of section
21 99.061, Florida Statutes, are amended to read:

22 99.061 Method of qualifying for nomination or election
23 to federal, state, county, or district office.--

24 (1) The provisions of any special act to the contrary
25 notwithstanding, each person seeking to qualify for nomination
26 or election to a federal, state, or multicounty district
27 office, other than election to a judicial office as defined in
28 chapter 105 or the office of school board member, shall file
29 his or her qualification papers with, and pay the qualifying
30 fee, which shall consist of the filing fee and election
31 assessment, and party assessment, if any has been levied, to,

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1 the Department of State, or qualify by the alternative method
2 with the Department of State, at any time after noon of the
3 1st day for qualifying, which shall be as follows: the 120th
4 day prior to the ~~first~~ primary election, but not later than
5 noon of the 116th day prior to the date of the ~~first~~ primary
6 election, for persons seeking to qualify for nomination or
7 election to federal office; and noon of the 50th day prior to
8 the ~~first~~ primary election, but not later than noon of the
9 46th day prior to the date of the ~~first~~ primary election, for
10 persons seeking to qualify for nomination or election to a
11 state or multicounty district office.

12 (2) The provisions of any special act to the contrary
13 notwithstanding, each person seeking to qualify for nomination
14 or election to a county office, or district or special
15 district office not covered by subsection (1), shall file his
16 or her qualification papers with, and pay the qualifying fee,
17 which shall consist of the filing fee and election assessment,
18 and party assessment, if any has been levied, to, the
19 supervisor of elections of the county, or shall qualify by the
20 alternative method with the supervisor of elections, at any
21 time after noon of the 1st day for qualifying, which shall be
22 the 50th day prior to the ~~first~~ primary election or special
23 district election, but not later than noon of the 46th day
24 prior to the date of the ~~first~~ primary election or special
25 district election. ~~When However, if~~ a special district
26 election is held at the same time as the ~~second primary or~~
27 general election, qualifying shall also be the 50th day prior
28 to the ~~first~~ primary election, but not later than noon of the
29 46th day prior to the date of the ~~first~~ primary election.
30 Within 30 days after the closing of qualifying time, the
31 supervisor of elections shall remit to the secretary of the

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1 state executive committee of the political party to which the
2 candidate belongs the amount of the filing fee, two-thirds of
3 which shall be used to promote the candidacy of candidates for
4 county offices and the candidacy of members of the
5 Legislature.

6 (8) Notwithstanding the qualifying period prescribed
7 by this section, in each year in which the Legislature
8 apportions the state, the qualifying period for persons
9 seeking to qualify for nomination or election to federal
10 office shall be between noon of the 57th day prior to the
11 ~~first~~ primary election, but not later than noon of the 53rd
12 day prior to the ~~first~~ primary election.

13 Section 10. Subsections (1), (2), and (4) of section
14 99.063, Florida Statutes, are amended to read:

15 99.063 Candidates for Governor and Lieutenant
16 Governor.--

17 (1) No later than 5 p.m. of the 9th ~~6th~~ day following
18 the ~~second~~ primary election, each candidate for Governor shall
19 designate a Lieutenant Governor as a running mate. Such
20 designation must be made in writing to the Department of
21 State.

22 (2) No later than 5 p.m. of the 9th ~~6th~~ day following
23 the ~~second~~ primary election, each designated candidate for
24 Lieutenant Governor shall file with the Department of State:

25 (a) The candidate's oath required by s. 99.021, which
26 must contain the name of the candidate as it is to appear on
27 the ballot; the office sought; and the signature of the
28 candidate, duly acknowledged.

29 (b) The loyalty oath required by s. 876.05, signed by
30 the candidate and duly acknowledged.

31 (c) If the office sought is partisan, the written

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1 statement of political party affiliation required by s.
2 99.021(1)(b).

3 (d) The full and public disclosure of financial
4 interests pursuant to s. 8, Art. II of the State Constitution.

5 (4) In order to have the name of the candidate for
6 Lieutenant Governor printed on the ~~first or second~~ primary
7 election ballot, a candidate for Governor participating in the
8 primary must designate the candidate for Lieutenant Governor,
9 and the designated candidate must qualify no later than the
10 end of the qualifying period specified in s. 99.061. If the
11 candidate for Lieutenant Governor has not been designated and
12 has not qualified by the end of the qualifying period
13 specified in s. 99.061, the phrase "Not Yet Designated" must
14 be included in lieu of the candidate's name on the primary
15 election ballot ~~ballots and on advance absentee ballots for~~
16 ~~the general election.~~

17 Section 11. Subsection (1) of section 99.095, Florida
18 Statutes, is amended to read:

19 99.095 Alternative method of qualifying.--

20 (1) A person seeking to qualify for nomination to any
21 office may qualify to have his or her name placed on the
22 ballot for the ~~first~~ primary election by means of the
23 petitioning process prescribed in this section. A person
24 qualifying by this alternative method shall not be required to
25 pay the qualifying fee or party assessment required by this
26 chapter. A person using this petitioning process shall file
27 an oath with the officer before whom the candidate would
28 qualify for the office stating that he or she intends to
29 qualify by this alternative method for the office sought. If
30 the person is running for an office which will be grouped on
31 the ballot with two or more similar offices to be filled at

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1 the same election, the candidate must indicate in his or her
2 oath for which group or district office he or she is running.
3 The oath shall be filed at any time after the first Tuesday
4 after the first Monday in January of the year in which the
5 ~~first~~ primary election is held, but prior to the 21st day
6 preceding the first day of the qualifying period for the
7 office sought. The Department of State shall prescribe the
8 form to be used in administering and filing such oath. No
9 signatures shall be obtained by a candidate on any nominating
10 petition until the candidate has filed the oath required in
11 this section. If the person is running for an office which
12 will be grouped on the ballot with two or more similar offices
13 to be filled at the same election and the petition does not
14 indicate the group or district office for which the person is
15 running, the signatures obtained on such petition will not be
16 counted.

17 Section 12. Section 99.103, Florida Statutes, is
18 amended to read:

19 99.103 Department of State to remit part of filing
20 fees and party assessments of candidates to state executive
21 committee.--

22 (1) If more than three-fourths of the full authorized
23 membership of the state executive committee of any party was
24 elected at the last previous election for such members and if
25 such party is declared by the Department of State to have
26 recorded on the registration books of the counties, as of the
27 first Tuesday after the first Monday in January prior to the
28 ~~first~~ primary election in general election years, 5 percent of
29 the total registration of such counties when added together,
30 such committee shall receive, for the purpose of meeting its
31 expenses, all filing fees collected by the Department of State

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1 from its candidates less an amount equal to 15 percent of the
2 filing fees, which amount the Department of State shall
3 deposit in the General Revenue Fund of the state.

4 (2) Not later than 20 days after the close of
5 qualifying in even-numbered years, the Department of State
6 shall remit 95 percent of all filing fees, less the amount
7 deposited in general revenue pursuant to subsection (1), or
8 party assessments that may have been collected by the
9 department to the respective state executive committees of the
10 parties complying with subsection (1). Party assessments
11 collected by the Department of State shall be remitted to the
12 appropriate state executive committee, irrespective of other
13 requirements of this section, provided such committee is duly
14 organized under the provisions of chapter 103. The remainder
15 of filing fees or party assessments collected by the
16 Department of State shall be remitted to the appropriate state
17 executive committees not later than the date of the ~~first~~
18 primary election.

19 Section 13. Subsection (2) of section 100.071, Florida
20 Statutes, is amended to read:

21 100.071 Grouping of candidates on primary election
22 ballot ballots.--

23 (2) Each nominee of a political party chosen in the
24 primary election ~~primaries~~ shall appear on the general
25 election ballot in the same numbered group or district as on
26 the primary election ballot.

27 Section 14. Section 100.081, Florida Statutes, is
28 amended to read:

29 100.081 ~~Conducting primary elections~~;Nomination of
30 county commissioners at primary election.--The primary
31 election ~~elections~~ shall provide for the nomination of county

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1 commissioners by the qualified electors of such county at the
2 time and place set for voting on other county officers.

3 Section 15. Paragraph (c) of subsection (1),
4 subsection (3), paragraph (a) of subsection (4), and
5 subsection (5) of section 100.111, Florida Statutes, are
6 amended to read:

7 100.111 Filling vacancy.--

8 (1)

9 (c) If such a vacancy occurs prior to the ~~first~~
10 primary election but on or after the first day set by law for
11 qualifying, the Secretary of State shall set dates for
12 qualifying for the unexpired portion of the term of such
13 office. Any person seeking nomination or election to the
14 unexpired portion of the term shall qualify within the time
15 set by the Secretary of State. If time does not permit party
16 nominations to be made in conjunction with the ~~first and~~
17 second primary election elections, the Governor may call a
18 special primary election, ~~and, if necessary, a second special~~
19 ~~primary election~~, to select party nominees for the unexpired
20 portion of such term.

21 (3) Whenever there is a vacancy for which a special
22 election is required pursuant to s. 100.101(1)-(4), the
23 Governor, after consultation with the Secretary of State,
24 shall fix the date of a special ~~first~~ primary election, ~~a~~
25 ~~special second primary election~~, and a special election.
26 Nominees of political parties other than minor political
27 parties shall be chosen under the primary laws of this state
28 in the special primary election elections to become candidates
29 in the special election. Prior to setting the special
30 election dates, the Governor shall consider any upcoming
31 elections in the jurisdiction where the special election will

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1 be held. The dates fixed by the Governor shall be specific
2 days certain and shall not be established by the happening of
3 a condition or stated in the alternative. The dates fixed
4 shall provide a minimum of 2 weeks between each election. In
5 the event a vacancy occurs in the office of state senator or
6 member of the House of Representatives when the Legislature is
7 in regular ~~legislative~~ session, the minimum times prescribed
8 by this subsection may be waived upon concurrence of the
9 Governor, the Speaker of the House of Representatives, and the
10 President of the Senate. If a vacancy occurs in the office of
11 state senator and no session of the Legislature is scheduled
12 to be held prior to the next general election, the Governor
13 may fix the dates for the any special primary election and for
14 the special election to coincide with the dates of the ~~first~~
15 ~~and second~~ primary election and the general election. If a
16 vacancy in office occurs in any district in the state Senate
17 or House of Representatives or in any congressional district,
18 and no session of the Legislature, or session of Congress if
19 the vacancy is in a congressional district, is scheduled to be
20 held during the unexpired portion of the term, the Governor is
21 not required to call a special election to fill such vacancy.

22 (a) The dates for candidates to qualify in such
23 special election or special primary election shall be fixed by
24 the Department of State, and candidates shall qualify not
25 later than noon of the last day so fixed. The dates fixed for
26 qualifying shall allow a minimum of 14 days between the last
27 day of qualifying and the special ~~first~~ primary election.

28 (b) The filing of campaign expense statements by
29 candidates in such special primary election ~~elections~~ or
30 special election ~~primaries~~ and by committees making
31 contributions or expenditures to influence the results of such

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1 special primary election primaries or special election
2 ~~elections~~ shall be not later than such dates as shall be fixed
3 by the Department of State, and in fixing such dates the
4 Department of State shall take into consideration and be
5 governed by the practical time limitations.

6 (c) The dates for a candidate to qualify by the
7 alternative method in such special primary election or special
8 election shall be fixed by the Department of State. In fixing
9 such dates the Department of State shall take into
10 consideration and be governed by the practical time
11 limitations. Any candidate seeking to qualify by the
12 alternative method in a special primary election shall obtain
13 25 percent of the signatures required by s. 99.095, s.
14 99.0955, or s. 99.096, as applicable.

15 (d) The qualifying fees and party assessments of such
16 candidates as may qualify shall be the same as collected for
17 the same office at the last previous primary for that office.
18 The party assessment shall be paid to the appropriate
19 executive committee of the political party to which the
20 candidate belongs.

21 (e) Each county canvassing board shall make as speedy
22 a return of the results ~~result~~ of such special primary
23 election elections and special election primaries as time will
24 permit, and the Elections Canvassing Commission likewise shall
25 make as speedy a canvass and declaration of the nominees as
26 time will permit.

27 (4)(a) In the event that death, resignation,
28 withdrawal, removal, or any other cause or event should cause
29 a party to have a vacancy in nomination which leaves no
30 candidate for an office from such party, the Governor shall,
31 after conferring with the Secretary of State, call a special

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1 primary election ~~and, if necessary, a second special primary~~
2 ~~election~~ to select for such office a nominee of such political
3 party. The dates on which candidates may qualify for such
4 special primary election shall be fixed by the Department of
5 State, and the candidates shall qualify no later than noon of
6 the last day so fixed. The filing of campaign expense
7 statements by candidates in a special primary election
8 ~~primaries~~ shall not be later than such dates as shall be fixed
9 by the Department of State. In fixing such dates, the
10 Department of State shall take into consideration and be
11 governed by the practical time limitations. The qualifying
12 fees and party assessment of such candidates as may qualify
13 shall be the same as collected for the same office at the last
14 previous primary for that office. Each county canvassing
15 board shall make as speedy a return of the results of such
16 special primary election ~~primaries~~ as time will permit, and
17 the Elections Canvassing Commission shall likewise make as
18 speedy a canvass and declaration of the nominees as time will
19 permit.

20 (5) In the event of unforeseeable circumstances not
21 contemplated in these general election laws concerning the
22 calling and holding of a special primary election ~~elections~~
23 and a special election ~~elections~~ resulting from court order or
24 other unpredictable circumstances, the Department of State
25 shall have the authority to provide for the conduct of orderly
26 elections.

27 Section 16. Subsection (2) of section 100.141, Florida
28 Statutes, is amended to read:

29 100.141 Notice of special election to fill any vacancy
30 in office or nomination.--

31 (2) The Department of State shall prepare a notice

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1 stating what offices and vacancies are to be filled in the
2 special election, the dates ~~date~~ set for the ~~each~~ special
3 primary election and the special election, the dates fixed for
4 qualifying for office, the dates fixed for qualifying by the
5 alternative method, and the dates fixed for filing campaign
6 expense statements.

7 Section 17. Subsection (6) of section 101.141, Florida
8 Statutes, is amended to read:

9 101.141 Specifications for primary election
10 ballot.--In counties in which voting machines are not used,
11 and in other counties for use as absentee ballots not designed
12 for tabulation by an electronic or electromechanical voting
13 system, the primary election ballot shall conform to the
14 following specifications:

15 (6) Should the above directions for complete
16 preparation of the ballot be insufficient, the Department of
17 State shall determine and prescribe any additional matter or
18 form. The Department of State shall, not less than 60 days
19 prior to the ~~first~~ primary election, mail to each supervisor
20 of elections the format of the ballot to be used for the
21 primary election.

22 Section 18. Subsection (1) of section 101.251, Florida
23 Statutes, is amended to read:

24 101.251 Information which supervisor of elections must
25 print on ballots.--

26 (1) The supervisor of elections of each county shall
27 print, on the general election ballots to be used in such
28 county, the names of candidates nominated by primary election
29 or special primary election ~~elections~~ or selected by the
30 appropriate executive committee of any political party.

31 Section 19. Subsection (2) of section 101.252, Florida

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1 Statutes, is amended to read:

2 101.252 Candidates entitled to have names printed on
3 certain ballots; exception.--

4 (2) Any candidate for party executive committee member
5 who has qualified as prescribed by law is entitled to have his
6 or her name printed on the ~~first~~ primary election ballot.
7 However, when there is only one candidate of any political
8 party qualified for such an office, the name of the candidate
9 shall not be printed on the ~~first~~ primary election ballot, and
10 such candidate shall be declared elected to the state or
11 county executive committee.

12 Section 20. Paragraph (a) of subsection (4) and
13 subsection (7) of section 101.62, Florida Statutes, are
14 amended to read:

15 101.62 Request for absentee ballots.--

16 (4)(a) To each absent qualified elector overseas who
17 has requested an absentee ballot, the supervisor of elections
18 shall, not fewer than 35 days before the ~~first~~ primary
19 election and not fewer than 45 days before the general
20 election, mail an absentee ballot. ~~Not fewer than 45 days~~
21 ~~before the second primary and general election, the supervisor~~
22 ~~of elections shall mail an advance absentee ballot to those~~
23 ~~persons requesting ballots for such elections. The advance~~
24 ~~absentee ballot for the second primary shall be the same as~~
25 ~~the first primary absentee ballot as to the names of~~
26 ~~candidates, except that for any offices where there are only~~
27 ~~two candidates, those offices and all political party~~
28 ~~executive committee offices shall be omitted. Except as~~
29 ~~provided in s. 99.063(4), the advance absentee ballot for the~~
30 ~~general election shall be as specified in s. 101.151, except~~
31 ~~that in the case of candidates of political parties where~~

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1 ~~nominations were not made in the first primary, the names of~~
2 ~~the candidates placing first and second in the first primary~~
3 ~~election shall be printed on the advance absentee ballot. The~~
4 ~~advance absentee ballot or advance absentee ballot information~~
5 ~~booklet shall be of a different color for each election and~~
6 ~~also a different color from the absentee ballots for the first~~
7 ~~primary, second primary, and general election. The supervisor~~
8 ~~shall mail an advance absentee ballot for the second primary~~
9 ~~and general election to each qualified absent elector for whom~~
10 ~~a request is received until the absentee ballots are printed.~~
11 ~~The supervisor shall enclose with the advance second primary~~
12 ~~absentee ballot and advance general election absentee ballot~~
13 ~~an explanation stating that the absentee ballot for the~~
14 ~~election will be mailed as soon as it is printed; and, if both~~
15 ~~the advance absentee ballot and the absentee ballot for the~~
16 ~~election are returned in time to be counted, only the absentee~~
17 ~~ballot will be counted.~~

18 (7)(a) For the purposes of this section, "absent
19 qualified elector overseas" means:

20 (a)1. Members of the Armed Forces while in the active
21 service who are permanent residents of the state and are
22 temporarily residing outside the territorial limits of the
23 United States and the District of Columbia;

24 (b)2. Members of the Merchant Marine of the United
25 States who are permanent residents of the state and are
26 temporarily residing outside the territorial limits of the
27 United States and the District of Columbia; and

28 (c)3. Other citizens of the United States who are
29 permanent residents of the state and are temporarily residing
30 outside the territorial limits of the United States and the
31 District of Columbia,

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who are qualified and registered as provided by law.

(8)~~(b)~~ Notwithstanding any other provision of law to the contrary, there shall appear on the ballots sent to absent qualified electors overseas, in addition to the names of the candidates for each office, the political party affiliation of each candidate for each office, other than a nonpartisan office.

~~(c) With respect to marked ballots mailed by absent qualified electors overseas, only those ballots mailed with an APO, FPO, or foreign postmark shall be considered valid.~~

Section 21. Subsection (8) of section 102.012, Florida Statutes, is amended to read:

102.012 Inspectors and clerks to conduct elections.--
(8) The supervisor of elections shall conduct training for inspectors, clerks, and deputy sheriffs prior to each ~~first~~ primary, general, and special election for the purpose of instructing such persons in their duties and responsibilities as election officials. A certificate may be issued by the supervisor of elections to each person completing such training. No person shall serve as an inspector, clerk, or deputy sheriff for an election unless such person has completed the training as required. A person who has attended previous training conducted within 2 years of the election may be appointed by the supervisor to fill a vacancy on election day. If no person with prior training is available to fill such vacancy, the supervisor of elections may fill such vacancy in accordance with the provisions of subsection (9) from among persons who have not received the training required by this section.

Section 22. Subsection (3) and paragraph (b) of

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1 subsection (4) of section 103.021, Florida Statutes, are
2 amended to read:

3 103.021 Nomination for presidential
4 electors.--Candidates for presidential electors shall be
5 nominated in the following manner:

6 (3) Candidates for President and Vice President with
7 no party affiliation may have their names printed on the
8 general election ballots if a petition is signed by 1 percent
9 of the registered electors of this state, as shown by the
10 compilation by the Department of State for the last preceding
11 general election. A separate petition from each county for
12 which signatures are solicited shall be submitted to the
13 supervisor of elections of the respective county no later than
14 July 15 of each presidential election year. The supervisor
15 shall check the names and, on or before the date of the ~~first~~
16 primary election, shall certify the number shown as registered
17 electors of the county. The supervisor shall be paid by the
18 person requesting the certification the cost of checking the
19 petitions as prescribed in s. 99.097. The supervisor shall
20 then forward the certificate to the Department of State which
21 shall determine whether or not the percentage factor required
22 in this section has been met. When the percentage factor
23 required in this section has been met, the Department of State
24 shall order the names of the candidates for whom the petition
25 was circulated to be included on the ballot and shall permit
26 the required number of persons to be certified as electors in
27 the same manner as party candidates.

28 (4)

29 (b) A minor party that is not affiliated with a
30 national party holding a national convention to nominate
31 candidates for President and Vice President of the United

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1 States may have the names of its candidates for President and
2 Vice President printed on the general election ballot if a
3 petition is signed by 1 percent of the registered electors of
4 this state, as shown by the compilation by the Department of
5 State for the preceding general election. A separate petition
6 from each county for which signatures are solicited shall be
7 submitted to the supervisors of elections of the respective
8 county no later than July 15 of each presidential election
9 year. The supervisor shall check the names and, on or before
10 the date of the ~~first~~ primary election, shall certify the
11 number shown as registered electors of the county. The
12 supervisor shall be paid by the person requesting the
13 certification the cost of checking the petitions as prescribed
14 in s. 99.097. The supervisor shall then forward the
15 certificate to the Department of State, which shall determine
16 whether or not the percentage factor required in this section
17 has been met. When the percentage factor required in this
18 section has been met, the Department of State shall order the
19 names of the candidates for whom the petition was circulated
20 to be included on the ballot and shall permit the required
21 number of persons to be certified as electors in the same
22 manner as other party candidates.

23 Section 23. Section 103.022, Florida Statutes, is
24 amended to read:

25 103.022 Write-in candidates for President and Vice
26 President.--Persons seeking to qualify for election as
27 write-in candidates for President and Vice President of the
28 United States may have a blank space provided on the general
29 election ballot for their names to be written in by filing an
30 oath with the Department of State at any time after the 57th
31 day, but before noon of the 49th day, prior to the date of the

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1 ~~first~~ primary election in the year in which a presidential
2 election is held. The Department of State shall prescribe the
3 form to be used in administering the oath. The candidates
4 shall file with the department a certificate naming the
5 required number of persons to serve as electors. Such
6 write-in candidates shall not be entitled to have their names
7 on the ballot.

8 Section 24. Subsection (4) of section 103.091, Florida
9 Statutes, is amended to read:

10 103.091 Political parties.--

11 (4) Any political party other than a minor political
12 party may by rule provide for the membership of its state or
13 county executive committee to be elected for 4-year terms at
14 the ~~first~~ primary election in each year a presidential
15 election is held. The terms shall commence on the first day
16 of the month following each presidential general election; but
17 the names of candidates for political party offices shall not
18 be placed on the ballot at any other election. The results of
19 such election shall be determined by a plurality of the votes
20 cast. In such event, electors seeking to qualify for such
21 office shall do so with the Department of State or supervisor
22 of elections not earlier than noon of the 57th day, or later
23 than noon of the 53rd day, preceding the ~~first~~ primary
24 election. The outgoing chair of each county executive
25 committee shall, within 30 days after the committee members
26 take office, hold an organizational meeting of all newly
27 elected members for the purpose of electing officers. The
28 chair of each state executive committee shall, within 60 days
29 after the committee members take office, hold an
30 organizational meeting of all newly elected members for the
31 purpose of electing officers.

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1 Section 25. Subsection (1) of section 105.031, Florida
2 Statutes, is amended to read:

3 105.031 Qualification; filing fee; candidate's oath;
4 items required to be filed.--

5 (1) TIME OF QUALIFYING.--Except for candidates for
6 judicial office, nonpartisan candidates for multicounty office
7 shall qualify with the Division of Elections of the Department
8 of State and nonpartisan candidates for countywide or less
9 than countywide office shall qualify with the supervisor of
10 elections. Candidates for judicial office other than the
11 office of county court judge shall qualify with the Division
12 of Elections of the Department of State, and candidates for
13 the office of county court judge shall qualify with the
14 supervisor of elections of the county. Candidates shall
15 qualify no earlier than noon of the 50th day, and no later
16 than noon of the 46th day, before the ~~first~~ primary election.
17 Filing shall be on forms provided for that purpose by the
18 Division of Elections and furnished by the appropriate
19 qualifying officer. Any person seeking to qualify by the
20 alternative method, as set forth in s. 105.035, if the person
21 has submitted the necessary petitions by the required deadline
22 and is notified after the fifth day prior to the last day for
23 qualifying that the required number of signatures has been
24 obtained, shall be entitled to subscribe to the candidate's
25 oath and file the qualifying papers at any time within 5 days
26 from the date he or she is notified that the necessary number
27 of signatures has been obtained. Any person other than a
28 write-in candidate who qualifies within the time prescribed in
29 this subsection shall be entitled to have his or her name
30 printed on the ballot.

31 Section 26. Subsection (1) and paragraph (b) of

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1 subsection (2) of section 105.041, Florida Statutes, are
2 amended to read:

3 105.041 Form of ballot.--

4 (1) BALLOTS.--The names of candidates for judicial
5 office and candidates for the office of school board member
6 which appear on the ballot at the ~~first~~ primary election shall
7 either be grouped together on a separate portion of the ballot
8 or on a separate ballot. The names of candidates for election
9 to judicial office and candidates for the office of school
10 board member which appear on the ballot at the general
11 election and the names of justices and judges seeking
12 retention to office shall be grouped together on a separate
13 portion of the general election ballot.

14 (2) LISTING OF CANDIDATES.--

15 (b)1. The names of candidates for the office of
16 circuit judge shall be listed on the ~~first~~ primary election
17 ballot in the order determined by lot conducted by the
18 director of the Division of Elections of the Department of
19 State after the close of the qualifying period.

20 2. Candidates who have secured a position on the
21 general election ballot, after having survived elimination at
22 the ~~first~~ primary election, shall have their names listed in
23 the same order as on the ~~first~~ primary election ballot,
24 notwithstanding the elimination of any intervening names as a
25 result of the ~~first~~ primary election.

26 Section 27. Paragraph (b) of subsection (1) of section
27 105.051, Florida Statutes, is amended to read:

28 105.051 Determination of election or retention to
29 office.--

30 (1) ELECTION.--In circuits and counties holding
31 elections:

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1 (b) If two or more candidates, neither of whom is a
2 write-in candidate, qualify for such an office, the names of
3 those candidates shall be placed on the ballot at the ~~first~~
4 primary election. If any candidate for such office receives a
5 majority of the votes cast for such office in the ~~first~~
6 primary election, the name of the candidate who receives such
7 majority shall not appear on any other ballot unless a
8 write-in candidate has qualified for such office. An
9 unopposed candidate shall be deemed to have voted for himself
10 or herself at the general election. If no candidate for such
11 office receives a majority of the votes cast for such office
12 in the ~~first~~ primary election, the names of the two candidates
13 receiving the highest number of votes for such office shall be
14 placed on the general election ballot. If more than two
15 candidates receive an equal and highest number of votes, the
16 name of each candidate receiving an equal and highest number
17 of votes shall be placed on the general election ballot. In
18 any contest in which there is a tie for second place and the
19 candidate placing first did not receive a majority of the
20 votes cast for such office, the name of the candidate placing
21 first and the name of each candidate tying for second shall be
22 placed on the general election ballot.

23 Section 28. Paragraphs (a) and (b) of subsection (1)
24 of section 106.07, Florida Statutes, are amended to read:

25 106.07 Reports; certification and filing.--

26 (1) Each campaign treasurer designated by a candidate
27 or political committee pursuant to s. 106.021 shall file
28 regular reports of all contributions received, and all
29 expenditures made, by or on behalf of such candidate or
30 political committee. Reports shall be filed on the 10th day
31 following the end of each calendar quarter from the time the

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1 campaign treasurer is appointed, except that, if the 10th day
2 following the end of a calendar quarter occurs on a Saturday,
3 Sunday, or legal holiday, the report shall be filed on the
4 next following day which is not a Saturday, Sunday, or legal
5 holiday. Quarterly reports shall include all contributions
6 received and expenditures made during the calendar quarter
7 which have not otherwise been reported pursuant to this
8 section.

9 (a) Except as provided in paragraph (b), following the
10 last day of qualifying for office, the reports shall be filed
11 on the 32nd, 18th, and 4th days immediately preceding the
12 ~~first~~ primary election and on the 18th and 4th days
13 immediately preceding the ~~second primary and~~ general election,
14 for a candidate who is opposed in seeking nomination or
15 election to any office, for a political committee, or for a
16 committee of continuous existence.

17 (b) Following the last day of qualifying for office,
18 any statewide candidate who has requested to receive
19 contributions from the Election Campaign Financing Trust Fund
20 or any statewide candidate in a race with a candidate who has
21 requested to receive contributions from the trust fund shall
22 file reports on the 4th, 11th, 18th, 25th, and 32nd days prior
23 to the ~~first~~ primary and general elections, ~~and on the 4th,~~
24 ~~11th, 18th, and 25th days prior to the second primary.~~

25 Section 29. Subsection (1) of section 106.08, Florida
26 Statutes, is amended to read:

27 106.08 Contributions; limitations on.--

28 (1)(a) Except for political parties, no person,
29 political committee, or committee of continuous existence may,
30 in any election, make contributions in excess of ~~\$750~~\$500 to
31 any candidate for election to or retention in office or to any

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1 political committee supporting or opposing one or more
2 candidates. Candidates for the offices of Governor and
3 Lieutenant Governor on the same ticket are considered a single
4 candidate for the purpose of this section.

5 (b)1. The contribution limits provided in this
6 subsection do not apply to contributions made by a state or
7 county executive committee of a political party regulated by
8 chapter 103 or to amounts contributed by a candidate to his or
9 her own campaign.

10 2. Notwithstanding the limits provided in this
11 subsection, an unemancipated child under the age of 18 years
12 of age may not make a contribution in excess of \$100 to any
13 candidate or to any political committee supporting one or more
14 candidates.

15 (c) The contribution limits of this subsection apply
16 to each election. For purposes of this subsection, the ~~first~~
17 ~~primary election, second primary, and the~~ general election are
18 separate elections so long as the candidate is not an
19 unopposed candidate as defined in s. 106.011(15). However,
20 for the purpose of contribution limits with respect to
21 candidates for retention as a justice or judge, there is only
22 one election, which is the general election. ~~With respect to~~
23 ~~candidates in a circuit holding an election for circuit judge~~
24 ~~or in a county holding an election for county court judge,~~
25 ~~there are only two elections, which are the first primary~~
26 ~~election and general election.~~

27 Section 30. Subsection (1) of section 106.29, Florida
28 Statutes, is amended to read:

29 106.29 Reports by political parties; restrictions on
30 contributions and expenditures; penalties.--

31 (1) The state executive committee and each county

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1 executive committee of each political party regulated by
2 chapter 103 shall file regular reports of all contributions
3 received and all expenditures made by such committee. Such
4 reports shall contain the same information as do reports
5 required of candidates by s. 106.07 and shall be filed on the
6 10th day following the end of each calendar quarter, except
7 that, during the period from the last day for candidate
8 qualifying until the general election, such reports shall be
9 filed on the Friday immediately preceding both the ~~first~~
10 ~~primary election, the second primary election,~~ and the general
11 election. Each state executive committee shall file the
12 original and one copy of its reports with the Division of
13 Elections. Each county executive committee shall file its
14 reports with the supervisor of elections in the county in
15 which such committee exists. Any state or county executive
16 committee failing to file a report on the designated due date
17 shall be subject to a fine as provided in subsection (3). No
18 separate fine shall be assessed for failure to file a copy of
19 any report required by this section.

20 Section 31. Section 98.0977, Florida Statutes, is
21 created to read:

22 98.0977 Statewide voter registration database.--
23 (1) The department shall develop a statewide voter
24 registration database, which shall contain voter registration
25 information from every supervisor of elections in this state
26 and shall be accessible through an Internet web site.
27 Accordingly, the department may contract for the analysis,
28 design, development, operation, and maintenance of a
29 statewide, on-line voter registration database and associated
30 Internet web site. The database system adopted must provide
31 functionality for ensuring that the database is updated on a

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1 daily basis to determine if a registered voter is ineligible
2 to vote for any of the following reasons, including, but not
3 limited to:

4 (a) The voter is deceased;

5 (b) The voter has been convicted of a felony and has
6 not had his or her civil rights restored; or

7 (c) The voter has been adjudicated mentally
8 incompetent and his or her mental capacity with respect to
9 voting has not been restored.

10

11 The database shall also allow for duplicate voter
12 registrations to be identified.

13 (2) In administering the database, each supervisor of
14 elections shall compare registration information provided by a
15 voter with information held by the Department of Law
16 Enforcement, the Board of Executive Clemency, and the Office
17 of Vital Statistics. If the supervisor of elections finds
18 information that suggests that a voter is ineligible to
19 register to vote, the supervisor of elections shall notify the
20 voter by certified United States mail. The notification shall
21 contain a statement as to the reason for the voter's potential
22 ineligibility to register to vote and shall request
23 information from the voter on forms provided by the supervisor
24 of elections in order to make a final determination on the
25 voter's eligibility. After reviewing the information
26 requested by the supervisor of elections and provided by the
27 voter, if the supervisor of elections determines that the
28 voter is not eligible to vote under the laws of this state,
29 the supervisor of elections shall notify the voter by
30 certified United States mail that he or she has been found
31 ineligible to register to vote in this state, shall state the

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1 reason for the ineligibility, and shall inform the voter that
2 he or she will be removed from the voter registration rolls.

3 (3) To the maximum extent feasible, state and local
4 governmental agencies shall facilitate provision of
5 information and access to data to the department and the
6 supervisors of elections in order to compare information in
7 the statewide voter registration database with available
8 information in other computer databases, including, but not
9 limited to, databases that contain reliable criminal records
10 and records of deceased persons. State and local governmental
11 agencies that provide such data shall do so without charge if
12 the direct cost incurred by those agencies is not significant.

13 (4) The Division of Elections shall provide written
14 quarterly progress reports on each phase of development of the
15 voter registration database to the President of the Senate and
16 the Speaker of the House of Representatives beginning July 1,
17 2001, and continuing until the database is fully implemented.

18 (5) Any supervisor of elections who willfully refuses
19 or willfully neglects to perform his or her duties under this
20 section shall be in violation of s. 104.051(2).

21 Section 32. (1) The statewide voter registration
22 database, created pursuant to s. 98.0977, Florida Statutes, by
23 this act, shall be operational by June 1, 2002.

24 (2) Funding for the design and implementation of the
25 statewide voter registration database shall be as provided for
26 in the General Appropriations Act.

27 Section 33. Section 98.0979, Florida Statutes, is
28 created to read:

29 98.0979 Statewide voter registration database open to
30 inspection; copies.--

31 (1)(a) The voter registration information of the state

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1 constitutes public records. Any citizen shall be allowed to
2 examine the voter registration records, but may not make any
3 copies or extract therefrom except as provided by this
4 section.
5 (b) Within 15 days after a request for voter
6 registration information, the division or supervisor of
7 elections shall furnish any requested information, excluding
8 only a voter's signature, social security number, and such
9 other information that is by statute specifically made
10 confidential or is exempt from public records requirements.
11 (c) Actual costs of duplication of information
12 authorized by this section for release to the public shall be
13 charged in accordance with the provisions of s. 119.07.
14 (2) The information provided by the division or
15 supervisor of elections pursuant to this section shall be
16 furnished only to:
17 (a) Municipalities;
18 (b) Other governmental agencies;
19 (c) Political candidates, for the purpose of
20 furthering their candidacies;
21 (d) Registered political committees, certified
22 committees of continuous existence, and political parties or
23 officials thereof, for political purposes only; and
24 (e) Incumbent officeholders, for the purpose of
25 reporting to their constituents.
26 (3) Such information shall not be used for commercial
27 purposes. No person to whom a list of registered voters is
28 made available pursuant to this section, and no person who
29 acquires such a list, shall use any information contained
30 therein for purposes which are not related to elections,
31 political or governmental activities, voter registration, or

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1 law enforcement.

2 (4) Any person who acquires a list of registered
3 voters from the division or supervisor of elections shall take
4 and subscribe to an oath which shall be in substantially the
5 following form:

6
7 I hereby swear (or affirm) that I am a person
8 authorized by s. 98.0979, Florida Statutes, to acquire
9 information on the registered voters of Florida; that the
10 information acquired will be used only for the purposes
11 prescribed in that section and for no other purpose; and that
12 I will not permit the use or copying of such information by
13 persons not authorized by the Election Code of the State of
14 Florida.

15
16 ...(Signature of person acquiring list)...

17
18 Sworn and subscribed before me this day of,
19 ...(year)....

20 ...(Name of person providing list)...

21 Section 34. Section 101.048, Florida Statutes, is
22 created to read:

23 101.048 Provisional ballots.--

24 (1) At all elections, a voter claiming to be properly
25 registered in the county and eligible to vote in the election,
26 but whose eligibility cannot be determined, shall be entitled
27 to vote a provisional ballot. Once voted, the provisional
28 ballot shall be placed in a secrecy envelope and thereafter
29 sealed in a provisional ballot envelope. The provisional
30 ballot shall be deposited in a ballot box. All provisional
31 ballots shall remain sealed in their envelopes for return to

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1 the supervisor of elections.

2 (2)(a) The county canvassing board shall examine each
3 provisional ballot to determine if the person voting that
4 ballot was entitled to vote in the election and that the
5 person had not already cast a ballot in the election.

6 (b)1. If it is determined that the person was
7 registered and entitled to vote, the canvassing board shall
8 compare the signature on the provisional ballot envelope with
9 the signature on the voter's registration and, if it matches,
10 shall count the ballot.

11 2. If it is determined that the person voting the
12 provisional ballot was not registered or entitled to vote, the
13 provisional ballot shall not be counted and the ballot shall
14 remain in the envelope containing the Provisional Ballot
15 Voter's Certificate and the envelope marked "Rejected as
16 Illegal."

17 (3) The Provisional Ballot Voter's Certificate shall
18 be in substantially the following form:

19
20 STATE OF FLORIDA
21 COUNTY OF
22

23 I do solemnly swear (or affirm) that my name is;
24 that my date of birth is; that I am registered to vote
25 and at the time I registered I resided at, in the
26 municipality of, in County, Florida; that I am a
27 qualified voter of the county and have not voted in this
28 election.

29 ...(Signature of Voter)...
30 ...(Current Address)...
31

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1 Sworn to and subscribed before me this day of,
2 ...(year)....
3 ...(Clerk or Inspector of Election)...

4
5 Additional information may be provided to further assist the
6 supervisor of elections in determining eligibility. If known,
7 please provide the place and date that you registered to vote.

8
9 (4) In counties where the voting system does not
10 utilize a paper ballot, the supervisor of elections shall
11 provide the appropriate provisional ballots to each polling
12 place.

13 Section 35. Subsections (2) and (3) of section
14 101.045, Florida Statutes, are amended to read:

15 101.045 Electors must be registered in precinct;
16 provisions for residence or name change.--

17 (2)(a) An elector who moves from the precinct within
18 the county in which the elector is registered may be permitted
19 to vote in the precinct to which he or she has moved his or
20 her legal residence, provided such elector completes an
21 affirmation in substantially the following form:

22
23 Change of Legal Residence of Registered
24 Voter

25
26 Under penalties for false swearing, I, ...(Name of voter)...,
27 swear (or affirm) that the former address of my legal
28 residence was ...(Address of legal residence)... in the
29 municipality of, in County, Florida, and I was
30 registered to vote in the precinct of County,
31 Florida; that I have not voted in the precinct of my former

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1 registration in this election; that I now reside at
 2 ...(Address of legal residence)... in the Municipality of
 3, in County, Florida, and am therefore eligible to
 4 vote in the precinct of County, Florida; and I
 5 further swear (or affirm) that I am otherwise legally
 6 registered and entitled to vote.

7
 8 ...(Signature of voter whose address of legal residence has
 9 changed)...

10

11 (b) An elector whose name changes because of marriage
 12 or other legal process may be permitted to vote, provided such
 13 elector completes an affirmation in substantially the
 14 following form:

15

Change of Name of Registered
 Voter

16

17

18
 19 Under penalties for false swearing, I, ...(New name of
 20 voter)..., swear (or affirm) that my name has been changed
 21 because of marriage or other legal process. My former name and
 22 address of legal residence appear on the registration books of
 23 precinct as follows:

24 Name.....

25 Address.....

26 Municipality.....

27 County.....

28 Florida, Zip.....

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

30 Name.....

31 Address.....

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1 Municipality.....

2 County.....

3 Florida, Zip.....

4 and I further swear (or affirm) that I am otherwise legally
5 registered and entitled to vote.

6

7 ...(Signature of voter whose name has changed)...

8

9 (c) Such affirmation, when completed and presented at
10 the precinct in which such elector is entitled to vote, and
11 upon verification of the elector's registration, shall entitle
12 such elector to vote as provided in this subsection. If the
13 elector's eligibility to vote cannot be determined, he or she
14 shall be entitled to vote a provisional ballot subject to the
15 requirements and procedures in s. 101.048. Upon receipt of an
16 affirmation certifying a change in address of legal residence
17 or name, the supervisor shall as soon as practicable make the
18 necessary changes in the registration records of the county to
19 indicate the change in address of legal residence or name of
20 such elector.

21 (d) Instead of the affirmation contained in paragraph
22 (a) or paragraph (b), an elector may complete a voter
23 registration application that indicates the change of name or
24 change of address of legal residence.

25 (e) A request for an absentee ballot pursuant to s.
26 101.62 which indicates that the elector has had a change of
27 address of legal residence from that in the supervisor's
28 records shall be sufficient as the notice to the supervisor of
29 change of address of legal residence required by this section.
30 Upon receipt of such request for an absentee ballot from an
31 elector who has changed his or her address of legal residence,

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1 the supervisor shall provide the elector with the proper
2 ballot for the precinct in which the elector then has his or
3 her legal residence.

4 (3) When an elector's name does not appear on the
5 registration books of the election precinct in which the
6 elector is registered ~~and when the elector cannot present a~~
7 ~~valid registration identification card~~, the elector may have
8 his or her name restored if the supervisor is otherwise
9 satisfied that the elector is validly registered, that the
10 elector's name has been erroneously omitted from the books,
11 and that the elector is entitled to have his or her name
12 restored. The supervisor, if he or she is satisfied as to the
13 elector's previous registration, shall allow such person to
14 vote and shall thereafter issue a duplicate registration
15 identification card.

16 Section 36. Subsections (1), (2), and (8) of section
17 101.5614, Florida Statutes, are amended, and subsection (9) is
18 added to said section, to read:

19 101.5614 Canvass of returns.--

20 (1)(a) In precincts in which an electronic or
21 electromechanical voting system is used, as soon as the polls
22 are closed, the election board shall secure the voting devices
23 against further voting. The election board shall thereafter
24 open the ballot box in the presence of members of the public
25 desiring to witness the proceedings and count the number of
26 voted ballots, unused ballots, provisional ballots, and
27 spoiled ballots to ascertain whether such number corresponds
28 with the number of ballots issued by the supervisor. If there
29 is a difference, this fact shall be reported in writing to the
30 county canvassing board with the reasons therefor if known.
31 The total number of voted ballots shall be entered on the

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1 forms provided. The proceedings of the election board at the
2 precinct after the polls have closed shall be open to the
3 public; however, no person except a member of the election
4 board shall touch any ballot or ballot container or interfere
5 with or obstruct the orderly count of the ballots.

6 (b) In lieu of opening the ballot box at the precinct,
7 the supervisor may direct the election board to keep the
8 ballot box sealed and deliver it to a central or regional
9 counting location. In this case, the election board shall
10 count the stubs removed from the ballots to determine the
11 number of voted ballots.

12 (2)(a) If the ballots are to be tallied at a central
13 location or at no more than three regional locations, the
14 election board shall place all ballots that have been cast and
15 the unused, void, provisional, and defective ballots in the
16 container or containers provided for this purpose, which shall
17 be sealed and delivered forthwith to the central or regional
18 counting location or other designated location by two
19 inspectors who shall not, whenever possible, be of the same
20 political party. The election board shall certify that the
21 ballots were placed in such container or containers and each
22 container was sealed in its presence and under its
23 supervision, and it shall further certify to the number of
24 ballots of each type placed in the container or containers.

25 (b) If ballots are to be counted at the precincts,
26 such ballots shall be counted pursuant to rules adopted by the
27 Department of State, which rules shall provide safeguards
28 which conform as nearly as practicable to the safeguards
29 provided in the procedures for the counting of votes at a
30 central location.

31 (8) The return printed by the automatic tabulating

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1 equipment, to which has been added the return of write-in,
2 absentee, and manually counted votes and votes from
3 provisional ballots, shall constitute the official return of
4 the election. Upon completion of the count, the returns shall
5 be open to the public. A copy of the returns may be posted at
6 the central counting place or at the office of the supervisor
7 of elections in lieu of the posting of returns at individual
8 precincts.

9 (9) Any supervisor of elections, deputy supervisor of
10 elections, canvassing board member, election board member, or
11 election employee who releases the results of any election
12 prior to the closing of the polls on election day commits a
13 felony of the third degree, punishable as provided in s.
14 775.082, s. 775.083, or s. 775.084.

15 Section 37. Paragraph (a) of subsection (2) of section
16 101.68, Florida Statutes, is amended to read:

17 101.68 Canvassing of absentee ballot.--

18 (2)(a) The county canvassing board may begin the
19 canvassing of absentee ballots at 7 a.m. on the fourth day
20 before the election, but not later than noon on the day
21 following the election. In addition, for any county using
22 electronic tabulating equipment, the processing of absentee
23 ballots through such tabulating equipment may begin at 7 a.m.
24 on the fourth day before the election ~~upon the opening of the~~
25 ~~polls on election day~~. However, notwithstanding any such
26 authorization to begin canvassing or otherwise processing
27 absentee ballots early, no result ~~or tabulation of absentee~~
28 ~~ballots~~ shall be released ~~made~~ until after the closing ~~close~~
29 of the polls on election day. Any supervisor of elections,
30 deputy supervisor of elections, canvassing board member,
31 election board member, or election employee who releases the

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1 results of a canvassing or processing of absentee ballots
2 prior to the closing of the polls on election day commits a
3 felony of the third degree, punishable as provided in s.
4 775.082, s. 775.083, or s. 775.084.

5 Section 38. Section 101.69, Florida Statutes, is
6 amended to read:

7 101.69 Voting in person; return of absentee
8 ballot.--The provisions of this code shall not be construed to
9 prohibit any elector from voting in person at the elector's
10 precinct on the day of an election notwithstanding that the
11 elector has requested an absentee ballot for that election.
12 An elector who has received an absentee ballot, but desires to
13 vote in person, shall return the ballot, whether voted or not,
14 to the election board in the elector's precinct. The returned
15 ballot shall be marked "canceled" by the board and placed with
16 other canceled ballots. However, if the elector is unable to
17 return the ballot, the elector may vote a provisional ballot
18 as provided in s. 101.048 ~~execute an affidavit stating that~~
19 ~~the absentee ballot has not been voted and the elector may~~
20 ~~then vote at the precinct.~~

21 Section 39. Subsection (1) of section 102.111, Florida
22 Statutes, is amended to read:

23 102.111 Elections Canvassing Commission.--
24 (1) Immediately after certification of any election by
25 the county canvassing board, the results shall be forwarded to
26 the Department of State concerning the election of any federal
27 or state officer. The Elections Canvassing Commission shall
28 consist of the Governor and two members of the Cabinet as
29 determined by the Governor, ~~the Secretary of State, and the~~
30 ~~Director of the Division of Elections shall be the Elections~~
31 ~~Canvassing Commission.~~ The Elections Canvassing Commission

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1 shall, as soon as the official results are compiled from all
2 counties, certify the returns of the election and determine
3 and declare who has been elected for each office. In the event
4 that the Governor is recused, or any other member of the
5 commission cannot serve, the Governor shall fill the vacancy
6 following the same procedure for appointment to the
7 commission. If no other Cabinet members are available to
8 serve, the Governor shall choose a registered voter to replace
9 the member ~~any member of the Elections Canvassing Commission~~
10 ~~is unavailable to certify the returns of any election, such~~
11 ~~member shall be replaced by a substitute member of the Cabinet~~
12 ~~as determined by the Director of the Division of Elections. If~~
13 ~~the county returns are not received by the Department of State~~
14 ~~by 5 p.m. of the seventh day following an election, all~~
15 ~~missing counties shall be ignored, and the results shown by~~
16 ~~the returns on file shall be certified.~~

17 Section 40. Section 102.112, Florida Statutes, is
18 amended to read:

19 102.112 Deadline for submission of county returns to
20 the Department of State; ~~penalties.--~~

21 (1) The county canvassing board or a majority thereof
22 shall file the county returns for the election of a federal or
23 state officer with the Department of State immediately after
24 certification of the election results.

25 (2) Returns must be filed by 5 p.m. on the 7th day
26 following the ~~first~~ primary election and by 5 p.m. on the 11th
27 day following the and general election ~~and by 3 p.m. on the~~
28 ~~3rd day following the second primary.~~

29 (3) If the returns are not received by the department
30 by the time specified, such returns shall ~~may~~ be ignored and
31 the results on file at that time shall ~~may~~ be certified by the

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1 department.

2 (4) If the returns are not received by the department
3 due to an emergency, as defined in s. 101.732, the Elections
4 Canvassing Commission shall determine the deadline by which
5 the returns must be received.

6 ~~(2) The department shall fine each board member \$200~~
7 ~~for each day such returns are late, the fine to be paid only~~
8 ~~from the board member's personal funds. Such fines shall be~~
9 ~~deposited into the Election Campaign Financing Trust Fund,~~
10 ~~created by s. 106.32.~~

11 ~~(3) Members of the county canvassing board may appeal~~
12 ~~such fines to the Florida Elections Commission, which shall~~
13 ~~adopt rules for such appeals.~~

14 Section 41. Subsection (4) of section 102.141, Florida
15 Statutes, is amended to read:

16 102.141 County canvassing board; duties.--

17 (4)(a) If the returns for any office reflect that a
18 candidate was defeated or eliminated by one-half of a percent
19 or less of the votes cast for such office, that a candidate
20 for retention to a judicial office was retained or not
21 retained by one-half of a percent or less of the votes cast on
22 the question of retention, or that a measure appearing on the
23 ballot was approved or rejected by one-half of a percent or
24 less of the votes cast on such measure, each county canvassing
25 ~~the~~ board responsible for certifying the results of the vote
26 on such race or measure shall order a machine recount of the
27 votes cast with respect to such office or measure. A recount
28 need not be ordered with respect to the returns for any
29 office, however, if the candidate or candidates defeated or
30 eliminated from contention for such office by one-half of a
31 percent or less of the votes cast for such office request in

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1 writing that a recount not be made. Each canvassing board
2 responsible for conducting a machine recount shall recount the
3 ballots with the vote tabulation system. On optical scan
4 machines, a machine recount shall mean actually processing
5 each ballot through the vote tabulation system ~~examine the~~
6 ~~counters on the machines or the tabulation of the ballots cast~~
7 ~~in each precinct in which the office or issue appeared on the~~
8 ~~ballot and determine whether the returns correctly reflect the~~
9 ~~votes cast. If there is a discrepancy between the returns and~~
10 ~~the counters of the machines or the tabulation of the ballots~~
11 ~~cast, the counters of such machines or the tabulation of the~~
12 ~~ballots cast shall be presumed correct and such votes shall be~~
13 ~~canvassed accordingly.~~

14 (b) If, after conducting a machine recount under
15 paragraph (a), the returns for any office reflect that a
16 candidate was defeated or eliminated by one-quarter of a
17 percent or less of the votes cast for such office, that a
18 candidate for retention to a judicial office was retained or
19 not retained by one-quarter of a percent or less of the votes
20 cast on the question of retention, or that a measure appearing
21 on the ballot was approved or rejected by one-quarter of a
22 percent or less of the votes cast on such measure, each county
23 canvassing board responsible for certifying the results of the
24 vote on such race or measure shall order a manual recount of
25 the votes cast with respect to such office or measure that
26 were not counted by an otherwise properly functioning vote
27 tabulation system. Manual recounts shall be conducted by the
28 county canvassing boards using the procedures described in s.
29 102.166. Upon completion of its manual recount, each county
30 canvassing board shall certify the returns for the applicable
31 office or measure.

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1 Section 42. Section 102.166, Florida Statutes, is
2 amended to read:

3 102.166 Protest of election returns; procedure.--

4 (1)(a) Any candidate for nomination or election to a
5 federal, state, or multicounty district office, or any elector
6 qualified to vote in the election related to such candidacy,
7 shall have the right to protest the returns of the election as
8 being erroneous by filing with the Elections Canvassing
9 Commission ~~appropriate canvassing board~~ a sworn, written
10 protest.

11 ~~(b)(2)~~ Such protest shall be filed with the Elections
12 Canvassing Commission ~~canvassing board~~ prior to the time the
13 Elections Canvassing Commission ~~canvassing board~~ certifies the
14 results for the office being protested or within 72 hours 5
15 days after the closing of the polls in that election ~~midnight~~
16 ~~of the date the election is held~~, whichever occurs later.

17 ~~(3) Before canvassing the returns of the election, the~~
18 ~~canvassing board shall:~~

19 ~~(a) When paper ballots are used, examine the~~
20 ~~tabulation of the paper ballots cast.~~

21 ~~(b) When voting machines are used, examine the~~
22 ~~counters on the machines of nonprinter machines or the~~
23 ~~printer-pac on printer machines. If there is a discrepancy~~
24 ~~between the returns and the counters of the machines or the~~
25 ~~printer-pac, the counters of such machines or the printer-pac~~
26 ~~shall be presumed correct.~~

27 (c) Upon receipt of a sworn, written protest, the
28 Elections Canvassing Commission shall direct each county
29 canvassing board within the geographic jurisdiction of the
30 office or ballot measure to ~~when electronic or~~
31 ~~electromechanical equipment is used, the canvassing board~~

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1 ~~shall~~ examine precinct records and election returns. If there
2 is a clerical error, such error shall be corrected by the
3 county canvassing board. If there is a discrepancy ~~that~~ ~~which~~
4 could affect the outcome of an election, the Elections
5 Canvassing Commission may direct each county canvassing board
6 to ~~may~~ recount the ballots on the automatic tabulating
7 equipment.

8 (d)1.(4)(a) Upon completion of a machine recount
9 ordered by the Elections Canvassing Commission pursuant to
10 paragraph (c), any candidate for federal, state, or
11 multicounty district office whose name appeared on the ballot
12 ~~or~~ any political committee that supports or opposes a
13 statewide or multicounty an issue that ~~which~~ appeared on the
14 ballot, ~~or any political party whose candidates' names~~
15 ~~appeared on the ballot~~ may file a written request with the
16 Elections Canvassing Commission ~~county canvassing board~~ for a
17 manual recount of the votes cast with respect to such office
18 or measure that were not counted by an otherwise properly
19 functioning vote tabulation system. The written request shall
20 contain a statement of the reason the manual recount is being
21 requested.

22 2.(b) Such request must be filed with the Elections
23 Canvassing Commission ~~canvassing board prior to the time the~~
24 ~~canvassing board certifies the results for the office being~~
25 ~~protested or~~ within 72 hours after completion of the machine
26 recount ordered by the Elections Canvassing Commission
27 pursuant to paragraph (c) ~~midnight of the date the election~~
28 ~~was held, whichever occurs later.~~

29 3.(c) Based on its evaluation of the validity of the
30 reasons stated in the written request, the Elections
31 Canvassing Commission ~~county canvassing board~~ may authorize a

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1 manual recount of those ballots not counted by the voting
2 equipment during the machine recount. If a manual recount is
3 authorized, the Elections Canvassing Commission shall direct
4 each county canvassing board within the geographic
5 jurisdiction of the office or ballot measure to manually
6 recount all ballots not previously counted by an otherwise
7 properly functioning vote tabulation system, using standards
8 for determining voter intent developed and published by the
9 Division of Elections. If a manual recount is authorized, the
10 Elections Canvassing Commission county canvassing board shall
11 make a reasonable effort to notify each candidate whose race
12 is being recounted of the time and place of such recount.

13 ~~(d) The manual recount must include at least three~~
14 ~~precincts and at least 1 percent of the total votes cast for~~
15 ~~such candidate or issue. In the event there are less than~~
16 ~~three precincts involved in the election, all precincts shall~~
17 ~~be counted. The person who requested the recount shall choose~~
18 ~~three precincts to be recounted, and, if other precincts are~~
19 ~~recounted, the county canvassing board shall select the~~
20 ~~additional precincts.~~

21 ~~(5) If the manual recount indicates an error in the~~
22 ~~vote tabulation which could affect the outcome of the~~
23 ~~election, the county canvassing board shall:~~

24 ~~(a) Correct the error and recount the remaining~~
25 ~~precincts with the vote tabulation system;~~

26 ~~(b) Request the Department of State to verify the~~
27 ~~tabulation software; or~~

28 ~~(c) Manually recount all ballots.~~

29 (2)(a) Any candidate for nomination or election to a
30 county office, municipal office, or district office not
31 covered by paragraph (1)(a), or any elector qualified to vote

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1 in the election related to such candidacy, shall have the
2 right to protest the returns of the election as being
3 erroneous by filing with the appropriate county canvassing
4 board a sworn, written protest.

5 (b) Such protest shall be filed with the county
6 canvassing board prior to the time the canvassing board
7 certifies the results for the office being protested or within
8 72 hours after the closing of the polls in that election,
9 whichever occurs later.

10 (c) Upon receipt of a sworn, written protest, the
11 county canvassing board shall:

12 1. When paper ballots are used, examine the tabulation
13 of the paper ballots cast.

14 2. When voting machines are used, examine the counters
15 on the machines of nonprinter machines or the printer-pac on
16 printer machines. If there is a discrepancy between the
17 returns and the counters of the machines or the printer-pac,
18 the counters of such machines or the printer-pac shall be
19 presumed correct.

20 3. When electronic or electromechanical equipment is
21 used, examine precinct records and election returns. If there
22 is a clerical error, such error shall be corrected by the
23 county canvassing board. If there is a discrepancy that could
24 affect the outcome of an election, the canvassing board may
25 recount the ballots on the automatic tabulating equipment.

26 (d)1. Upon completion of a machine recount ordered by
27 a county canvassing board pursuant to subparagraph (c)3., any
28 candidate not covered by paragraph (1)(d) whose name appeared
29 on the ballot or any political committee that supports or
30 opposes an issue not covered by paragraph (1)(d) which
31 appeared on the ballot may file a written request with the

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1 county canvassing board for a manual recount of the votes cast
2 with respect to such office or measure that were not counted
3 by an otherwise properly functioning vote tabulation system.
4 The written request shall contain a statement of the reason
5 the manual recount is being requested.

6 2. Such request must be filed with the canvassing
7 board within 72 hours after the completion of the machine
8 recount ordered pursuant to subparagraph (c)3.

9 3. Based on its evaluation of the validity of the
10 reasons stated in the written request, the county canvassing
11 board may authorize a manual recount of those ballots not
12 counted by the voting equipment during the machine recount. If
13 a manual recount is authorized, the county canvassing board
14 shall manually recount all ballots not previously counted by
15 an otherwise properly functioning vote tabulation system,
16 using standards for determining voter intent developed and
17 published by the Division of Elections. If a manual recount is
18 authorized, the county canvassing board shall make a
19 reasonable effort to notify each candidate whose race is being
20 recounted of the time and place of such recount.

21 (3)(6) Any manual recount shall be open to the public.

22 (4)(7) Procedures for a manual recount are as follows:

23 (a) The county canvassing board shall appoint as many
24 counting teams of at least two electors as is necessary to
25 manually recount the ballots. A counting team must have, when
26 possible, members of at least two political parties. A
27 candidate involved in the race shall not be a member of the
28 counting team.

29 (b) If a counting team is unable to determine a
30 voter's intent in casting a ballot, using the standards for
31 determining voter intent developed and published by the

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1 Division of Elections, the ballot shall be presented to the
2 county canvassing board for it to determine the voter's
3 intent. If the county canvassing board is unable to determine
4 a voter's intent in casting a ballot using the standards for
5 determining voter intent developed and published by the
6 Division of Elections, the ballot shall not be counted in the
7 official canvass.

8 ~~(5)(8)~~ If the county canvassing board determines the
9 need to verify the tabulation software, the county canvassing
10 board shall request in writing that the Department of State
11 verify the software.

12 ~~(6)(9)~~ When the Department of State verifies such
13 software, the department shall:

14 (a) Compare the software used to tabulate the votes
15 with the software filed with the Department of State pursuant
16 to s. 101.5607; and

17 (b) Check the election parameters.

18 ~~(7)(10)~~ The Department of State shall respond to the
19 county canvassing board within 3 working days.

20 Section 43. Section 102.167, Florida Statutes, is
21 amended to read:

22 102.167 Form of protest of election returns.--

23 (1) The form of the "Protest of Election Returns to
24 the Elections Canvassing Commission" shall be as follows:

25
26 PROTEST OF ELECTION RETURNS TO THE
27 ELECTIONS CANVASSING COMMISSION

28
29, Florida

30, ... (year)...

31 As provided in Section 102.166(1), Florida Statutes, I,

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1 of County, Florida, believe the election returns
 2 from in the election ...(year)... are erroneous.
 3 I hereby protest the canvass of such returns by the
 4 Elections Canvassing Commission, and request that said returns
 5 be investigated, examined, checked, and corrected by the
 6 Elections Canvassing Commission. The basis for this protest
 7 is
 8
 9
 10
 11
 12

13
 14 Under penalties of perjury, I swear (or affirm) that I have
 15 read the foregoing and that the facts alleged are true, to the
 16 best of my knowledge and belief.

17
 18 ...(Signature of person protesting election returns)...

19 (2) The form of the "Protest of Election Returns to
 20 Canvassing Board" shall be as follows:

21
 22 PROTEST OF ELECTION RETURNS TO
 23 CANVASSING BOARD

24
 25, Florida
 26, ...(year)...

27 As provided in Section 102.166(2)~~(1)~~, Florida Statutes,
 28 I, of County, Florida, believe the election returns
 29 from Precinct No. in the election ...(year)... are
 30 erroneous.

31 I hereby protest the canvass of such returns by the

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1 Canvassing Board, and request that said returns be
 2 investigated, examined, checked, and corrected by said
 3 Canvassing Board. The basis for this protest is
 4
 5
 6
 7
 8

9
 10 Under penalties of perjury, I swear (or affirm) that I have
 11 read the foregoing and that the facts alleged are true, to the
 12 best of my knowledge and belief.

13
 14 ... (Signature of person protesting election returns) ...
 15 Section 44. Section 102.168, Florida Statutes, is
 16 amended to read:

17 102.168 Contest of election.--

18 (1) Except as provided in s. 102.171, the
 19 certification of election or nomination of any person to
 20 ~~office, or of the result on any question submitted by~~
 21 ~~referendum,~~ may be contested in the circuit court by any
 22 unsuccessful candidate for such office or nomination thereto
 23 and the result on any question submitted by referendum may be
 24 contested in the circuit court ~~or by any elector qualified to~~
 25 ~~vote in the election related to such candidacy, or by any~~
 26 ~~taxpayer, respectively.~~

27 (2) Such contestant shall file a complaint, together
 28 with the fees prescribed in chapter 28, with the clerk of the
 29 circuit court within 10 days after midnight of the date the
 30 last county canvassing board empowered to canvass the returns
 31 certifies the results of the election being contested or

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1 within 5 days after midnight of the date the last county
2 canvassing board empowered to canvass the returns certifies
3 the results of that particular election following a protest
4 pursuant to s. 102.166~~(1)~~, whichever occurs later.

5 (3) The complaint shall set forth the grounds on which
6 the contestant intends to establish his or her right to such
7 office or set aside the result of the election on a submitted
8 referendum. The grounds for contesting an election under this
9 section are:

10 (a) Misconduct, fraud, or corruption on the part of
11 any election official or any member of the canvassing board
12 sufficient to change or place in doubt the result of the
13 election.

14 (b) Ineligibility of the successful candidate for the
15 nomination or office in dispute.

16 (c) Receipt of a number of illegal votes or rejection
17 of a number of legal votes sufficient to change or place in
18 doubt the result of the election.

19 (d) Proof that any elector, election official, or
20 canvassing board member was given or offered a bribe or reward
21 in money, property, or any other thing of value for the
22 purpose of procuring the successful candidate's nomination or
23 election or determining the result on any question submitted
24 by referendum.

25 (e) Any other cause or allegation which, if sustained,
26 would show that a person other than the successful candidate
27 was the person duly nominated or elected to the office in
28 question or that the outcome of the election on a question
29 submitted by referendum was contrary to the result declared by
30 the canvassing board or election board.

31 (4) The canvassing board or the Elections Canvassing

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1 ~~Commission election board~~ shall be the proper party defendant,
2 and the successful candidate shall be an indispensable party
3 to any action brought to contest the election or nomination of
4 a candidate.

5 (5) A statement of the grounds of contest may not be
6 rejected, nor the proceedings dismissed, by the court for any
7 want of form if the grounds of contest provided in the
8 statement are sufficient to clearly inform the defendant of
9 the particular proceeding or cause for which the nomination or
10 election is contested.

11 (6) A copy of the complaint shall be served upon the
12 defendant and any other person named therein in the same
13 manner as in other civil cases under the laws of this state.
14 Within 10 days after the complaint has been served, the
15 defendant must file an answer admitting or denying the
16 allegations on which the contestant relies or stating that the
17 defendant has no knowledge or information concerning the
18 allegations, which shall be deemed a denial of the
19 allegations, and must state any other defenses, in law or
20 fact, on which the defendant relies. If an answer is not filed
21 within the time prescribed, the defendant may not be granted a
22 hearing in court to assert any claim or objection that is
23 required by this subsection to be stated in an answer.

24 (7) Any candidate ~~or, qualified elector, or taxpayer~~
25 presenting such a contest to a circuit judge is entitled to an
26 immediate hearing. However, the court in its discretion may
27 limit the time to be consumed in taking testimony, with a view
28 therein to the circumstances of the matter and to the
29 proximity of any succeeding ~~primary or other~~ election.

30 (8) The circuit judge to whom the contest is presented
31 may fashion such orders as he or she deems necessary to ensure

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1 that each allegation in the complaint is investigated,
2 examined, or checked, to prevent or correct any alleged wrong,
3 and to provide any relief appropriate under such
4 circumstances.

5 Section 45. Subsection (5) is added to section 99.096,
6 Florida Statutes, to read:

7 99.096 Minor party candidates; names on ballot.--
8 (5) Notwithstanding any other provision of this
9 section, a minor political party's entire slate of candidates
10 shall be automatically granted ballot access at the general
11 election that immediately follows a statewide or federal
12 election at which any candidate of the minor political party
13 received at least 1 percent of the votes cast statewide, and
14 shall be exempt from the qualifying fee provisions under
15 subsection (2) and the provisions for qualifying by the
16 alternative method under subsection (3), if otherwise
17 qualified for the office sought.

18 Section 46. Effective June 1, 2002, section 98.0975,
19 Florida Statutes, is repealed.

20 Section 47. If any provision of this act or the
21 application thereof to any person or circumstance is held
22 invalid, the invalidity shall not affect other provisions or
23 applications of the act which can be given effect without the
24 invalid provision or application, and to this end the
25 provisions of this act are declared severable.

26 Section 48. Except as otherwise provided herein, this
27 act shall take effect July 1, 2001

28
29

30 ===== T I T L E A M E N D M E N T =====

31 And the title is amended as follows:

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1 remove from the title of the bill: title of the bill
2
3 and insert in lieu thereof:
4 A bill to be entitled An act relating to
5 elections; amending s. 97.021, F.S.; defining
6 the terms "error in the vote tabulation" and
7 "provisional ballot"; revising the definition
8 of "primary election"; amending s. 100.061,
9 F.S.; providing for a single primary election,
10 including the date for holding that election;
11 providing that candidates receiving the highest
12 number of votes in the primary election are
13 declared nominated; providing a method for
14 deciding tie votes; repealing s. 100.091, F.S.,
15 relating to the second primary election, to
16 conform; repealing s. 100.096, F.S., relating
17 to the holding of special elections in
18 conjunction with the second primary election,
19 to conform; amending ss. 97.055, 97.071,
20 97.1031, and 98.081, F.S., relating to
21 restrictions on changing party affiliation
22 between primary elections, to conform; amending
23 s. 99.063, F.S.; revising the date to designate
24 a Lieutenant Governor running mate, to conform;
25 amending s. 101.62, F.S.; revising the dates
26 for mailing absentee ballots to absent electors
27 overseas and eliminating advance absentee
28 ballots, to conform; amending ss. 10.1008,
29 99.061, 99.095, 99.103, 100.071, 100.081,
30 100.111, 100.141, 101.141, 101.251, 101.252,
31 102.012, 103.021, 103.022, 103.091, 105.031,

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1 105.041, 105.051, 106.07, and 106.29, F.S.;

2 revising and deleting references, to conform;

3 amending s. 106.08, F.S.; revising campaign

4 contribution limits; providing penalties;

5 revising and deleting references to the primary

6 elections, to conform; creating s. 98.0977,

7 F.S.; providing for development of a statewide

8 voter registration database; providing for

9 update of information in the database;

10 requiring quarterly progress reports to the

11 Legislature until fully implemented; providing

12 for an operational date; providing for an

13 appropriation; creating s. 98.0979, F.S.;

14 providing that voter registration information

15 is public except for information made

16 confidential by law; providing requirements for

17 securing copies of any voter registration

18 information; creating s. 101.048, F.S.;

19 authorizing and providing requirements for

20 provisional ballots, including the canvassing

21 thereof; amending s. 101.045, F.S.; requiring

22 verification of an elector's eligibility if the

23 elector's name is not on the precinct register;

24 authorizing the voting of a provisional ballot

25 if eligibility cannot be determined; amending

26 s. 101.5614, F.S., relating to the canvass of

27 returns; providing for provisional ballots, to

28 conform; providing a penalty for releasing the

29 results of an election prior to the closing of

30 the polls; amending s. 101.68, F.S.; allowing

31 the processing of absentee ballots through

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1 electronic tabulating equipment prior to
2 election day; prohibiting the release of the
3 results of a canvassing or processing of
4 absentee ballots prior to the closing of the
5 polls; providing a penalty; amending s. 101.69,
6 F.S.; allowing a voter who has requested an
7 absentee ballot and who decides to vote at the
8 polls on election day to vote a provisional
9 ballot, if the absentee ballot is not returned;
10 amending s. 102.111, F.S.; revising membership
11 of the Elections Canvassing Commission;
12 revising provisions for filling vacancies on
13 the commission; amending s. 102.112, F.S.;
14 revising the deadline for submission of county
15 returns to the Department of State following
16 the general election; eliminating reference to
17 the second primary election; providing that
18 late returns shall be ignored; providing an
19 exception due to an emergency; eliminating
20 provisions establishing fines for late
21 reporting; amending s. 102.141, F.S.;
22 clarifying canvassing procedures relating to
23 election recounts; providing conditions under
24 which a manual recount is required; amending s.
25 102.166, F.S.; modifying protest procedures and
26 deadlines for requesting a manual recount;
27 providing for the use of certain standards for
28 determining voter intent; amending s. 102.167,
29 F.S.; providing the form of protest of election
30 returns with the Elections Canvassing
31 Commission; amending s. 102.168, F.S.;

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1 providing that an unsuccessful candidate is the
2 proper party to bring an election contest for
3 certain elections; providing that any elector
4 is the proper party to bring an election
5 contest for elections involving a referendum;
6 providing that the Elections Canvassing
7 Commission is a defendant in certain contested
8 elections; removing certain authority of
9 circuit judges to fashion orders relating to
10 contests; amending s. 99.096, F.S.; providing
11 conditions for automatic ballot access for
12 minor party candidates without having to pay a
13 filing fee or qualify by the alternative
14 method, if otherwise qualified; providing
15 severability; providing effective dates.

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