

By Senators Campbell, Dawson and Lawson

41-528-01

1 A bill to be entitled
2 An act relating to elections; amending s.
3 98.097, F.S.; requiring that the central voter
4 file administered by the Division of Elections
5 of the Department of State immediately reflect
6 changes to information in the file and that
7 such changes be immediately available statewide
8 to users of the file; amending s. 102.111,
9 F.S.; prohibiting members of the Elections
10 Canvassing Commission from affiliating with a
11 political candidate or political campaign;
12 requiring the commission to certify election
13 returns on the date set by federal law for
14 certification of overseas absentee ballots;
15 requiring the Department of State to develop an
16 expedited process for certifying voting
17 machinery and a procedure for accepting,
18 handling, and counting provisional ballots;
19 providing that every voter is entitled to have
20 a provisional ballot; providing an effective
21 date.

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23 Be It Enacted by the Legislature of the State of Florida:
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25 Section 1. Section 98.097, Florida Statutes, is
26 amended to read:
27 98.097 Central voter file; administration by division;
28 public access.--
29 (1) There is hereby established a central voter file,
30 to be administered by the division, which shall be a
31 statewide, centrally maintained database containing the voter

1 registration information of all counties in this state. The
2 central voter file must be a real-time voter file that
3 reflects any change to the information in the file immediately
4 upon receipt and makes such information immediately available
5 statewide to the users of the voter file.

6 (2) All voter registration records and other
7 information in the central voter file, excluding any
8 information that is confidential or exempt from public records
9 requirements, shall be considered public records for the
10 purposes of chapter 119.

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

12 Section 2. Subsection (1) of section 102.111, Florida
13 Statutes, is amended to read:

14 102.111 Elections Canvassing Commission.--

15 (1) Immediately after certification of any election by
16 the county canvassing board, the results shall be forwarded to
17 the Department of State concerning the election of any federal
18 or state officer. The Governor, the Secretary of State, and
19 the Director of the Division of Elections shall be the
20 Elections Canvassing Commission. No member of the commission
21 may be affiliated with a candidate for office or a political
22 campaign.~~The Elections Canvassing Commission shall, as soon~~
23 ~~as the official results are compiled from all counties,~~
24 certify the returns of the election on the date set by federal
25 law for certification of overseas absentee ballots, and
26 determine and declare who has been elected for each office. In
27 the event that any member of the Elections Canvassing
28 Commission is unavailable to certify the returns of any
29 election, such member shall be replaced by a substitute member
30 of the Cabinet as determined by the Director of the Division
31 of Elections. If the county returns are not received by the

1 Department of State by 5 p.m. of the seventh day following an
2 election, all missing counties shall be ignored, and the
3 results shown by the returns on file shall be certified.

4 Section 3. The Department of State shall develop an
5 expedited process for certifying voting machinery.

6 Section 4. Every voter is entitled to have a
7 provisional ballot. The Department of State shall, by rule,
8 provide a procedure for accepting, handling, and counting
9 provisional ballots.

10 Section 5. This act shall take effect July 1, 2001.

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SENATE SUMMARY

14 Provides that the central voter file administered by the
15 Division of Elections of the Department of State must
16 immediately reflect changes to information in the file
17 and that such changes must be available immediately
18 statewide to users of the file. Prohibits members of the
19 Elections Canvassing Commission from affiliating with a
20 political candidate or political campaign. Requires the
21 commission to certify election returns on the date set by
22 federal law for certification of overseas ballots.
23 Requires the department to develop an expedited process
24 for certifying voting machines, and a procedure for
25 accepting, handling, and counting provisional ballots.
26 Provides that every voter has a right to have a
27 provisional ballot.

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