

By the Committee on Ethics and Elections; and Senators Jones, Klein, Campbell, Mitchell, Dyer, Wasserman Schultz, Miller, Rossin, Dawson and Lawson

313-1746-01

1 A bill to be entitled
2 An act relating to elections; amending s.
3 101.031, F.S.; providing for a Voter's Bill of
4 Rights and Responsibilities; providing
5 responsibilities of supervisors of elections;
6 providing an effective date.

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

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10 Section 1. Section 101.031, Florida Statutes, is
11 amended to read:

12 101.031 Instructions for electors.--

13 (1) The Department of State, or in case of municipal
14 elections the governing body of the municipality, shall print,
15 in large type on cards, instructions for the electors to use
16 in voting. It shall provide not less than two cards for each
17 voting precinct for each election and furnish such cards to
18 each supervisor upon requisition. Each supervisor of
19 elections shall send a sufficient number of these cards to the
20 precincts prior to an election. The election inspectors shall
21 display the cards in the polling places as information for
22 electors. The cards shall contain information about how to
23 vote and such other information as the Department of State may
24 deem necessary. The cards must also include the list of rights
25 and responsibilities afforded to Florida voters, as described
26 in subsection (2).

27 (2) The supervisor of elections in each county shall
28 have posted at each polling place in the county the Voter's
29 Bill of Rights and Responsibilities in the following form:

30 VOTER'S BILL OF RIGHTS

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

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

19 VOTER RESPONSIBILITIES

20 Each registered voter in this state has the
21 responsibility to:

- 22 1. Study and know candidates and issues.
- 23 2. Keep his or her voter address current.
- 24 3. Know his or her precinct and its hours of
25 operation.
- 26 4. Bring proper identification to the polling station.
- 27 5. Know how to operate voting equipment properly.
- 28 6. Treat precinct workers with courtesy.
- 29 7. Respect the privacy of other voters.
- 30 8. Report problems or violations of election law.
- 31 9. Ask questions when confused.

1 10. Check his or her completed ballot for accuracy.

2 (3) Nothing in this section shall give rise to a legal
3 cause of action.

4 (4)~~(2)~~ In case any elector, after entering the voting
5 booth, shall ask for further instructions concerning the
6 manner of voting, two election officers who are not both
7 members of the same political party, if present, or, if not,
8 two election officers who are members of the same political
9 party, shall give such instructions to such elector, but no
10 officer or person assisting an elector shall in any manner
11 request, suggest, or seek to persuade or induce any elector to
12 vote for or against any particular ticket, candidate,
13 amendment, question, or proposition. After giving the elector
14 instructions and before the elector has voted, the officers or
15 persons assisting the elector shall retire, and such elector
16 shall vote in secret.

17 Section 2. This act shall take effect October 1, 2001.

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19 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
20 COMMITTEE SUBSTITUTE FOR
21 SB 2098

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23 Committee Substitute for Senate Bill 2098 requires the
24 Department of State, rather than each supervisor of elections,
to print the Voter's Bill of Rights and Voter
Responsibilities. Two copies are to be posted at each polling
place on election day.

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