

By Representative Fields

1                                   A bill to be entitled  
 2           An act relating to provisional ballots;  
 3           amending s. 101.048, F.S.; removing the  
 4           requirement that a provisional ballot be cast  
 5           in the precinct of the voter's legal residence;  
 6           providing that a provisional ballot shall be  
 7           counted with respect to all races for which the  
 8           voter was a qualified elector; providing an  
 9           effective date.

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

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 13           Section 1. Subsections (1) and (2) of section 101.048,  
 14 Florida Statutes, are amended to read:

15           101.048 Provisional ballots.--

16           (1) At all elections, a voter claiming to be properly  
 17 registered in the county and eligible to vote ~~at the precinct~~  
 18 in the election, but whose eligibility cannot be determined,  
 19 shall be entitled to vote a provisional ballot. Once voted,  
 20 the provisional ballot shall be placed in a secrecy envelope  
 21 and thereafter sealed in a provisional ballot envelope. The  
 22 provisional ballot shall be deposited in a ballot box. All  
 23 provisional ballots shall remain sealed in their envelopes for  
 24 return to the supervisor of elections.

25           (2)(a) The county canvassing board shall examine each  
 26 provisional ballot to determine if the person voting that  
 27 ballot was entitled to vote ~~at the precinct~~ in the election  
 28 and that the person had not already cast a ballot in the  
 29 election.

30           (b)1. If it is determined that the person was  
 31 registered and entitled to vote ~~at the precinct~~ in the

1 election, the canvassing board shall compare the signature on  
2 the provisional ballot envelope with the signature on the  
3 voter's registration and, if it matches, shall count the  
4 ballot with respect to all races for which the person was a  
5 qualified elector.

6           2. If it is determined that the person voting the  
7 provisional ballot was not registered or entitled to vote ~~at~~  
8 ~~the precinct~~ in the election, the provisional ballot shall not  
9 be counted and the ballot shall remain in the envelope  
10 containing the Provisional Ballot Voter's Certificate and the  
11 envelope marked "Rejected as Illegal."

12           Section 2. This act shall take effect July 1, 2002.

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HOUSE SUMMARY

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17 Removes the requirement that a provisional ballot be cast  
18 in the precinct of the voter's legal residence, and  
19 provides that a provisional ballot shall be counted with  
20 respect to all races for which the voter was a qualified  
21 elector.

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