

Bill No. CS for SB 1350

Amendment No.      Barcode 403588

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Mitchell moved the following amendment:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

Section 1. Effective upon becoming a law, subsection (5) of section 106.08, Florida Statutes, is reenacted and amended to read:

106.08 Contributions; limitations on.--

(5)(a) A person may not make any contribution through or in the name of another, directly or indirectly, in any election.

(b) Candidates, political committees, and political parties may not solicit contributions from ~~or make contributions to~~ any religious, charitable, civic, or other causes or organizations established primarily for the public good.

(c) Candidates, political committees, and political parties may not make contributions, in exchange for political support, to any religious, charitable, civic, or other cause

Bill No. CS for SB 1350

Amendment No. \_\_\_\_ Barcode 403588

1 or organization established primarily for the public good.

2 ~~However,~~ It is not a violation of this paragraph subsection  
 3 for:

4 1. A candidate, political committee, or political  
 5 party executive committee to make gifts of money in lieu of  
 6 flowers in memory of a deceased person; ~~or for~~

7 2. A candidate to continue membership in, or make  
 8 regular donations from personal or business funds to,  
 9 religious, political party, civic, or charitable groups of  
 10 which the candidate is a member or to which the candidate has  
 11 been a regular donor for more than 6 months; ~~or-~~

12 3. A candidate to ~~may~~ purchase, with campaign funds,  
 13 tickets, admission to events, or advertisements from  
 14 religious, civic, political party, or charitable groups.

15 Section 2. Subsections (2) through (31) of section  
 16 97.021, Florida Statutes, as amended by section 2 of chapter  
 17 2001-40, Laws of Florida, are renumbered as subsections (3)  
 18 through (32), respectively, present subsections (32) and (33)  
 19 of that section are renumbered as subsections (34) and (35),  
 20 respectively, present subsections (34) through (36) of that  
 21 section are renumbered as subsections (37) through (38),  
 22 respectively, and new subsections (2), (33), and (36) are  
 23 added to that section to read:

24 97.021 Definitions.--For the purposes of this code,  
 25 except where the context clearly indicates otherwise, the  
 26 term:

27 (2) "Alternative formats" has the meaning ascribed in  
 28 the Americans with Disabilities Act of 1990, Pub. L. No.  
 29 101-336, 42 U.S.C. ss. 12101 et seq., including specifically  
 30 the technical assistance manuals promulgated thereunder, as  
 31 amended.

Bill No. CS for SB 1350

Amendment No. \_\_\_\_ Barcode 403588

1           (33) "Tactile input device" means a device that  
2 provides information to a voting system by means of a voter  
3 touching the device, such as a keyboard, and that complies  
4 with the requirements of s. 101.56062(1)(k) and (l).

5           (36) "Voter interface device" means any device that  
6 communicates voting instructions and ballot information to a  
7 voter and allows the voter to select and vote for candidates  
8 and issues.

9           Section 3. Section 97.026, Florida Statutes, is  
10 created to read:

11           97.026 Forms to be available in alternative formats  
12 and via the Internet.--It is the intent of the Legislature  
13 that all forms required to be used in chapters 97-106 shall be  
14 made available upon request, in alternative formats. Such  
15 forms shall include absentee ballots as alternative formats  
16 for such ballots become available and the Division of  
17 Elections is able to certify systems that provide them.  
18 Whenever possible, such forms, with the exception of absentee  
19 ballots, shall be made available by the Department of State  
20 via the Internet. Sections that contain such forms include,  
21 but are not limited to, ss. 97.051, 97.052, 97.053, 97.057,  
22 97.058, 97.0583, 97.071, 97.073, 97.1031, 98.055, 98.075,  
23 99.021, 100.361, 100.371, 101.045, 101.171, 101.20, 101.6103,  
24 101.62, 101.64, 101.65, 101.657, 105.031, 106.023, and  
25 106.087.

26           Section 4. Subsection (1) of section 98.065, Florida  
27 Statutes, is amended to read:

28           98.065 Registration list maintenance programs.--

29           (1) The supervisor must conduct a general registration  
30 list maintenance program to protect the integrity of the  
31 electoral process by ensuring the maintenance of accurate and

Bill No. CS for SB 1350

Amendment No. \_\_\_\_ Barcode 403588

1 current voter registration records. The program must be  
 2 uniform, nondiscriminatory, and in compliance with the Voting  
 3 Rights Act of 1965. As used in this subsection, the term  
 4 "nondiscriminatory" applies to and includes persons with  
 5 disabilities.

6 Section 5. Effective July 1, 2004, section 98.122,  
 7 Florida Statutes, is created to read:

8 98.122 Use of closed captioning and descriptive  
 9 narrative in all television broadcasts.--Each candidate,  
 10 political party, and political committee must use closed  
 11 captioning and descriptive narrative in all television  
 12 broadcasts regulated by the Federal Communications Commission  
 13 that are on behalf of, or sponsored by, a candidate, political  
 14 party, or political committee or must file a written statement  
 15 with the qualifying officer setting forth the reasons for not  
 16 doing so. Failure to file this statement with the appropriate  
 17 qualifying officer constitutes a violation of the Florida  
 18 Election Code and is under the jurisdiction of the Florida  
 19 Elections Commission. The Department of State may adopt rules  
 20 in accordance with s. 120.54 which are necessary to administer  
 21 this section.

22 Section 6. Paragraphs (a) and (d) of subsection (1) of  
 23 section 100.361, Florida Statutes, are amended to read:

24 100.361 Municipal recall.--

25 (1) RECALL PETITION.--Any member of the governing body  
 26 of a municipality or charter county, hereinafter referred to  
 27 in this section as "municipality," may be removed from office  
 28 by the electors of the municipality. When the official  
 29 represents a district and is elected only by electors residing  
 30 in that district, only electors from that district are  
 31 eligible to sign the petition to recall that official and are

Bill No. CS for SB 1350

Amendment No. \_\_\_\_ Barcode 403588

1 entitled to vote in the recall election. When the official  
2 represents a district and is elected at-large by the electors  
3 of the municipality, all electors of the municipality are  
4 eligible to sign the petition to recall that official and are  
5 entitled to vote in the recall election. Where used in this  
6 section, the term "district" shall be construed to mean the  
7 area or region of a municipality from which a member of the  
8 governing body is elected by the electors from such area or  
9 region. Members may be removed from office by the following  
10 procedure:

11 (a) A petition shall be prepared naming the person  
12 sought to be recalled and containing a statement of grounds  
13 for recall in not more than 200 words limited solely to the  
14 grounds specified in paragraph (b). If more than one member  
15 of the governing body is sought to be recalled, whether such  
16 member is elected by the electors of a district or by the  
17 electors of the municipality at-large, a separate recall  
18 petition shall be prepared for each member sought to be  
19 recalled. Upon request, the content of a petition should be,  
20 but is not required to be, provided by the proponent in  
21 alternative formats.

22 1. In a municipality or district of fewer than 500  
23 electors, the petition shall be signed by at least 50 electors  
24 or by 10 percent of the total number of registered electors of  
25 the municipality or district as of the preceding municipal  
26 election, whichever is greater.

27 2. In a municipality or district of 500 or more but  
28 fewer than 2,000 registered electors, the petition shall be  
29 signed by at least 100 electors or by 10 percent of the total  
30 number of registered electors of the municipality or district  
31 as of the preceding municipal election, whichever is greater.

Bill No. CS for SB 1350

Amendment No. \_\_\_\_ Barcode 403588

1           3. In a municipality or district of 2,000 or more but  
2 fewer than 5,000 registered electors, the petition shall be  
3 signed by at least 250 electors or by 10 percent of the total  
4 number of registered electors of the municipality or district  
5 as of the preceding municipal election, whichever is greater.

6           4. In a municipality or district of 5,000 or more but  
7 fewer than 10,000 registered electors, the petition shall be  
8 signed by at least 500 electors or by 10 percent of the total  
9 number of registered electors of the municipality or district  
10 as of the preceding municipal election, whichever is greater.

11           5. In a municipality or district of 10,000 or more but  
12 fewer than 25,000 registered electors, the petition shall be  
13 signed by at least 1,000 electors or by 10 percent of the  
14 total number of registered electors of the municipality or  
15 district as of the preceding municipal election, whichever is  
16 greater.

17           6. In a municipality or district of 25,000 or more  
18 registered electors, the petition shall be signed by at least  
19 1,000 electors or by 5 percent of the total number of  
20 registered electors of the municipality or district as of the  
21 preceding municipal election, whichever is greater.

22  
23 Electors of the municipality or district making charges  
24 contained in the statement of grounds for recall and those  
25 signing the recall petition shall be designated as the  
26 "committee." A specific person shall be designated in the  
27 petition as chair of the committee to act for the committee.  
28 Electors of the municipality or district are eligible to sign  
29 the petition. Signatures and oaths of witnesses shall be  
30 executed as provided in paragraph (c). All signatures shall  
31 be obtained within a period of 30 days, and the petition shall

Bill No. CS for SB 1350

Amendment No. \_\_\_\_ Barcode 403588

1 be filed within 30 days after the date the first signature is  
2 obtained on the petition.

3 (d) The petition shall be filed with the auditor or  
4 clerk of the municipality or charter county, or his or her  
5 equivalent, hereinafter referred to as clerk, by the person  
6 designated as chair of the committee, and, when the petition  
7 is filed, the clerk shall submit such petition to the county  
8 supervisor of elections who shall, within a period of not more  
9 than 30 days after the petition is filed with the supervisor,  
10 determine whether the petition contains the required valid  
11 signatures. The petition cannot be amended after it is filed  
12 with the clerk. The supervisor shall be paid by the persons  
13 or committee seeking verification the sum of 10 cents for each  
14 name checked. Upon filing with the clerk, the petition and all  
15 subsequent papers or forms required or permitted to be filed  
16 with the clerk in connection with this section must, upon  
17 request, be made available in alternative formats.

18 Section 7. Subsection (3) of section 100.371, Florida  
19 Statutes, is amended to read:

20 100.371 Initiatives; procedure for placement on  
21 ballot.--

22 (3) The sponsor of an initiative amendment shall,  
23 prior to obtaining any signatures, register as a political  
24 committee pursuant to s. 106.03 and submit the text of the  
25 proposed amendment to the Secretary of State, with the form on  
26 which the signatures will be affixed, and shall obtain the  
27 approval of the Secretary of State of such form. The  
28 Secretary of State shall adopt ~~promulgate~~ rules pursuant to s.  
29 120.54 prescribing the style and requirements of such form.  
30 Upon filing with the Secretary of State, the text of the  
31 proposed amendment and all forms filed in connection with this

Bill No. CS for SB 1350

Amendment No. \_\_\_\_ Barcode 403588

1 section must, upon request, be made available in alternative  
2 formats.

3 Section 8. Subsection (4) of section 101.051, Florida  
4 Statutes, is amended to read:

5 101.051 Electors seeking assistance in casting  
6 ballots; oath to be executed; forms to be furnished.--

7 (4) If an elector needs assistance in voting pursuant  
8 to the provisions of this section, the clerk or one of the  
9 inspectors shall require the elector requesting assistance in  
10 voting to take the following oath:

11  
12 DECLARATION TO SECURE ASSISTANCE

13  
14 State of Florida  
15 County of ....  
16 Date ....  
17 Precinct ....

18 I, ...(Print name)..., swear or affirm that I am a  
19 registered elector and request assistance from ...(Print  
20 names)... in voting at the ...(name of election)... held on  
21 ...(date of election)...~~for the following reason.....~~

22 .....  
23 .....  
24 ...(Signature of voter)...

25  
26 Sworn and subscribed to before me this .... day of .....,  
27 ...(year)....

28 ...(Signature of Official Administering Oath)...

29 Section 9. Section 101.51, Florida Statutes, is  
30 amended to read:

31 101.51 Electors to occupy booth alone; ~~time allowed.--~~



Bill No. CS for SB 1350

Amendment No. \_\_\_\_ Barcode 403588

1           (1) When the elector presents himself or herself to  
 2 vote, the election official shall ascertain whether the  
 3 elector's name is upon the register of electors, and, if the  
 4 elector's name appears and no challenge interposes, or, if  
 5 interposed, be not sustained, one of the election officials  
 6 stationed at the entrance shall announce the name of the  
 7 elector and permit him or her to enter the booth or  
 8 compartment to cast his or her vote, allowing only one elector  
 9 at a time to pass through to vote. ~~An~~ No elector, while  
 10 casting his or her ballot, may not ~~shall~~ occupy a booth or  
 11 compartment ~~longer than 5 minutes or be allowed to occupy a~~  
 12 ~~booth or compartment~~ already occupied or to speak with anyone,  
 13 except as provided by s. 101.051, while in the polling place.

14           (2) ~~If an elector requires longer than 5 minutes, then~~  
 15 ~~upon a sufficient reason he or she may be granted a longer~~  
 16 ~~period of time by the election officials in charge.~~ After  
 17 casting his or her vote, the elector shall at once leave the  
 18 polling room by the exit opening and shall not be permitted to  
 19 reenter on any pretext whatever. ~~After the elector has voted,~~  
 20 ~~or declined or failed to vote within 5 minutes, he or she~~  
 21 ~~shall immediately withdraw from the polling place.~~ If the  
 22 ~~elector refuses to leave after the lapse of 5 minutes, he or~~  
 23 ~~she shall be removed by the election officials.~~

24           Section 10. Section 101.56062, Florida Statutes, is  
 25 created to read:

26           101.56062 Standards for accessible voting systems.--

27           (1) Notwithstanding anything in this chapter to the  
 28 contrary, each voting system certified by the Department of  
 29 State for use in local, state, and federal elections must  
 30 include the capability to install accessible voter interface  
 31 devices in the system configuration which will allow the

Bill No. CS for SB 1350

Amendment No. \_\_\_\_ Barcode 403588

1 system to meet the following minimum standards:

2 (a) The voting system must provide a tactile input or  
3 audio input device, or both.

4 (b) The voting system must provide a method by which  
5 voters can confirm any tactile or audio input by having the  
6 capability of audio output using synthetic or recorded human  
7 speech that is reasonably phonetically accurate.

8 (c) Any operable controls on the input device which  
9 are needed for voters who are visually impaired must be  
10 discernable tactilely without actuating the keys.

11 (d) Audio and visual access approaches must be able to  
12 work both separately and simultaneously.

13 (e) If a nonaudio access approach is provided, the  
14 system may not require color perception. The system must use  
15 black text or graphics, or both, on white background or white  
16 text or graphics, or both, on black background, unless the  
17 office of the Secretary of State approves other high-contrast  
18 color combinations that do not require color perception.

19 (f) Any voting system that requires any visual  
20 perception must offer the election official who programs the  
21 system, prior to its being sent to the polling place, the  
22 capability to set the font size, as it appears to the voter,  
23 from a minimum of 14 points to a maximum of 24 points.

24 (g) The voting system must provide audio information,  
25 including any audio output using synthetic or recorded human  
26 speech or any auditory feedback tones that are important for  
27 the use of the audio approach, through at least one mode, by  
28 handset or headset, in enhanced auditory fashion (increased  
29 amplification), and must provide incremental volume control  
30 with output amplification up to a level of at least 97 dB SPL.

31 (h) For transmitted voice signals to the voter, the

Bill No. CS for SB 1350

Amendment No. \_\_\_\_ Barcode 403588

1 voting system must provide a gain adjustable up to a minimum  
2 of 20 dB with at least one intermediate step of 12 dB of gain.

3 (i) For the safety of others, if the voting system has  
4 the possibility of exceeding 120 dB SPL, then a mechanism must  
5 be included to reset the volume automatically to the voting  
6 system's default volume level after every use, for example  
7 when the handset is replaced, but not before. Also, universal  
8 precautions in the use and sharing of headsets should be  
9 followed.

10 (j) If sound cues and audible information such as  
11 "beeps" are used, there must be simultaneous corresponding  
12 visual cues and information.

13 (k) Controls and operable mechanisms must be operable  
14 with one hand, including operability with a closed fist, and  
15 operable without tight grasping, pinching, or twisting of the  
16 wrist.

17 (l) The force required to operate or activate the  
18 controls must be no greater than 5 pounds of force.

19 (m) Voting booths must have voting controls at a  
20 minimum height of 36 inches above the finished floor with a  
21 minimum knee clearance of 27 inches high, 30 inches wide, and  
22 19 inches deep, or the accessible voter interface devices must  
23 be designed so as to allow their use on top of a table to meet  
24 these requirements. Tabletop installations must include  
25 adequate privacy.

26 (n) Any audio ballot must provide the voter with the  
27 following functionalities:

28 1. After the initial instructions that the system  
29 requires election officials to provide to each voter, the  
30 voter should be able to independently operate the voter  
31 interface through the final step of casting a ballot without

Bill No. CS for SB 1350

Amendment No. \_\_\_\_ Barcode 403588

1 assistance.

2 2. The voter must be able to determine the races that  
3 he or she is allowed to vote in and to determine which  
4 candidates are available in each race.

5 3. The voter must be able to determine how many  
6 candidates may be selected in each race.

7 4. The voter must be able to have confidence that the  
8 physical or vocal inputs given to the system have selected the  
9 candidates that he or she intended to select.

10 5. The voter must be able to review the candidate  
11 selections that he or she has made.

12 6. Prior to the act of casting the ballot, the voter  
13 must be able to change any selections previously made and  
14 confirm a new selection.

15 7. The system must communicate to the voter the fact  
16 that the voter has failed to vote in a race or has failed to  
17 vote the number of allowable candidates in any race and  
18 require the voter to confirm his or her intent to undervote  
19 before casting the ballot.

20 8. The system must prevent the voter from overvoting  
21 any race.

22 9. The voter must be able to input a candidate's name  
23 in each race that allows a write-in candidate.

24 10. The voter must be able to review his or her  
25 write-in input to the interface, edit that input, and confirm  
26 that the edits meet the voter's intent.

27 11. There must be a clear, identifiable action that  
28 the voter takes to "cast" the ballot. The system must make  
29 clear to the voter how to take this action so that the voter  
30 has minimal risk of taking the action accidentally but, when  
31 the voter intends to cast the ballot, the action can be easily

Bill No. CS for SB 1350

Amendment No. \_\_\_\_ Barcode 403588

1 performed.

2 12. Once the ballot is cast, the system must confirm  
3 to the voter that the action has occurred and that the voter's  
4 process of voting is complete.

5 13. Once the ballot is cast, the system must preclude  
6 the voter from modifying the ballot cast or voting or casting  
7 another ballot.

8 (2) Such voting system must include at least one  
9 accessible voter interface device installed in each precinct  
10 which meets the requirements of this section, except for  
11 paragraph (1)(d).

12 (3) The Department of State may adopt rules in  
13 accordance with s. 120.54 which are necessary to administer  
14 this section.

15 Section 11. It is the intent of the Legislature that  
16 this state be eligible for any funds that are available from  
17 the Federal Government to assist states in providing or  
18 improving accessibility of voting systems and polling places  
19 for persons having a disability. Accordingly, all state laws,  
20 rules, standards, and codes governing voting systems and  
21 polling place accessibility must be maintained to ensure the  
22 state's eligibility to receive federal funds. It is the intent  
23 of the Legislature that all state requirements meet or exceed  
24 the minimum federal requirements for voting systems and  
25 polling place accessibility. This section shall take effect  
26 upon this act becoming a law.

27 Section 12. Section 101.662, Florida Statutes, is  
28 created to read:

29 101.662 Accessibility of absentee ballots.--It is the  
30 intent of the Legislature that voting by absentee ballot be by  
31 methods that are fully accessible to all voters, including

Bill No. CS for SB 1350

Amendment No. \_\_\_\_ Barcode 403588

1 voters having a disability. The Department of State shall work  
2 with the supervisors of elections and the disability community  
3 to develop and implement procedures and technologies, as  
4 possible, which will include procedures for providing absentee  
5 ballots, upon request, in alternative formats that will allow  
6 all voters to cast a secret, independent, and verifiable  
7 absentee ballot without the assistance of another person.

8 Section 13. Effective July 1, 2004, subsection (2) of  
9 section 101.71, Florida Statutes, as amended by section 25 of  
10 chapter 2001-40, Laws of Florida, is amended to read:

11 101.71 Polling place.--

12 (2) Notwithstanding the provisions of subsection (1),  
13 whenever the supervisor of elections of any county determines  
14 that the accommodations for holding any election at a polling  
15 place designated for any precinct in the county are  
16 unavailable,~~or~~ are inadequate for the expeditious and  
17 efficient housing and handling of voting and voting  
18 paraphernalia, or do not comply with the requirements of s.  
19 101.715,the supervisor shall ~~may provide~~, not less than 30  
20 days prior to the holding of an election, provide for ~~that~~ the  
21 voting place for such precinct to ~~shall~~ be moved to another  
22 site that is ~~which shall be~~ accessible to the public on  
23 election day in said precinct or, if such is not available, to  
24 another site that is ~~which shall be~~ accessible to the public  
25 on election day in a contiguous precinct. If such action of  
26 the supervisor results in the voting place for two or more  
27 precincts being located for the purposes of an election in one  
28 building, the voting places for the several precincts involved  
29 shall be established and maintained separate from each other  
30 in said building. When any supervisor moves any polling place  
31 pursuant to this subsection, the supervisor shall, not more

Bill No. CS for SB 1350

Amendment No. \_\_\_\_ Barcode 403588

1 than 30 days or fewer than 7 days prior to the holding of an  
2 election, give notice of the change of the polling place for  
3 the precinct involved, with clear description of the voting  
4 place to which changed, at least once in a newspaper of  
5 general circulation in said county. A notice of the change of  
6 the polling place involved shall be mailed, at least 14 days  
7 prior to an election, to each registered elector or to each  
8 household in which there is a registered elector.

9 Section 14. Effective July 1, 2004, section 101.715,  
10 Florida Statutes, is amended to read:

11 (Substantial rewording of section. See  
12 s. 101.715, F.S., for present text.)

13 101.715 Accessibility of polling places for people  
14 having a disability.--

15 (1) All polling places must be accessible and usable  
16 by people with disabilities, as provided in this section.

17 (2) Only those polling places complying with the  
18 Florida Americans With Disabilities Accessibility  
19 Implementation Act, ss. 553.501-553.513, for all portions of  
20 the polling place or the structure in which it is located that  
21 voters traverse going to and from the polling place and during  
22 the voting process, regardless of the age or function of the  
23 building, shall be used for federal, state, and local  
24 elections.

25 (3) The selection of a polling site must ensure  
26 accessibility with respect to the following accessible  
27 elements, spaces, scope, and technical requirements:  
28 accessible route, space allowance and reach ranges, protruding  
29 objects, ground and floor surfaces, parking and passenger  
30 loading zones, curb ramps, ramps, stairs, elevators, platform  
31 lifts, doors, entrances, path of egress, controls and

Bill No. CS for SB 1350

Amendment No. \_\_\_\_ Barcode 403588

1 operating mechanisms, signage, and all other minimum  
2 requirements.

3 (4) Standards required at each polling place,  
4 regardless of the age of the building or function of the  
5 building, include:

6 (a) For polling places that provide parking spaces for  
7 voters, one or more signed accessible parking spaces for  
8 disabled persons.

9 (b) Signage identifying an accessible path of travel  
10 to the polling place if it differs from the primary route or  
11 entrance.

12 (c) An unobstructed path of travel to the polling  
13 place.

14 (d) Level, firm, stable, and slip-resistant surfaces.

15 (e) An unobstructed area for voting.

16 (f) Sufficient lighting along the accessible path of  
17 travel and within the polling place.

18 (5) The Department of State may adopt rules in  
19 accordance with s. 120.54 which are necessary to administer  
20 this section.

21 Section 15. (1) By September 1, 2003, each polling  
22 place in a county should be surveyed by the supervisor of  
23 elections of that county for the purpose of determining  
24 accessibility under the standards to be adopted pursuant to s.  
25 101.715, Florida Statutes, on July 1, 2004, using a survey  
26 developed by rule of the Department of State.

27 (2) The results of this survey shall be presented by  
28 the Division of Elections by December 1, 2003, to the  
29 Governor, the President of the Senate, and the Speaker of the  
30 House of Representatives. The report must note any polling  
31 places that will not meet the accessibility standards to be



Bill No. CS for SB 1350

Amendment No. \_\_\_\_ Barcode 403588

1 adopted on July 1, 2004, and shall state the specific reasons  
 2 why those polling places may not be brought into compliance by  
 3 that date. For each polling place that may not be brought into  
 4 compliance by that date, the supervisor of elections must  
 5 certify that fact to the Division of Elections and shall be  
 6 granted a variance for that polling place until the primary  
 7 and general elections in 2006.

8 Section 16. Effective November 30, 2002, subsection  
 9 (7) is added to section 102.014, Florida Statutes, to read:

10 102.014 Poll worker recruitment and training.--

11 (7) The Department of State shall develop a mandatory,  
 12 statewide, and uniform program for training poll workers on  
 13 issues of etiquette and sensitivity with respect to voters  
 14 having a disability. The program must consist of approximately  
 15 1 hour of the required number of hours set forth in paragraph  
 16 (4)(a). The program must be conducted locally by each  
 17 supervisor of elections, who shall periodically certify to the  
 18 Department of State whether each poll worker has completed the  
 19 program. The supervisor of elections shall contract with a  
 20 recognized disability-related organization, such as a center  
 21 for independent living, family network on disabilities, deaf  
 22 service bureau, or other such organization, to develop and  
 23 assist with training the trainers in the disability  
 24 sensitivity programs. The program must include actual  
 25 demonstrations of obstacles confronted by disabled persons  
 26 during the voting process, including obtaining access to the  
 27 polling place, traveling through the polling area, and using  
 28 the voting system.

29 Section 17. Section 104.20, Florida Statutes, is  
 30 amended to read:

31 104.20 Ballot not to be seen, and other offenses.--Any

Bill No. CS for SB 1350

Amendment No.      Barcode 403588

1 elector who, except as provided by law, allows his or her  
2 ballot to be seen by any person; takes or removes, or attempts  
3 to take or remove, any ballot from the polling place before  
4 the close of the polls; places any mark on his or her ballot  
5 by which it may be identified; ~~remains longer than the~~  
6 ~~specified time allowed by law in the booth or compartment~~  
7 ~~after having been notified that his or her time has expired;~~  
8 endeavors to induce any elector to show how he or she voted;  
9 aids or attempts to aid any elector unlawfully; or prints or  
10 procures to be printed, or has in his or her possession, any  
11 copies of any ballot prepared to be voted is guilty of a  
12 misdemeanor of the first degree, punishable as provided in s.  
13 775.082 or s. 775.083.

14 Section 18. Paragraph (y) of subsection (1) of section  
15 125.01, Florida Statutes, is amended to read:

16 125.01 Powers and duties.--

17 (1) The legislative and governing body of a county  
18 shall have the power to carry on county government. To the  
19 extent not inconsistent with general or special law, this  
20 power includes, but is not restricted to, the power to:

21 (y) Place questions or propositions on the ballot at  
22 any primary election, general election, or otherwise called  
23 special election, when agreed to by a majority vote of the  
24 total membership of the legislative and governing body, so as  
25 to obtain an expression of elector sentiment with respect to  
26 matters of substantial concern within the county. No special  
27 election may be called for the purpose of conducting a straw  
28 ballot. Any election costs, as defined in s. 97.021(10)~~s.~~  
29 ~~97.021(9)~~, associated with any ballot question or election  
30 called specifically at the request of a district or for the  
31 creation of a district shall be paid by the district either in

Bill No. CS for SB 1350

Amendment No. \_\_\_\_ Barcode 403588

1 whole or in part as the case may warrant.

2 Section 19. The State may apply for all available  
3 federal funds to be used to pay for the costs associated with  
4 this act.

5 Section 20. Except as otherwise expressly provided in  
6 this act, this act shall take effect one year after the  
7 legislature adopts the general appropriations act specifically  
8 appropriating to the Department of State, for distribution to  
9 the counties, \$8.7 million or such other amounts as it  
10 determines and appropriates.

11  
12

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

14 And the title is amended as follows:

15 Delete everything before the enacting clause

16

17 and insert:

18

A bill to be entitled

19

An act relating to elections; amending s.

20

106.08, F.S.; clarifying requirements for

21

soliciting and accepting charitable

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contributions; reenacting a prohibition against

23

indirect campaign contributions; amending s.

24

97.021, F.S.; defining the terms "alternative

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formats," "tactile input device," and "voter

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interface device" for purposes of the Florida

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Election Code; creating s. 97.026, F.S.;

28

stating the legislature's intent that certain

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forms used under the code be made available in

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alternative formats; requiring the Department

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of State to make such forms available via the

Bill No. CS for SB 1350

Amendment No. \_\_\_\_ Barcode 403588

1 Internet if possible; amending s. 98.065, F.S.;

2 requiring that the maintenance of voter

3 registration records be nondiscriminatory with

4 respect to persons having a disability;

5 creating s. 98.122, F.S.; requiring candidates,

6 political parties, and political committees to

7 use closed captioning and descriptive narrative

8 in all television broadcasts; providing that

9 failing to file a statement of reasons for

10 failing to do so is a violation of the code,

11 for which there are penalties; authorizing the

12 Department of State to adopt rules; amending

13 ss. 100.361, 100.371, F.S.; suggesting that a

14 recall petition be available in alternative

15 formats; requiring a constitutional amendment

16 proposed by initiative and other papers and

17 forms be available in alternative formats;

18 amending s. 101.051, F.S.; eliminating a

19 requirement that an elector give a reason under

20 oath for requesting assistance in voting;

21 amending s. 101.51, F.S.; abolishing

22 limitations on the length of time a voter is

23 allowed to occupy a voting booth or

24 compartment; creating s. 101.56062, F.S.;

25 providing standards for accessible voting

26 systems; requiring any voting system to have at

27 least one accessible voter interface device

28 installed in each precinct; authorizing the

29 Department of State to adopt rules; providing

30 legislative intent with respect to meeting or

31 exceeding minimum federal requirements for

Bill No. CS for SB 1350

Amendment No. \_\_\_\_ Barcode 403588

1 voting systems and accessibility of polling  
2 places; creating s. 101.662, F.S.; authorizing  
3 the Department of State to work with certain  
4 parties to develop procedures to allow absentee  
5 ballots to be cast in alternative formats;  
6 amending s. 101.71, F.S.; authorizing  
7 supervisors of elections to move a polling  
8 place that does not comply with requirements  
9 for accessibility; amending s. 101.715, F.S.;  
10 requiring that all polling places be accessible  
11 by persons having a disability; providing for  
12 standards that are required at each polling  
13 place; authorizing the Department of State to  
14 adopt rules; requiring the supervisors of  
15 elections to survey polling places for  
16 accessibility by a specified date; providing  
17 for a report of survey results to the Governor  
18 and Legislature; allowing for variance until a  
19 certain time; amending s. 102.014, F.S.;  
20 requiring the Department of State to develop a  
21 training program for poll workers concerning  
22 voters having a disability; providing  
23 requirements for the program; requiring  
24 supervisors of elections to certify completion  
25 of the program by poll workers; amending s.  
26 104.20, F.S., relating to penalties imposed  
27 against an elector for remaining in a voting  
28 booth longer than the specified time;  
29 conforming provisions to changes made by the  
30 act; amending s. 125.01, F.S., relating to  
31 powers of the governing body of a county;

Bill No. CS for SB 1350

Amendment No. \_\_\_\_ Barcode 403588

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conforming a cross-reference to changes made by  
the act; authorizing the State to apply for  
federal funds to be used to fund this act;  
providing effective dates.