

Bill No. CS for SB 618

Amendment No. Barcode 093146

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senators Jones and Meek moved the following amendment:

Senate Amendment (with title amendment)

On page 8, line 22, through
page 26, line 4, delete those lines

and insert: that ballot was entitled to vote in the county at
~~the precinct~~ in the election and that the person had not
already cast a ballot in the election.

(b)1. If it is determined that the person was
registered in the county and entitled to vote ~~at the precinct~~
in the election, the canvassing board shall compare the
signature on the provisional ballot envelope with the
signature on the voter's registration and, if it matches,
shall count the ballot. The provisional ballot of a voter who
is otherwise entitled to vote shall not be rejected because
the voter did not cast his or her ballot in the precinct of
his or her legal residence. However, if the voter did not vote
the ballot to which he or she was entitled, the canvassing
board shall duplicate the ballot for the races that the voter
was entitled to vote in his or her legal precinct and count

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1 the valid votes in races in which the voter was entitled to
2 vote. The canvassing board shall use rules adopted by the
3 division pursuant to s. 102.166(5) to determine whether an
4 overvoted or undervoted race contains a valid vote.

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

12 (3) The Provisional Ballot Voter's Certificate and
13 Affirmation shall be in substantially the following form:

14
15 STATE OF FLORIDA
16 COUNTY OF

17
18 I do solemnly swear (or affirm) that my name is;
19 that my date of birth is; that I am registered to vote
20 and at the time I registered I resided at, in the
21 municipality of, in County, Florida; that I am
22 registered in the Party;that I am a qualified voter of
23 the county;and that I have not voted in this election. I
24 understand that if I commit any fraud in connection with
25 voting, vote a fraudulent ballot, or vote more than once in an
26 election, I can be convicted of a felony of the third degree
27 and fined up to \$5,000 and/or imprisoned for up to 5 years.

28(Signature of Voter)....
29(Current Residence Address)....
30(Current Mailing Address)....
31(City, State, Zip Code)....

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1 Chief Financial Officer ~~Comptroller, Treasurer, Commissioner~~
 2 ~~of Education~~, Commissioner of Agriculture, state attorney, and
 3 public defender, together with the names of the candidates for
 4 each office and the title of the office which they seek; then
 5 the heading "Legislative" and thereunder the offices of state
 6 senator and state representative; then the heading "County"
 7 and thereunder clerk of the circuit court, clerk of the county
 8 court (when authorized by law), sheriff, property appraiser,
 9 tax collector, district superintendent of schools, and
 10 supervisor of elections. Thereafter follows: members of the
 11 board of county commissioners, and such other county and
 12 district offices as are involved in the ~~general~~ election, in
 13 the order fixed by the Department of State, followed, in the
 14 year of their election, by "Party Offices," and thereunder the
 15 offices of state and county party executive committee members.
 16 In a general election, in addition to the names printed on the
 17 ballot, a blank space shall be provided under each heading for
 18 an office for which a write-in candidate has qualified. With
 19 respect to write-in candidates, if two or more candidates are
 20 seeking election to one office, only one blank space shall be
 21 provided.

22 (c) If in any election all the offices as set forth in
 23 paragraph (a) are not involved, those offices not to be filled
 24 shall be omitted and the remaining offices shall be arranged
 25 on the ballot in the order named.

26 Section 9. Section 101.2512, Florida Statutes, is
 27 created to read:

28 101.2512 Candidates' names on general election
 29 ballots.--

30 (1) The supervisor of elections shall print on the
 31 general election ballot the names of candidates nominated by

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1 primary election or special primary election or the names of
2 candidates selected by the appropriate executive committee of
3 any political party pursuant to the requirements of this code.

4 (2) In addition to the names printed on the ballot as
5 provided in subsection (1), the supervisor of elections shall
6 print on the general election ballot the names of each
7 nonpartisan candidate, minor party candidate, or candidate
8 with no party affiliation who has obtained a position on the
9 general election ballot in compliance with the requirements of
10 this code.

11 Section 10. Section 101.475, Florida Statutes, is
12 created to read:

13 101.475 Procedure of election officials where name is
14 not on precinct register.--

15 (1) If a person presents himself or herself to vote
16 and his or her name is not on the precinct register, the
17 pollworker shall contact the office of the supervisor of
18 elections or access a master list of registered voters in the
19 county to determine whether the person is registered to vote.

20 (2) If the person is registered in the county and is
21 in the correct precinct, the person shall be allowed to vote.

22 (3) If the person is registered in the county but is
23 not in the correct precinct, the pollworker shall direct the
24 person to the proper precinct to vote.

25 (4) If the pollworker is unable to verify whether the
26 person is registered in the county, the pollworker shall issue
27 the person a provisional ballot pursuant to s. 101.048.

28 (5) If the pollworker verifies that the person is not
29 registered in the county, but the person nonetheless maintains
30 that he or she is entitled to vote, the pollworker shall issue
31 the person a provisional ballot pursuant to s. 101.048.

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1 Section 11. Section 101.5601, Florida Statutes, is
2 amended to read:

3 101.5601 Short title.--Sections 101.5601-101.5614 may
4 be cited 101.5601 through 101.5615 shall be known as the
5 "Electronic Voting Systems Act."

6 Section 12. Effective September 2, 2002, subsections
7 (3) and (4) of section 101.5606, Florida Statutes, as amended
8 by section 18 of chapter 2001-40, Laws of Florida, are amended
9 to read:

10 101.5606 Requirements for approval of systems.--No
11 electronic or electromechanical voting system shall be
12 approved by the Department of State unless it is so
13 constructed that:

14 (3) It immediately rejects ~~The automatic tabulating~~
15 ~~equipment shall be set to reject a ballot and provide the~~
16 ~~elector an opportunity to correct the ballot~~ where the number
17 of votes for an office or measure exceeds the number which the
18 voter is entitled to cast or where the tabulating equipment
19 reads the ballot as a ballot with no votes cast.

20 (4) For systems using paper ballots, it accepts a
21 rejected ballot pursuant to subsection (3) if a voter chooses
22 to cast the ballot, but records no vote for any office that
23 has been overvoted or undervoted.~~For rejected ballots that~~
24 ~~voters choose to cast, the automatic tabulating equipment will~~
25 ~~be set to accept the ballot and reject all votes for any~~
26 ~~office or measure when the number of votes therefor exceeds~~
27 ~~the number which the voter is entitled to cast or when the~~
28 ~~voter is not entitled to cast a vote for the office or~~
29 ~~measure.~~

30 Section 13. Paragraph (b) of subsection (2) of section
31 101.5608, Florida Statutes, is amended to read:

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1 101.5608 Voting by electronic or electromechanical
2 method; procedures.--

3 (2) When an electronic or electromechanical voting
4 system utilizes a ballot card or paper ballot, the following
5 procedures shall be followed:

6 (b) Any voter who spoils his or her ballot or makes an
7 error may return the ballot to the election official and
8 secure another ballot, except that in no case shall a voter be
9 furnished more than three ballots. If the vote tabulation
10 device has rejected a ballot, the ballot shall be considered
11 spoiled and a new ballot shall be provided to the voter unless
12 the voter chooses to cast the rejected ballot. The election
13 official, without examining the original ballot, shall state
14 the possible reasons for the rejection and shall provide
15 instruction to direct the voter to the instruction model
16 ~~provided at the precinct~~ pursuant to s. 101.5611. A spoiled
17 ballot shall be preserved, without examination, in an envelope
18 provided for that purpose. The stub shall be removed from the
19 ballot and placed in an envelope.

20 Section 14. Section 101.5611, Florida Statutes, is
21 amended to read:

22 101.5611 Instructions to electors.--

23 (1) ~~For the instruction of voters on election day,~~The
24 supervisor of elections shall provide instruction at each
25 polling place regarding one instruction model illustrating the
26 manner of voting with the system. In instructing voters, no
27 precinct official may favor any political party, candidate, or
28 issue. Such instruction ~~Each such instruction model~~ shall
29 show the arrangement of candidates ~~party rows, office columns,~~
30 and questions to be voted on. Additionally, the supervisor of
31 elections shall provide instruction on the proper method of

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1 casting a ballot for the specific voting system utilized in
2 that jurisdiction. Such instruction model shall be provided
3 ~~located~~ at a place which voters must pass to reach the
4 official voting booth.

5 ~~(2) Before entering the voting booth each voter shall~~
6 ~~be offered instruction in voting by use of the instruction~~
7 ~~model, and the voter shall be given ample opportunity to~~
8 ~~operate the model by himself or herself. In instructing~~
9 ~~voters, no precinct official may show partiality to any~~
10 ~~political party or candidate.~~

11 ~~(2)(3)~~ The supervisor of elections shall have posted
12 at each polling place a notice that reads: "A person who
13 commits or attempts to commit any fraud in connection with
14 voting, votes a fraudulent ballot, or votes more than once in
15 an election can be convicted of a felony of the third degree
16 and fined up to \$5,000 and/or imprisoned for up to 5 years."

17 Section 15. Paragraphs (a) and (d) of subsection (4)
18 of section 101.5612, Florida Statutes, are amended to read:

19 101.5612 Testing of tabulating equipment.--

20 (4)(a)1. For electronic or electromechanical voting
21 systems configured to include electronic or electromechanical
22 tabulation devices which are distributed to the precincts, all
23 or a sample of the devices to be used in the election shall be
24 publicly tested. If a sample is to be tested, the sample
25 shall consist of a random selection of at least 5 percent of
26 the devices for an optical scan system or 2 percent of the
27 devices for a touchscreen system or 10 of the devices for
28 either system, as applicable, whichever is greater. The test
29 shall be conducted by processing a group of ballots, causing
30 the device to output results for the ballots processed, and
31 comparing the output of results to the results expected for

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1 the ballots processed. The group of ballots shall be produced
2 so as to record a predetermined number of valid votes for each
3 candidate and on each measure and to include for each office
4 one or more ballots which have activated voting positions in
5 excess of the number allowed by law in order to test the
6 ability of the tabulating device to reject such votes.

7 2. If any tested tabulating device is found to have an
8 error in tabulation, it shall be deemed unsatisfactory. For
9 each device deemed unsatisfactory, the canvassing board shall
10 take steps to determine the cause of the error, shall attempt
11 to identify and test other devices that could reasonably be
12 expected to have the same error, and shall test a number of
13 additional devices sufficient to determine that all devices
14 are satisfactory. Upon deeming any device unsatisfactory, the
15 canvassing board may require all devices to be tested or may
16 declare that all devices are unsatisfactory.

17 3. If the operation or output of any tested tabulation
18 device, such as spelling or the order of candidates on a
19 report, is in error, such problem shall be reported to the
20 canvassing board. The canvassing board shall then determine
21 if the reported problem warrants its deeming the device
22 unsatisfactory.

23 (d) Any tabulating device deemed unsatisfactory shall
24 be recoded ~~reprogrammed~~, repaired, or replaced and shall be
25 made available for retesting. Such device must be determined
26 by the canvassing board or its representative to be
27 satisfactory before it may be used in any election. The
28 canvassing board or its representative shall announce at the
29 close of the first testing the date, place, and time that any
30 unsatisfactory device will be retested or may, at the option
31 of the board, notify by telephone each person who was present

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1 at the first testing as to the date, place, and time that the
2 retesting will occur.

3 Section 16. Subsections (5) and (9) of section
4 101.5614, Florida Statutes, are amended to read:

5 101.5614 Canvass of returns.--

6 (5) If any absentee ballot ~~card of the type for which~~
7 ~~the offices and measures are not printed directly on the card~~
8 is physically damaged ~~or defective~~ so that it cannot properly
9 be counted by the automatic tabulating equipment, a true
10 duplicate copy shall be made of the damaged ballot ~~card~~ in the
11 presence of witnesses and substituted for the damaged ballot.
12 Likewise, a duplicate ballot ~~card~~ shall be made, in the
13 presence of witnesses, of an absentee ballot initially
14 rejected by the automatic tabulating equipment which contains
15 an overvoted race or a marked absentee ballot in which every
16 race is undervoted if the canvassing board determines, based
17 on rules adopted by the division pursuant to s. 102.166(5),
18 that a valid vote was cast for any overvoted or undervoted
19 race. Such ballot shall be duplicated so that all valid votes
20 are counted by the automatic tabulating equipment. All
21 duplicate ballots shall be clearly labeled "duplicate," bear a
22 serial number which shall be recorded on the defective ballot,
23 and be counted in lieu of the defective ballot ~~a defective~~
24 ~~ballot which shall not include the invalid votes. All~~
25 ~~duplicate ballot cards shall be clearly labeled "duplicate,"~~
26 ~~bear a serial number which shall be recorded on the damaged or~~
27 ~~defective ballot card, and be counted in lieu of the damaged~~
28 ~~or defective ballot. If any ballot card of the type for which~~
29 ~~offices and measures are printed directly on the card is~~
30 ~~damaged or defective so that it cannot properly be counted by~~
31 ~~the automatic tabulating equipment, a true duplicate copy may~~

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1 ~~be made of the damaged ballot card in the presence of~~
2 ~~witnesses and in the manner set forth above, or the valid~~
3 ~~votes on the damaged ballot card may be manually counted at~~
4 ~~the counting center by the canvassing board, whichever~~
5 ~~procedure is best suited to the system used. If any paper~~
6 ~~ballot is damaged or defective so that it cannot be counted~~
7 ~~properly by the automatic tabulating equipment, the ballot~~
8 ~~shall be counted manually at the counting center by the~~
9 ~~canvassing board. The totals for all such ballots or ballot~~
10 ~~cards counted manually shall be added to the totals for the~~
11 ~~several precincts or election districts. No vote shall be~~
12 ~~declared invalid or void if there is a clear indication on the~~
13 ~~ballot that the voter has made a definite choice as determined~~
14 ~~by the canvassing board. After duplicating a ballot has been~~
15 ~~duplicated, the defective ballot shall be placed in an~~
16 ~~envelope provided for that purpose, and the duplicate ballot~~
17 ~~shall be tallied with the other ballots for that precinct.~~

18 (9) Any supervisor of elections, deputy supervisor of
19 elections, canvassing board member, election board member, or
20 election employee who releases the results of any election
21 prior to the closing of the polls in that county on election
22 day commits a felony of the third degree, punishable as
23 provided in s. 775.082, s. 775.083, or s. 775.084.

24 Section 17. Effective September 2, 2002, subsection
25 (1) of section 101.5614, Florida Statutes, as amended by
26 section 22 of chapter 2001-40, Laws of Florida, is amended to
27 read:

28 101.5614 Canvass of returns.--

29 (1) ~~In precincts in which an electronic or~~
30 ~~electromechanical voting system is used,~~As soon as the polls
31 are closed, the election board shall secure the voting devices

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1 against further voting. The election board shall thereafter,
2 ~~open the ballot box~~ in the presence of members of the public
3 desiring to witness the proceedings, verify ~~and count~~ the
4 number of voted ballots, unused ballots, provisional ballots,
5 and spoiled ballots to ascertain whether such number
6 corresponds with the number of ballots issued by the
7 supervisor. If there is a difference, this fact shall be
8 reported in writing to the county canvassing board with the
9 reasons therefor if known. The total number of voted ballots
10 shall be entered on the forms provided. The proceedings of the
11 election board at the precinct after the polls have closed
12 shall be open to the public; however, no person except a
13 member of the election board shall touch any ballot or ballot
14 container or interfere with or obstruct the orderly count of
15 the ballots.

16 Section 18. Section 101.595, Florida Statutes, is
17 amended to read:

18 101.595 Analysis and reports of voting problems ~~voter~~
19 ~~error~~.--

20 (1) No later than December 15 of each general election
21 year, the supervisor of elections in each county shall report
22 ~~on voter errors~~ to the Department of State the total number of
23 overvotes and undervotes in the first race appearing on the
24 ballot pursuant to s. 101.151(2), along with the likely
25 reasons for such overvotes and undervotes ~~the errors~~ and other
26 information as may be useful in evaluating the performance of
27 the voting system and identifying problems with ballot design
28 and instructions which may have contributed to voter
29 confusion.

30 (2) The Department of State, upon receipt of such
31 information, shall prepare a public report on the performance

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1 of each type of voting system. The report must contain, but
2 is not limited to, the following information:

3 (a) An identification of problems with the ballot
4 design or instructions which may have contributed to voter
5 confusion;

6 (b) An identification of voting system design
7 problems; and

8 (c) Recommendations for correcting any problems
9 identified.

10 (3) The Department of State shall submit the report to
11 the Governor, the President of the Senate, and the Speaker of
12 the House of Representatives by January 31 of each year
13 following a general election.

14 Section 19. Paragraph (a) of subsection (2) of section
15 101.68, Florida Statutes, is amended to read:

16 101.68 Canvassing of absentee ballot.--

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

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1 felony of the third degree, punishable as provided in s.
2 775.082, s. 775.083, or s. 775.084.

3 Section 20. Section 101.69, Florida Statutes, is
4 amended to read:

5 101.69 Voting in person; return of absentee
6 ballot.--The provisions of this code shall not be construed to
7 prohibit any elector from voting in person at the elector's
8 precinct on the day of an election notwithstanding that the
9 elector has requested an absentee ballot for that election.
10 An elector who has received an absentee ballot, but desires to
11 vote in person, shall return the ballot, whether voted or not,
12 to the election board in the elector's precinct. The returned
13 ballot shall be marked "canceled" by the board and placed with
14 other canceled ballots. However, if the elector does not is
15 unable to return the ballot, the election official shall
16 contact the supervisor's office to determine whether the
17 supervisor has received the elector's absentee ballot. If the
18 election official:

19 (1) Confirms that the supervisor has not received the
20 elector's absentee ballot, the elector shall be allowed to
21 vote in person. The elector's absentee ballot, if
22 subsequently received, shall not be counted and shall remain
23 in the mailing envelope, and the envelope shall be marked
24 "Rejected as Illegal."

25 (2) Confirms that the supervisor has received the
26 elector's absentee ballot, the elector shall not be allowed to
27 vote in person. If the elector maintains that he or she has
28 not returned the absentee ballot, the elector may vote a
29 provisional ballot as provided in s. 101.048.

30 (3) Cannot confirm whether the supervisor has received
31 the elector's absentee ballot, the elector may vote a

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1 provisional ballot as provided in s. 101.048.

2 Section 21. Subsection (4) of section 102.014, Florida
3 Statutes, is amended to read:

4 102.014 Poll worker recruitment and training.--

5 (4) Each supervisor of elections shall be responsible
6 for training inspectors and clerks, subject to the following
7 minimum requirements:

8 (a) No clerk shall be entitled to work at the polls
9 unless he or she has had a minimum of 3 6 hours of training
10 prior to each election during a general election year, at
11 least 2 hours of which must occur after June 1 of that year.

12 (b) No inspector shall work at the polls unless he or
13 she has had a minimum of 2 3 hours of training prior to each
14 election during a general election year, at least 1 hour of
15 which must occur after June 1 of that year.

16 (c) For the purposes of this subsection, the first and
17 second primary elections shall be considered one election.

18 Section 22. Subsections (2), (4), and (6) of section
19 102.141, Florida Statutes, are amended to read:

20 102.141 County canvassing board; duties.--

21 (2) The county canvassing board shall meet in a
22 building accessible to the public in the county where the
23 election occurred at a time and place to be designated by the
24 supervisor of elections to publicly canvass the absentee
25 electors' ballots as provided for in s. 101.68 and provisional
26 ballots as provided by s. 101.048. Public notice of the time
27 and place at which the county canvassing board shall meet to
28 canvass the absentee electors' ballots and provisional ballots
29 shall be given at least 48 hours prior thereto by publication
30 once in one or more newspapers of general circulation in the
31 county or, if there is no newspaper of general circulation in

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1 the county, by posting such notice in at least four
2 conspicuous places in the county. As soon as the absentee
3 electors' ballots and the provisional ballots are canvassed,
4 the board shall proceed to publicly canvass the vote given
5 each candidate, nominee, constitutional amendment, or other
6 measure submitted to the electorate of the county, as shown by
7 the returns then on file in the office of the supervisor of
8 elections and the office of the county court judge.

9 (4) The canvassing board shall submit unofficial
10 returns to the Department of State for each federal,
11 statewide, state, or multicounty office or ballot measure no
12 later than noon on the day after any primary, general,
13 special, or other election. Such returns shall not include
14 the canvass of any provisional ballots.

15 (6) If the unofficial returns reflect that a candidate
16 for any office was defeated or eliminated by one-half 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-half 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-half of a
22 percent or less of the votes cast on such measure, the board
23 responsible for certifying the results of the vote on such
24 race or measure shall order a recount of the votes cast with
25 respect to such office or measure. A recount need not be
26 ordered with respect to the returns for any office, however,
27 if the candidate or candidates defeated or eliminated from
28 contention for such office by one-half of a percent or less of
29 the votes cast for such office request in writing that a
30 recount not be made.

31 (a) In counties with voting systems that use ~~ballot~~

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1 ~~cards or paper ballots~~, each canvassing board responsible for
2 conducting a recount shall put each ballot through ~~the~~
3 ~~automatic tabulating equipment for each precinct in which the~~
4 ~~office or issue appeared on the ballot~~ and determine whether
5 the returns correctly reflect the votes cast. If any paper
6 ballot is physically damaged so that it cannot be properly
7 counted by the automatic tabulating equipment during the
8 recount, a true duplicate shall be made of the damaged ballot
9 pursuant to the procedures in s. 101.5614(5). Immediately
10 before the start of the recount and after completion of the
11 count, a test of the tabulating equipment shall be conducted
12 as provided in s. 101.5612. If the test indicates no error,
13 the recount tabulation of the ballots cast shall be presumed
14 correct and such votes shall be canvassed accordingly. If an
15 error is detected, the cause therefor shall be ascertained and
16 corrected and the recount repeated, as necessary. The
17 canvassing board shall immediately report the error, along
18 with the cause of the error and the corrective measures being
19 taken, to the Department of State. No later than 11 days after
20 the election, the canvassing board shall file a separate
21 incident report with the Department of State, detailing the
22 resolution of the matter and identifying any measures that
23 will avoid a future recurrence of the error.

24 (b) In counties with voting systems that do not use
25 ~~ballot cards or paper ballots~~, each canvassing board
26 responsible for conducting a recount shall examine the
27 counters on the precinct tabulators to ensure that the total
28 of the returns on the precinct tabulators equals the overall
29 election return. If there is a discrepancy between the overall
30 election return and the counters of the precinct tabulators,
31 the counters of the precinct tabulators shall be presumed

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1 correct and such votes shall be canvassed accordingly.

2 (c) The canvassing board shall submit a second set of
3 unofficial returns to the Department of State for each
4 federal, statewide, state, or multicounty office or ballot
5 measure no later than noon on the second day after any
6 election in which a recount was conducted pursuant to this
7 subsection. Such returns shall not include the canvass of any
8 provisional ballots. If the canvassing board is unable to
9 complete the recount prescribed in this subsection by the
10 deadline, the second set of unofficial returns submitted by
11 the canvassing board shall be identical to the initial
12 unofficial returns and the submission shall also include a
13 detailed explanation of why it was unable to timely complete
14 the recount. However, the canvassing board shall complete the
15 recount prescribed in this subsection, along with any manual
16 recount prescribed in s. 102.166, and certify election returns
17 in accordance with the requirements of this chapter.

18 Section 23. Paragraph (a) of subsection (2) and
19 subsection (6) of section 102.166, Florida Statutes, are
20 amended to read:

21 102.166 Manual recounts.--

22 (2)(a) If the second set of unofficial returns
23 pursuant to s. 102.141 indicates that a candidate for any
24 office was defeated or eliminated by between one-quarter and
25 one-half of a percent of the votes cast for such office, that
26 a candidate for retention to judicial office was retained or
27 not retained by between one-quarter and one-half of a percent
28 of the votes cast on the question of retention, or that a
29 measure appearing on the ballot was approved or rejected by
30 between one-quarter and one-half of a percent of the votes
31 cast on such measure, any such candidate, the political party

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1 of such candidate, or any political committee that supports or
2 opposes such ballot measure is entitled to a manual recount of
3 the overvotes and undervotes cast in the entire geographic
4 jurisdiction of such office or ballot measure, provided that a
5 request for a manual recount is made by 5 p.m. on the second
6 day after the election.

7

8

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

10 And the title is amended as follows:

11 On page 2, line 27, through page 3, line 5, delete
12 those lines

13

14 and insert:

15 102.141, F.S.; clarifying the timing for
16 reporting provisional ballot returns; providing
17 for the duplication of ballots that are damaged
18 and cannot be counted by the automatic
19 tabulating equipment during a recount;
20 eliminating obsolete provisions; amending
21 102.166, F.S.;

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