

By Senator Wasserman Schultz

34-1491-03

See HB 395

1                                   A bill to be entitled  
2           An act relating to voting absentee ballots in  
3           person; amending s. 101.657, F.S.; authorizing  
4           the use of certain buildings as branch offices  
5           for purposes of voting absentee ballots in  
6           person; providing for early voting by absentee  
7           ballot in person in the main office or branch  
8           offices of the supervisor of elections;  
9           providing rulemaking authority; providing an  
10          effective date.

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

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14           Section 1. Subsection (2) of section 101.657, Florida  
15 Statutes, is amended to read:

16           101.657 Voting absentee ballots in person.--

17           (2)(a) As an alternative to the provisions of ss.  
18 101.64 and 101.65, the supervisor of elections may allow an  
19 elector to cast an absentee ballot in the main office or any  
20 branch office of the supervisor by depositing the voted ballot  
21 in a voting device used by the supervisor to collect or  
22 tabulate ballots. For purposes of this section, a branch  
23 office may include a single building or complex of buildings  
24 whose residents are members of a condominium or homeowners'  
25 association comprised of at least 1,000 registered voters.

26           (b) Voting by absentee ballot at the main office or  
27 any branch office, as determined by the supervisor, shall  
28 commence 14 days prior to an election. However, the results or  
29 tabulation may not be made before the close of the polls on  
30 election day.

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1           (c)~~(a)~~ The elector must provide picture identification  
2 and must complete an In-Office Voter Certificate in  
3 substantially the following form:

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IN-OFFICE VOTER CERTIFICATE

I, \_\_\_\_\_, am a qualified elector in this election and  
registered voter of \_\_\_\_\_ County, Florida. I do solemnly swear  
or affirm that I am the person so listed on the voter  
registration rolls of \_\_\_\_\_ County and that I reside at the  
listed address. I understand that if I commit or attempt to  
commit fraud in connection with voting, vote a fraudulent  
ballot, or vote more than once in an election I could be  
convicted of a felony of the third degree and both fined up to  
\$5,000 and imprisoned for up to 5 years. I understand that my  
failure to sign this certificate and have my signature  
witnessed invalidates my ballot.

... (Voter's Signature) ...  
... (Address) ...  
... (City/State) ...  
... (Name of Witness) ...  
... (Signature of Witness) ...  
... (Type of identification provided) ...

1           ~~(d)(b)~~ Any elector may challenge an elector seeking to  
2 cast an absentee ballot under the provisions of s. 101.111.  
3 Any challenged ballot must be placed in a regular absentee  
4 ballot envelope. The canvassing board shall review the ballot  
5 and decide the validity of the ballot by majority vote.

6           ~~(e)(c)~~ The canvass of returns for ballots cast under  
7 this subsection shall be substantially the same as votes cast  
8 by electors in precincts, as provided in s. 101.5614.

9           (f) The Department of State shall adopt rules pursuant  
10 to ss. 120.536(1) and 120.54 to implement the provisions of  
11 this subsection, including, at a minimum, provisions for the  
12 selection and security of the main office or branch offices,  
13 and their respective polling places, for the purposes of this  
14 subsection.

15           Section 2. This act shall take effect January 1, 2004.  
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