

By Senator Klein

30-1467-04

See HB

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

A bill to be entitled
An act relating to voting systems; amending s.
101.5606, F.S.; revising a requirement and
providing additional requirements for voting
systems in order to be approved by the
Department of State; providing an effective
date.

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

Section 1. Section 101.5606, Florida Statutes, is
amended to read:

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

(1) It permits and requires voting in secrecy.

(2) It permits each elector to vote at any election
for all persons and offices for whom and for which the elector
is lawfully entitled to vote, and no others; to vote for as
many persons for an office as the elector is entitled to vote
for; and to vote for or against any question upon which the
elector is entitled to vote.

(3) It immediately rejects a ballot where the number
of votes for an office or measure exceeds the number which the
voter is entitled to cast or where the tabulating equipment
reads the ballot as a ballot with no votes cast.

(4) For systems using paper ballots, it accepts a
rejected ballot pursuant to subsection (3) if a voter chooses
to cast the ballot, but records no vote for any office that
has been overvoted or undervoted.

1 (5) It is capable of correctly counting votes.

2 (6) It permits each voter at a primary election to
3 vote only for the candidates seeking nomination by the
4 political party in which such voter is registered, for any
5 candidate for nonpartisan office, and for any question upon
6 which the voter is entitled to vote.

7 (7) At presidential elections it permits each elector,
8 by one operation, to vote for all presidential electors of a
9 party or for all presidential electors of candidates for
10 President and Vice President with no party affiliation.

11 (8) It provides a method for write-in voting.

12 (9) It is capable of accumulating a count of the
13 specific number of ballots tallied for a precinct,
14 accumulating total votes by candidate for each office, and
15 accumulating total votes for and against each question and
16 issue of the ballots tallied for a precinct.

17 (10) It is capable of tallying votes from ballots of
18 different political parties from the same precinct, in the
19 case of a primary election.

20 (11) It is capable of automatically producing precinct
21 totals in printed, marked, or punched form, or a combination
22 thereof.

23 (12) If it is of a type which registers votes
24 electronically, it will permit each voter to privately and
25 independently change his or her vote for any candidate or upon
26 any question appearing on the official ballot, or correct any
27 error, up to the time that the voter takes the final step to
28 register his or her vote and to have the vote computed.

29 (13) It is capable of providing records from which the
30 operation of the voting system may be audited.

31 (14) It uses a precinct-count tabulation system.

1 (15) It does not use an apparatus or device for the
2 piercing of ballots by the voter.

3 (16) It produces and retains a voter-verified
4 permanent paper record with a manual audit capacity which
5 shall record each vote to be cast and which shall be presented
6 to the voter from behind a window or other device before the
7 ballot is cast.

8 (17) It is furnished with illumination sufficient to
9 enable voters while in the booth to read the ballots.

10 (18) It is equipped with an audio-stimulus voting
11 feature that communicates the complete content of the ballot
12 in a human voice which permits a voter who is blind or
13 visually impaired to cast a secret ballot using, at the option
14 of the voter, voice-only or tactile-discernible controls.

15 (19) It includes a sip and puff switch voting
16 attachment.

17 Section 2. This act shall take effect July 1, 2004.
18
19
20
21
22
23
24
25
26
27
28
29
30
31