

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 2946

SPONSOR: Ethics and Elections Committee and Senator Wise

SUBJECT: Polling Place Procedures and Training

DATE: April 12, 2004

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Rubinas</u>	<u>Rubinas</u>	<u>EE</u>	<u>Fav/CS</u>
2.	_____	_____	<u>ATD</u>	_____
3.	_____	_____	<u>AP</u>	_____
4.	_____	_____	<u>RC</u>	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

Committee Substitute for SB 2946 provides that the Voter's Bill of Rights shall be amended to inform each registered voter in this state of the right to be informed that they may ask for assistance in receiving accommodations under the Americans with Disabilities Act. The committee substitute also amends the Voter Responsibilities provisions to encourage registered voters to request an accommodation under the Americans with Disabilities Act, if needed.

Committee Substitute for SB 2946 also requires the Department of State to augment the mandatory, statewide, and uniform program for training poll workers on issues of etiquette and sensitivity with respect to voters having a disability by adding instructions on a voter's right to obtain, and the duty of each supervisor of election to provide, accommodations during the voting process as defined in the Americans with Disabilities Act. These new instructions are to be provided by the Governor's Working Group on the Americans with Disabilities Act, or successor group. The instructions shall also be provided the Department of Elderly Affairs, area agencies on aging, voter registration agencies serving persons with disabilities, and the public. The bill also requires these materials to be updated periodically.

This act will take effect on January 1, 2005.

This bill substantially amends s. 102.014, Florida Statutes.

II. Present Situation:

Currently, the Voter's Bill of Rights and Voter Responsibilities makes no mention of rights of registered voters with disabilities to ask for and receive accommodations under the Americans

with Disabilities Act or establish the responsibility of such voters to request such an accommodation, if needed.

The Department of State is currently charged with development of a mandatory, statewide, and uniform program for training poll workers on issues of etiquette and sensitivity with respect to voters having a disability. The program must consist of approximately 1 hour of the required number of hours required for inspectors and clerks. The program is conducted locally by each supervisor of elections, who periodically certify to the Department of State whether each poll worker has completed the program. The supervisor of elections currently is required to contract with a recognized disability-related organization, such as a center for independent living, family network on disabilities, deaf service bureau, or other such organization, to develop and assist with training the trainers in the disability sensitivity programs. The program must include actual demonstrations of obstacles confronted by disabled persons during the voting process, including obtaining access to the polling place, traveling through the polling area, and using the voting system.

The Department of State currently adopts by rule a polling place procedures manual that contains examples and suggestions for poll workers dealing with commonly encountered situations with persons having special needs, such as mobility, visual, and hearing impairments. The manual encourages sensitivity toward persons with special needs and illustrates proper disability etiquette for poll workers to follow.¹

III. Effect of Proposed Changes:

Committee Substitute for SB 2946 provides that the Voter's Bill of Rights shall be amended to inform each registered voter in this state of the right to be informed that they may ask for assistance in receiving accommodations under the Americans with Disabilities Act. The committee substitute also amends the Voter Responsibilities provisions to encourage registered voters to request an accommodation under the Americans with Disabilities Act, if needed.

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¹ 1S-2.034, F.A.C. at pp. 16-18.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.