

By the Committee on Ethics and Elections; and Senator Wise

313-2518-04

1 A bill to be entitled
2 An act relating to elections; amending s.
3 101.031, F.S.; requiring the supervisor of
4 elections to post at all polling places the
5 Voter's Bill of Rights printed in large bold
6 type; directing that the Voter's Bill of Rights
7 contain notice of the availability of
8 accommodations for person's with disabilities;
9 providing that a voter with a disability may
10 ask for an accommodation; amending s. 102.014,
11 F.S.; requiring that training for poll workers
12 include instructions on a voter's right to
13 obtain, and the duty of each supervisor of
14 elections to provide, accommodations during the
15 voting process; directing the Governor's
16 Working Group on the Americans with
17 Disabilities Act, or its successor, to provide
18 the training materials for the accommodation
19 training to the supervisors of elections, the
20 Department of Elderly Affairs, the area
21 agencies on aging, and voter registration
22 agencies; requiring that the materials be
23 distributed to the public; providing an
24 effective date.

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

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28 Section 1. Subsection (2) of section 101.031, Florida
29 Statutes, is amended to read:

30 101.031 Instructions for electors.--
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1 (2) The supervisor of elections in each county shall
2 have posted in a conspicuous location at each polling place in
3 the county the Voter's Bill of Rights and Responsibilities in
4 large bold print containing the following ~~form~~:

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6 VOTER'S BILL OF RIGHTS
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8 Each registered voter in this state has the right to:

- 9 1. Vote and have his or her vote accurately counted.
- 10 2. Cast a vote if he or she is in line at the official
11 closing of the polls in that county.
- 12 3. Ask for and receive assistance in voting and
13 accommodations under the Americans with Disabilities Act.
- 14 4. Receive up to two replacement ballots if he or she
15 makes a mistake prior to the ballot being cast.
- 16 5. An explanation if his or her registration is in
17 question.
- 18 6. If his or her registration is in question, cast a
19 provisional ballot.
- 20 7. Prove his or her identity by signing an affidavit
21 if election officials doubt the voter's identity.
- 22 8. Written instructions to use when voting, and, upon
23 request, oral instructions in voting from elections officers.
- 24 9. Vote free from coercion or intimidation by
25 elections officers or any other person.
- 26 10. Vote on a voting system that is in working
27 condition and that will allow votes to be accurately cast.

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29 VOTER RESPONSIBILITIES
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31 Each registered voter in this state should:

- 1 1. Familiarize himself or herself with the candidates
2 and issues.
- 3 2. Maintain with the office of the supervisor of
4 elections a current address.
- 5 3. Know the location of his or her polling place and
6 its hours of operation.
- 7 4. Bring proper identification to the polling station.
- 8 5. Familiarize himself or herself with the operation
9 of the voting equipment in his or her precinct.
- 10 6. Treat precinct workers with courtesy.
- 11 7. Respect the privacy of other voters.
- 12 8. Report any problems or violations of election laws
13 to the supervisor of elections.
- 14 9. Ask questions, if needed, or request an
15 accommodation under the Americans with Disabilities Act.
- 16 10. Make sure that his or her completed ballot is
17 correct before leaving the polling station.

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19 NOTE TO VOTER: Failure to perform any of these
20 responsibilities does not prohibit a voter from voting.

21 Section 2. Subsection (7) of section 102.014, Florida
22 Statutes, is amended to read:

23 102.014 Poll worker recruitment and training.--

24 (7) The Department of State shall develop a mandatory,
25 statewide, and uniform program for training poll workers on
26 issues of etiquette and sensitivity with respect to voters
27 having a disability. The program must consist of approximately
28 1 hour of the required number of hours set forth in paragraph
29 (4)(a). The program must be conducted locally by each
30 supervisor of elections, who shall periodically certify to the
31 Department of State whether each poll worker has completed the

1 program. The supervisor of elections shall contract with a
2 recognized disability-related organization, such as a center
3 for independent living, family network on disabilities, deaf
4 service bureau, or other such organization, to develop and
5 assist with training the trainers in the disability
6 sensitivity programs. The program must include actual
7 demonstrations of obstacles confronted by disabled persons
8 during the voting process, including obtaining access to the
9 polling place, traveling through the polling area, and using
10 the voting system. The program shall also contain instructions
11 on a voter's right to obtain, and the duty of each supervisor
12 of elections to provide, accommodations during the voting
13 process defined in the Americans with Disabilities Act, 42
14 U.S.C. s. 12101. The Governor's Working Group on the Americans
15 with Disabilities Act, or its successor, shall provide the
16 materials for the accommodations segment of the program to the
17 Secretary of State and the supervisors of elections. The
18 materials shall be periodically updated to comply with and
19 conform to changes or amendments to the requirements of the
20 Americans with Disabilities Act. These materials shall also be
21 provided to the Department of Elderly Affairs and to the area
22 agencies on aging and voter registration agencies serving
23 persons with disabilities. The materials shall be distributed
24 to the public by including them in materials distributed by
25 the Department of Elderly Affairs and the area agencies on
26 aging to the public.

27 Section 3. This act shall take effect January 1, 2005.
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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 2946

The committee substitute differs from the original bill in 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 Voter Responsibilities provisions are amended to encourage registered voters to request an accommodation under the Americans with Disabilities Act, if needed; and the Department of State is required 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.