

Bill No. SB 2176

Barcode 602072

CHAMBER ACTION

Senate

House

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The Committee on Governmental Oversight and Productivity
(Sebesta) recommended the following **amendment to amendment**
(844124):

Senate Amendment (with title amendment)

On page 74, between lines 20 and 21,

insert:

Section 41. Subsections (7) and (8) of section
101.5614, Florida Statutes, are amended to read:

101.5614 Canvass of returns.--

(7) Absentee ballots and early voted ballots shall ~~may~~
be counted by automatic tabulating equipment ~~if they have been~~
~~marked~~ in a manner which will enable them to be properly
counted by such equipment and aggregated with the results for
each precinct. Votes from provisional ballots shall be
included in the total results of the county, but need not be
aggregated with individual precinct results.

(8) The return printed by the automatic tabulating
equipment, to which has been added the return of write-in
votes, absentee, and manually counted votes, and votes from

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1 | provisional ballots, shall constitute the official return of
 2 | the election upon certification by the canvassing board. Upon
 3 | completion of the count, the returns shall be open to the
 4 | public. A copy of the returns may be posted at the central
 5 | counting place or at the office of the supervisor of elections
 6 | in lieu of the posting of returns at individual precincts.

7 | Section 42. Effective August 1, 2006, section 101.573,
 8 | Florida Statutes, is created to read:

9 | 101.573 Record of votes by precinct.--

10 | (1) Within 75 days after the date of a local election
 11 | or runoff, whichever occurs later, a presidential preference
 12 | primary, or a general election, the supervisor of elections
 13 | shall file with the Department of State precinct-level
 14 | election results for that election cycle, including any
 15 | primary or preliminary elections. Precinct-level election
 16 | results will record for each precinct the returns tabulated at
 17 | the precinct location to which have been added the returns for
 18 | the precinct of absentee and early-voted votes.

19 | (2) The Department of State shall adopt rules pursuant
 20 | to ss. 120.536(1) and 120.54 prescribing the form by which
 21 | supervisors of elections shall submit election results for
 22 | each precinct.

23 | Section 43. Subsection (3) is added to section 101.64,
 24 | Florida Statutes, to read:

25 | 101.64 Delivery of absentee ballots; envelopes;
 26 | form.--

27 | (3) The supervisor shall mark, code, indicate on, or
 28 | otherwise track the precinct of the absent elector for each
 29 | absentee ballot.

30 | Section 44. Paragraph (a) of subsection (1) of section
 31 | 101.657, Florida Statutes, is amended to read:

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1 101.657 Early voting.--

2 (1)(a) The supervisor of elections shall allow an
3 elector to vote early in the main or branch office of the
4 supervisor by depositing the voted ballot in a voting device
5 used by the supervisor to collect or tabulate ballots. The
6 supervisor shall mark, code, indicate on, or otherwise track
7 the voter's precinct for each early-voted ballot. In order for
8 a branch office to be used for early voting, it shall be a
9 full-service facility of the supervisor and shall have been
10 designated as such at least 1 year prior to the election. The
11 supervisor may designate any city hall or public library as
12 early voting sites; however, if so designated, the sites must
13 be geographically located so as to provide all voters in the
14 county an equal opportunity to cast a ballot, insofar as is
15 practicable. The results or tabulation may not be made before
16 the close of the polls on election day.

17
18 (Redesignate subsequent sections.)

19
20
21 ===== T I T L E A M E N D M E N T =====

22 And the title is amended as follows:

23 On page 80, line 2, after the second semicolon,

24
25 insert:

26 amending s. 101.5614, F.S., relating to the
27 canvas of returns; providing for automatic
28 tabulation of absentee and early-voted ballots
29 by precinct; including early-voted ballots
30 within the official return of the election;
31 creating s. 101.573, F.S.; requiring the

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1 supervisor of elections to file precinct-level
2 election results; requiring the Department of
3 State to adopt rules; amending ss. 101.64 and
4 101.657, F.S., relating to absentee ballots and
5 early voting; requiring that the supervisor of
6 elections indicate on each absentee or
7 early-voted ballot the precinct of the voter;

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