## Florida Senate - 2005

By Senators Posey and Webster

24-1351B-05

1	A bill to be entitled
2	An act relating to elections; amending s.
3	101.5614, F.S., relating to the canvas of
4	returns; providing for automatic tabulation of
5	early voted ballots; including early voted
6	ballots within the official return of the
7	election; requiring that the return record
8	precinct results; amending ss. 101.64 and
9	101.657, F.S., relating to absentee ballots and
10	early voting; requiring that the supervisor of
11	elections indicate on each ballot, secrecy
12	envelope, mailing envelope, or early voted
13	ballot the precinct of the voter; amending s.
14	101.68, F.S.; requiring that the absentee
15	ballots be combined with the tabulated votes of
16	each precinct and included in the total vote of
17	the county; providing an effective date.
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19	Be It Enacted by the Legislature of the State of Florida:
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21	Section 1. Subsections (7) and (8) of section
22	101.5614, Florida Statutes, are amended to read:
23	101.5614 Canvass of returns
24	(7) Absentee ballots <u>and early voted ballots</u> may be
25	counted by automatic tabulating equipment if they have been
26	marked in a manner <u>that</u> <del>which</del> will enable them to be properly
27	counted by such equipment and aggregated with the results for
28	each precinct.
29	(8) The return printed by the automatic tabulating
30	equipment, to which has been added the return of write-in,
31	absentee, <u>early voted,</u> and manually counted votes and votes
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1 from provisional ballots, shall constitute the official return 2 of the election upon certification by the canvassing board. In addition to recording total results of the county, the return 3 shall record results for each precinct. Precinct results need 4 not distinguish among methods of voting but must record for 5 6 each precinct the return tabulated at the precinct location to 7 which has been added the return for that precinct of write-in, 8 absentee, early voted, and manually counted votes and votes from provisional ballots. Upon completion of the count, the 9 returns shall be open to the public. A copy of the returns may 10 be posted at the central counting place or at the office of 11 12 the supervisor of elections in lieu of the posting of returns 13 at individual precincts. Section 2. Subsection (3) is added to section 101.64, 14 Florida Statutes, to read: 15 16 101.64 Delivery of absentee ballots; envelopes; 17 form.--18 (3) The supervisor shall mark, code, track, or otherwise indicate on each ballot, secrecy envelope, or 19 mailing envelope the precinct of the absent elector. 2.0 21 Section 3. Paragraph (a) of subsection (1) of section 22 101.657, Florida Statutes, is amended to read: 23 101.657 Early voting.--(1)(a) The supervisor of elections shall allow an 2.4 25 elector to vote early in the main or branch office of the supervisor by depositing the voted ballot in a voting device 26 27 used by the supervisor to collect or tabulate ballots. The 2.8 supervisor shall mark, code, track, or otherwise indicate on each early voted ballot the precinct to which the ballot 29 corresponds. In order for a branch office to be used for early 30 voting, it shall be a full-service facility of the supervisor 31

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1 and shall have been designated as such at least 1 year prior 2 to the election. The supervisor may designate any city hall or public library as early voting sites; however, if so 3 designated, the sites must be geographically located so as to 4 provide all voters in the county an equal opportunity to cast 5 6 a ballot, insofar as is practicable. The results or tabulation 7 may not be made before the close of the polls on election day. Section 4. Paragraph (d) of subsection (2) of section 8 101.68, Florida Statutes, is amended to read: 9 10 101.68 Canvassing of absentee ballot.--(2) 11 12 (d) The canvassing board shall record the ballot upon 13 the proper record, unless the ballot has been previously recorded by the supervisor. The mailing envelopes shall be 14 opened and the secrecy envelopes shall be mixed so as to make 15 it impossible to determine which secrecy envelope came out of 16 17 which signed mailing envelope; however, in any county in which an electronic or electromechanical voting system is used, the 18 ballots may be sorted by ballot styles and the mailing 19 envelopes may be opened and the secrecy envelopes mixed 20 21 separately for each ballot style. The votes on absentee 22 ballots shall be combined with the tabulated votes for each 23 precinct and included in the total vote of the county. Section 5. This act shall take effect upon becoming a 2.4 25 law. 26 27 28 29 30 31

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SB 2270

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2	SENATE SUMMARY
3	Clarifies requirements governing early voted ballots to
4	provide for automatic tabulation and include early voted ballots within the official return of the election.
5	Requires that the results for each precinct be recorded in the return. Requires that the supervisor of elections
6	indicate on each ballot, secrecy envelope, mailing envelope, or early voted ballot the precinct of the
7	voter. (See bill for details.)
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