

By Senator Klein

30-269-05

1 A bill to be entitled
2 An act relating to voting systems; amending s.
3 101.5606, F.S.; revising a requirement and
4 providing additional requirements for voting
5 systems that may be approved by the Department
6 of State; providing an effective date.

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

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

12 101.5606 Requirements for approval of systems.--No
13 electronic or electromechanical voting system shall be
14 approved by the Department of State unless it is so
15 constructed that:

16 (1) It permits and requires voting in secrecy.

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

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

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

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

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

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

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

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

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

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

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

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

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

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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 records each vote to be cast and which is viewed by the voter
6 from behind a window or other device before the ballot is
7 cast.

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

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 and permits a voter who is blind or visually
13 impaired to cast a secret ballot using, at the option of the
14 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, 2005.

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20 SENATE SUMMARY

21 Revises requirements for voting systems that may be
22 approved by the Department of State.