

By Senator Hill

1-535-05

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A bill to be entitled
An act relating to electronic or
electromechanical voting systems; amending s.
101.5606, F.S.; requiring that an electronic or
electromechanical voting system be capable of
producing a voter-verified paper record that is
suitable for a manual audit; providing an
effective date.

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

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

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

(1) It permits and requires voting in secrecy.

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

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

(4) For systems using paper ballots, it accepts a
rejected ballot under ~~pursuant to~~ subsection (3) if a voter

1 chooses to cast the ballot, but records no vote for any office
2 that has been overvoted or undervoted.

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

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

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

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

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

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

22 (11) It is capable of automatically producing precinct
23 totals in printed, marked, or punched form, or a combination
24 thereof.

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

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1 (13) It is capable of producing a voter-verified paper
2 record suitable for a manual audit as specified in subsection
3 (14).

4 ~~(14)~~~~(13)~~ It is capable of providing paper records from
5 which the operation of the voting system may be audited.

6 ~~(15)~~~~(14)~~ It uses a precinct-count tabulation system.

7 ~~(16)~~~~(15)~~ It does not use an apparatus or device for
8 the piercing of ballots by the voter.

9 Section 2. This act shall take effect July 1, 2005.

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SENATE SUMMARY

Requires that an electronic or electromechanical voting system be capable of producing a voter-verified paper record that is suitable for a manual audit.