

HB 0541

2005

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

6

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

8

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

11 101.5606 Requirements for approval of systems.--No
12 electronic or electromechanical voting system shall be approved
13 by the Department of State unless it is so constructed that:

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

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

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

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

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

30 (6) It permits each voter at a primary election to vote
 31 only for the candidates seeking nomination by the political
 32 party in which such voter is registered, for any candidate for
 33 nonpartisan office, and for any question upon which the voter is
 34 entitled to vote.

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

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

40 (9) It is capable of accumulating a count of the specific
 41 number of ballots tallied for a precinct, accumulating total
 42 votes by candidate for each office, and accumulating total votes
 43 for and against each question and issue of the ballots tallied
 44 for a precinct.

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

48 (11) It is capable of automatically producing precinct
 49 totals in printed, marked, or punched form, or a combination
 50 thereof.

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

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

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

60 (15) It does not use an apparatus or device for the
61 piercing of ballots by the voter.

62 (16) It produces and retains a voter-verified permanent
63 paper record with a manual audit capacity which records each
64 vote to be cast and which is viewed by the voter from behind a
65 window or other device before the ballot is cast.

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

68 (18) It is equipped with an audio-stimulus voting feature
69 that communicates the complete content of the ballot in a human
70 voice and permits a voter who is blind or visually impaired to
71 cast a secret ballot using, at the option of the voter, voice-
72 only or tactile-discernible controls.

73 (19) It includes a sip and puff switch voting attachment.

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