1   A bill to be entitled

2   An act relating to electronic or electromechanical voting

3   systems; amending s. 101.5606, F.S.; requiring that an

4   electronic or electromechanical voting system be capable

5   of producing a voter-verified paper record that is

6   suitable for a manual audit; providing an effective date.

7

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

9

10   Section 1. Section 101.5606, Florida Statutes, is amended

11 to read:

12   101.5606 Requirements for approval of systems.--No

13 electronic or electromechanical voting system shall be approved

14 by the Department of State unless it is so constructed that:

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

16   (2) It permits each elector to vote at any election for

17 all persons and offices for whom and for which the elector is

18 lawfully entitled to vote, and no others; to vote for as many

19 persons for an office as the elector is entitled to vote for;

20 and to vote for or against any question upon which the elector

21 is entitled to vote.

22   (3) It immediately rejects a ballot where the number of

23 votes for an office or measure exceeds the number which the

24 voter is entitled to cast or where the tabulating equipment

25 reads the ballot as a ballot with no votes cast.

26   (4) For systems using paper ballots, it accepts a rejected

27 ballot pursuant to subsection (3) if a voter chooses to cast the

28 ballot, but records no vote for any office that has been

29 overvoted or undervoted.

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

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

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

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

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

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

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

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

Page 2 of 3

57   (13) It is capable of producing a voter-verified paper

58   record suitable for a manual audit as specified in subsection

59   (14).

60   (14)(13) It is capable of providing paper records from

61   which the operation of the voting system may be audited.

62   (15)(14) It uses a precinct-count tabulation system.

63   (16)(15) It does not use an apparatus or device for the

64   piercing of ballots by the voter.

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