

1 A bill to be entitled
 2 An act relating to voting systems; amending s. 101.5606,
 3 F.S.; providing additional criteria governing approval of
 4 certain voting systems by the Department of State;
 5 requiring that a system produce a paper record meeting
 6 specified criteria; providing for preservation of and
 7 access to such a record; providing for use of such record
 8 in a recount of certain elections; prohibiting a system
 9 that contains or uses software or a source code that is
 10 not disclosed to the department; providing for inspection
 11 of a disclosed source code by a citizen; prohibiting a
 12 system that contains a wireless communication device;
 13 prohibiting a system that contains or uses software or
 14 hardware that is not certified to meet specified criteria;
 15 providing for accreditation by the department of a
 16 laboratory that may issue such certification; providing an
 17 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 (16), (17), (18), and (19) are
 22 added to section 101.5606, Florida Statutes, to read:

23 101.5606 Requirements for approval of systems.--No
 24 electronic or electromechanical voting system shall be approved
 25 by the Department of State unless it is so constructed that:

26 (16) It produces a voter-verifiable paper record that is
 27 suitable for a manual audit and is equivalent or superior to the
 28 paper record of a paper ballot box system such that the voting

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29 system, at minimum:

30 (a) Produces a permanent paper record, each individual
31 paper record of which is made available for inspection and
32 verification by the voter at the time the vote is cast and
33 preserved within the polling place in the manner in which all
34 other paper ballots are preserved within the polling place on
35 election day for later use in any manual audit.

36 (b) Provides the voter with an opportunity to correct any
37 error made by the system before the permanent record is
38 preserved for use in any manual audit. The voter-verified paper
39 record produced under this subsection shall be available as an
40 official record pursuant to chapter 119, and shall be the
41 official record used for any recount conducted with respect to
42 any election in which the system is used.

43 (17) It contains or uses only software whose presence and
44 source code has been disclosed to the department. The department
45 shall make such disclosed source code available for inspection
46 by any citizen upon request.

47 (18) It does not contain any wireless communication
48 device.

49 (19) It contains or uses only software and hardware that
50 is certified by laboratories accredited by the department as
51 meeting the requirements of subsections (17) and (18).

52 Section 2. This act shall take effect July 1, 2006.