By Senator Smith

14-1494-06

A bill to be entitled

An act relating to the approval of electronic or electromechanical voting systems; amending s. 101.5606, F.S.; requiring that before an electronic or electromechanical voting system may be approved for use by the Department of State, the system must produce an individual, discrete, and permanent paper ballot or paper record of the ballot cast by the voter and preserve the paper ballot or paper record as an official record available for use in any recount; requiring that the permanent paper ballot or paper record be used by the state or its contractor to check the accuracy of a machine count or the count itself and be used in a recount proceeding; providing that in any case of a discrepancy, the voter's permanent paper ballot or paper record is the true and correct record of the voter's choices; provides an effective date.

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

Section 1. Present subsections (13), (14), and (15) of section 101.5606, Florida Statutes, are redesignated as subsections (14), (15), and (16), respectively, and a new subsection (13) is added to that section, 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:

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(13) It produces an individual, discrete, and permanent paper ballot or paper record of the ballot cast by the voter, and preserves the paper ballot or paper record as an official record available for use in any recount. The permanent paper ballot or paper record shall be used by the state or its contractor to check the accuracy of a machine count or the count itself, shall a recount be used in proceeding, and, in case of a discrepancy, the permanent paper ballot or paper record shall be considered the true and correct record of the voter's choices.

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

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SENATE SUMMARY

Requires that before an electronic or electromechanical voting system may be approved for use by the Department of State, the system must produce an individual, discrete, and permanent paper ballot or paper record of the ballot cast by the voter, and preserve the paper ballot or paper record as an official record available for use in any recount. Requires that the permanent paper ballot or paper record be used by the state or its contractor to check the accuracy of a machine count or the count itself and be used in a recount proceeding. Provides that in any case of a discrepancy, the voter's permanent paper ballot or paper record is the true and correct record of the voter's choices.

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