

By the Committee on Ethics and Elections; and Senators Posey, Argenziano, Sebesta, Jones and Rich

582-1027D-06

1 A bill to be entitled
2 An act relating to early voting; amending s.
3 101.657, F.S.; providing for the supervisor of
4 elections to file a request with the Division
5 of Elections of the Department of State to
6 designate additional early voting sites;
7 providing requirements for such request;
8 requiring that the division receive public
9 comment on the proposed early voting sites;
10 specifying a timeframe within which the
11 division must approve or disapprove a request
12 for additional sites; providing an effective
13 date.

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

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17 Section 1. Subsection (1) of section 101.657, Florida
18 Statutes, is amended to read:

19 101.657 Early voting.--

20 (1)(a) As a convenience to the voter, the supervisor
21 of elections shall allow an elector to vote early in the main
22 or branch office of the supervisor. The supervisor shall mark,
23 code, indicate on, or otherwise track the voter's precinct for
24 each early voted ballot. In order for a branch office to be
25 used for early voting, it shall be a permanent facility of the
26 supervisor and shall have been designated and used as such for
27 at least 1 year prior to the election. The supervisor may also
28 designate any city hall or permanent public library facility
29 as early voting sites; however, if so designated, the sites
30 must be geographically located so as to provide all voters in
31 the county an equal opportunity to cast a ballot, insofar as

1 is practicable. The results or tabulation of votes cast during
2 early voting may not be made before the close of the polls on
3 election day. Results shall be reported by precinct.

4 (b)1. If the supervisor determines that the
5 statutorily permitted early voting sites are not sufficient to
6 provide adequate voter opportunity for convenient use of early
7 voting, the supervisor may file a request for exception with
8 the division and propose additional locations for early voting
9 sites. The proposed locations must be geographically located
10 so as to provide all voters in the county an equal opportunity
11 to cast a ballot, insofar as is practicable. The request for
12 exception shall be submitted to the division no later than 180
13 days before the first statewide election for which the
14 proposed locations will be used as early voting sites and must
15 include:

16 a. The rationale for the supervisor's request for an
17 exception, along with supporting documentation;

18 b. A detailed description of the proposed locations
19 and premises requested for use as additional early voting
20 sites; and

21 c. A map of the county identifying the requested
22 placement of the proposed early voting locations.

23 2. The division shall have 30 days after receipt to
24 receive public comment concerning the proposed locations. The
25 division shall review and approve or disapprove the request,
26 in whole or in part, no later than 60 days after submission.
27 For the 2006 general election, the supervisor of elections
28 shall make a request for exception for early voting sites to
29 the division at least 90 days before the primary election. The
30 division shall have 15 days after receipt to receive public
31 comment concerning the proposed locations. The division shall

1 review and approve or disapprove the proposal, in whole or in
2 part, no later than 60 days after submission.

3 ~~(c)(b)~~ The supervisor shall designate each early
4 voting site by no later than the 30th day prior to an election
5 and shall designate an early voting area, as defined in s.
6 97.021, at each early voting site. If the supervisor chooses
7 to use a location previously approved as an early voting site
8 by the division using the procedure set forth in paragraph
9 (b), the supervisor may continue to use this location without
10 submitting a second request for exception, but shall designate
11 the location as an early voting site no later than the 30th
12 day prior to an election and shall designate an early voting
13 area, as defined in s. 97.021, at the early voting site.

14 ~~(d)(e)~~ All early voting sites in a county shall be
15 open on the same days for the same amount of time and shall
16 allow any person in line at the closing of an early voting
17 site to vote.

18 ~~(e)(d)~~ Early voting shall begin on the 15th day before
19 an election and end on the 2nd day before an election. For
20 purposes of a special election held pursuant to s. 100.101,
21 early voting shall begin on the 8th day before an election and
22 end on the 2nd day before an election. Early voting shall be
23 provided for 8 hours per weekday and 8 hours in the aggregate
24 each weekend at each site during the applicable periods. Early
25 voting sites shall open no sooner than 7 a.m. and close no
26 later than 7 p.m. on each applicable day.

27 ~~(f)(e)~~ Notwithstanding the requirements of s.
28 100.3605, municipalities may provide early voting in municipal
29 elections that are not held in conjunction with county or
30 state elections. If a municipality provides early voting, it
31 may designate as many sites as necessary and shall conduct its

1 activities in accordance with the provisions of paragraphs
2 (a), (c), and (d)~~(a)-(e)~~. The supervisor is not required to
3 conduct early voting if it is provided pursuant to this
4 subsection.

5 (g)~~(f)~~ Notwithstanding the requirements of s. 189.405,
6 special districts may provide early voting in any district
7 election not held in conjunction with county or state
8 elections. If a special district provides early voting, it may
9 designate as many sites as necessary and shall conduct its
10 activities in accordance with the provisions of paragraphs
11 (a), (c), and (d)~~(a)-(e)~~. The supervisor is not required to
12 conduct early voting if it is provided pursuant to this
13 subsection.

14 Section 2. This act shall take effect upon becoming a
15 law.

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18 SENATE SUMMARY

19 Provides for the supervisor to request authorization from
20 the Division of Elections to designate additional early
21 voting sites. Requires that the division approve or
22 disapprove the proposed sites, in whole or in part,
23 within 60 days after submission of the request.
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