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

590-2100-06

1 A bill to be entitled 2 An act relating to early voting; amending s. 101.657, F.S.; providing for the supervisor of 3 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 comment on the proposed early voting sites; 9 10 specifying a timeframe within which the division must approve or disapprove a request 11 12 for additional sites; revising the time when 13 early voting sites are required to be open; providing an effective date. 14 15 16 Be It Enacted by the Legislature of the State of Florida: 17 18 Section 1. Subsection (1) of section 101.657, Florida Statutes, is amended to read: 19 101.657 Early voting. --20 21 (1)(a) As a convenience to the voter, the supervisor 22 of elections shall allow an elector to vote early in the main 23 or branch office of the supervisor. The supervisor shall mark, code, indicate on, or otherwise track the voter's precinct for 2.4 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 27 supervisor and shall have been designated and used as such for 2.8 at least 1 year prior to the election. The supervisor may also 29 designate any city hall or permanent public library facility as early voting sites; however, if so designated, the sites 30 must be geographically located so as to provide all voters in

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CODING: Words stricken are deletions; words underlined are additions.

the county an equal opportunity to cast a ballot, insofar as is practicable. The results or tabulation of votes cast during early voting may not be made before the close of the polls on election day. Results shall be reported by precinct.

- (b)1. If the supervisor determines that the statutorily permitted early voting sites are not sufficient to provide adequate voter opportunity for convenient use of early voting, the supervisor may file a request for exception with the division and propose additional locations for early voting sites. The proposed locations must be geographically located so as to provide all voters in the county an equal opportunity to cast a ballot, insofar as is practicable. The request for exception shall be submitted to the division no later than 180 days before the first statewide election for which the proposed locations will be used as early voting sites and must include:
- a. The rationale for the supervisor's request for an exception, along with supporting documentation;
- b. A detailed description of the proposed locations
 and premises requested for use as additional early voting
 sites; and
 - c. A map of the county identifying the requested placement of the proposed early voting locations.
- 2. The division shall have 30 days after receipt to

 receive public comment concerning the proposed locations. The

 division shall review and approve or disapprove the request,

 in whole or in part, no later than 60 days after submission.

 For the 2006 general election, the supervisor of elections

 shall make a request for exception for early voting sites to

 the division at least 90 days before the primary election. The
- 31 division shall have 15 days after receipt to receive public

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comment concerning the proposed locations. The division shall review and approve or disapprove the proposal, in whole or in part, no later than 60 days after submission.

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

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

(e)(d) Early voting shall begin on the 15th day before an election and end on the 2nd day before an election. For purposes of a special election held pursuant to s. 100.101, early voting shall begin on the 8th day before an election and end on the 2nd day before an election. Early voting shall be provided for 8 hours per weekday and 8 hours in the aggregate each weekend at each site during the applicable periods. Early voting sites shall open no sooner than 7 a.m. and close no later than 7 p.m. on each applicable day at times selected by the supervisor of elections.

 $\underline{(f)(e)}$ Notwithstanding the requirements of s. 100.3605, municipalities may provide early voting in municipal elections that are not held in conjunction with county or

Τ	state elections. If a municipality provides early voting, it
2	may designate as many sites as necessary and shall conduct its
3	activities in accordance with the provisions of paragraphs
4	$\frac{(a), (c), and (d)}{(a)}$ (c). The supervisor is not required to
5	conduct early voting if it is provided pursuant to this
6	subsection.
7	$\frac{(g)(f)}{f}$ Notwithstanding the requirements of s. 189.405,
8	special districts may provide early voting in any district
9	election not held in conjunction with county or state
10	elections. If a special district provides early voting, it may
11	designate as many sites as necessary and shall conduct its
12	activities in accordance with the provisions of paragraphs
13	$\frac{(a), (c), and (d)}{(a)}$ (c). The supervisor is not required to
14	conduct early voting if it is provided pursuant to this
15	subsection.
16	Section 2. This act shall take effect upon becoming a
17	law.
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19	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR
20	Senate Bill 2068
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22	The committee substitute deletes the requirement from existing statute that early voting sites open no sooner than 7 a.m. and close no later than 7 p.m., and it instead provides supervisors of elections with the discretion to select the times when early voting sites will open and close during the early voting period.
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25	carry vocing period.
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