By Senator Klein

30-1441-06

1   A bill to be entitled

2   An act relating to voting systems; amending s.

3   101.5606, F.S.; revising a requirement and

4   providing additional requirements for voting

5   systems that may be approved by the Department

6   of State; providing an effective date.

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

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10   Section 1. Section 101.5606, Florida Statutes, is

11   amended to read:

12   101.5606 Requirements for approval of systems.--No

13   electronic or electromechanical voting system shall be

14   approved by the Department of State unless it is so

15   constructed that:

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

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

18   for all persons and offices for whom and for which the elector

19   is lawfully entitled to vote, and no others; to vote for as

20   many persons for an office as the elector is entitled to vote

21   for; and to vote for or against any question upon which the

22   elector is entitled to vote.

23   (3) It immediately rejects a ballot where the number

24   of votes for an office or measure exceeds the number which the

25   voter is entitled to cast or where the tabulating equipment

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

27   (4) For systems using marksense ballots, it accepts a

28   rejected ballot pursuant to subsection (3) if a voter chooses

29   to cast the ballot, but records no vote for any office that

30   has been overvoted or undervoted.

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

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 1   (6) It permits each voter at a primary election to
 2   vote only for the candidates seeking nomination by the
 3   political party in which such voter is registered, for any
 4   candidate for nonpartisan office, and for any question upon
 5   which the voter is entitled to vote.
 6   (7) At presidential elections it permits each elector,
 7   by one operation, to vote for all presidential electors of a
 8   party or for all presidential electors of candidates for
 9   President and Vice President with no party affiliation.
10   (8) It provides a method for write-in voting.
11   (9) It is capable of accumulating a count of the
12   specific number of ballots tallied for a precinct,
13   accumulating total votes by candidate for each office, and
14   accumulating total votes for and against each question and
15   issue of the ballots tallied for a precinct.
16   (10) It is capable of tallying votes from ballots of
17   different political parties from the same precinct, in the
18   case of a primary election.
19   (11) It is capable of automatically producing precinct
20   totals in printed, marked, or punched form, or a combination
21   thereof.
22   (12) If it is of a type that ~~which~~ registers votes
23   electronically, it will permit each voter to <u>privately and</u>
24   <u>independently</u> change his or her vote for any candidate or upon
25   any question appearing on the official ballot<u>, or correct any</u>
26   <u>error,</u> up to the time that the voter takes the final step to
27   register his or her vote and to have the vote computed.
28   (13) It is capable of providing records from which the
29   operation of the voting system may be audited.
30   (14) It uses a precinct-count tabulation system.
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 1        (15)  It does not use an apparatus or device for the
 2 piercing of ballots by the voter.
 3        (16)  It produces and retains a paper record of each
 4 electronically generated ballot which can be reviewed and
 5 corrected by the voter before he or she casts the ballot. The
 6 paper ballot must be retained and used as the official record
 7 of the votes cast if there is a recount of the ballots in an
 8 election.
 9        (17)  It is furnished with illumination sufficient to
10 enable the voter while in the booth to read the ballot.
11        (18)  It includes a sip and puff switch voting
12 attachment.
13        Section 2.  This act shall take effect July 1, 2006.
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15        *****************************************
16                       SENATE SUMMARY
17   Revises requirements for voting systems that may be
     approved by the Department of State.
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