

By Senator Rich

34-1011-07

See HB 383

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A bill to be entitled

An act relating to mail ballot elections;
amending s. 101.6102, F.S.; authorizing
counties to conduct county elections by mail
ballot under certain circumstances; providing
an effective date.

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

Section 1. Section 101.6102, Florida Statutes, is
amended to read:

101.6102 Mail ballot elections; limitations.--

(1)(a) An election may be conducted by mail ballot if:

1. The election is a referendum election at which all
or a portion of the qualified electors of one of the following
subdivisions of government are the only electors eligible to
vote:

- a. Counties;
- b. Cities;
- c. School districts covering no more than one county;

or

- d. Special districts;

2. The governing body responsible for calling the
election and the supervisor of elections responsible for the
conduct of the election authorize the use of mail ballots for
the election; and

3. The Secretary of State approves a written plan for
the conduct of the election, which shall include a written
timetable for the conduct of the election, submitted by the
supervisor of elections.

1 (b) ~~In addition,~~ An annexation referendum which
2 includes only qualified electors of one county may also be
3 voted on by mail ballot election.

4 (c) A board of county commissioners may declare that a
5 county election shall be conducted entirely by mail ballot.
6 The board of county commissioners shall make that declaration
7 no later than 90 days before the date of the scheduled
8 election.

9 (2) The following elections may not be conducted by
10 mail ballot:

11 (a) An election at which any candidate is nominated,
12 elected, retained, or recalled, except a county election
13 pursuant to paragraph (1)(c); or

14 (b) An election held on the same date as another
15 election, other than a mail ballot election, in which the
16 qualified electors of that political subdivision are eligible
17 to cast ballots.

18 (3) The supervisor of elections shall be responsible
19 for the conduct of any election held under ss.
20 101.6101-101.6107.

21 (4) The costs of a mail ballot election shall be borne
22 by the jurisdiction initiating the calling of the election,
23 unless otherwise provided by law.

24 (5) Nothing in this section shall be construed to
25 prohibit the use of a mail ballot election in a municipal
26 annexation referendum requiring separate vote of the
27 registered electors of the annexing municipality and of the
28 area proposed to be annexed. If a mail ballot election is
29 authorized for a municipal annexation referendum, the
30 provisions of ss. 101.6101-101.6107 shall control over any
31 conflicting provisions of s. 171.0413.

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Section 2. This act shall take effect July 1, 2007.