Florida Senate - 2007

By Senator Hill

1-1794-07

	1-1/94-0/
1	A bill to be entitled
2	An act relating to presidential elections;
3	defining terms; establishing the Agreement
4	Among the States to Elect the President by
5	National Popular Vote; providing legislative
6	intent; providing that any state is eligible to
7	become a member state; requiring a statewide
8	popular election for President and Vice
9	President of the United States; establishing a
10	procedure for appointing presidential electors
11	in member states; specifying when the agreement
12	becomes effective; providing for the withdrawal
13	of a member state; requiring notification of
14	member states; specifying that the provisions
15	of the agreement are severable; providing an
16	effective date.
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18	Be It Enacted by the Legislature of the State of Florida:
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20	Section 1. <u>The Agreement Among the States to Elect the</u>
21	President by National Popular VoteThe Agreement Among the
22	States to Elect the President by National Popular Vote is
23	enacted into law and entered into by this state with all
24	states legally joining therein in the form substantially as
25	<u>follows:</u>
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27	Article I
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29	DEFINITIONSFor purposes of this agreement, "chief
30	election official means the state official or body that is
31	authorized to certify the total number of popular votes for
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1 each presidential slate; "chief executive" means the Governor 2 of a state of the United States or the Mayor of the District of Columbia; "elector slate" means a slate of candidates who 3 4 have been nominated in a state for the position of 5 presidential elector in association with a presidential slate; 6 "presidential elector" means an elector for President and Vice 7 President of the United States; "presidential elector certifying official means the state official or body that is 8 authorized to certify the appointment of the state's 9 10 presidential electors; "presidential slate" means a slate of two persons, the first of whom has been nominated as a 11 12 candidate for President of the United States and the second of 13 whom has been nominated as a candidate for Vice President of the United States, or any legal successors to such persons, 14 regardless of whether both names appear on the ballot 15 presented to the voter in a particular state; "state" means a 16 17 State of the United States and the District of Columbia; and 18 "statewide popular election" means a general election in which votes are cast for presidential slates by individual voters 19 and counted on a statewide basis. 2.0 21 2.2 Article II 23 MEMBERSHIP. -- Any state of the United States and the 2.4 District of Columbia may become a member of this agreement by 25 enacting this agreement. 26 27 2.8 Article III 29 30 RIGHT OF THE PEOPLE IN MEMBER STATES TO VOTE FOR THE PRESIDENT AND THE VICE PRESIDENT .-- Each member state shall 31

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1	conduct a statewide popular election for President and Vice
2	President of the United States.
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4	Article IV
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б	MANNER OF APPOINTING PRESIDENTIAL ELECTORS IN MEMBER
7	STATES
8	(1) Prior to the time set by law for the meeting and
9	voting by the presidential electors, the chief election
10	official of each member state shall determine the number of
11	votes for each presidential slate in each State of the United
12	States and in the District of Columbia in which votes have
13	been cast in a statewide popular election and shall add such
14	votes together to produce a "national popular vote total" for
15	each presidential slate.
16	(2) The chief election official of each member state
17	shall designate the presidential slate with the largest
18	national popular vote total as the "national popular vote
19	winner."
20	(3) The presidential elector certifying official of
21	each member state shall certify the appointment in that
22	official's own state of the elector slate nominated in that
23	state in association with the national popular vote winner.
24	(4) At least 6 days before the day fixed by law for
25	the meeting and voting by the presidential electors, each
26	member state shall make a final determination of the number of
27	popular votes cast in the state for each presidential slate
28	and shall communicate an official statement of such
29	determination within 24 hours to the chief election official
30	of each other member state.
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1	(5) The chief election official of each member state
2	shall treat as conclusive an official statement containing the
3	<u>number of popular votes in a state for each presidential slate</u>
4	made by the day established by federal law for making a
5	state's final determination conclusive as to the counting of
6	electoral votes by Congress.
7	(6) In the event of a tie for the national popular
8	vote winner, the presidential elector certifying official of
9	each member state shall certify the appointment of the elector
10	slate nominated in association with the presidential slate
11	receiving the largest number of popular votes within that
12	official's own state.
13	(7) If, for any reason, the number of presidential
14	electors nominated in a member state in association with the
15	national popular vote winner is fewer than or greater than
16	that state's number of electoral votes, the presidential
17	candidate on the presidential slate who has been designated as
18	the national popular vote winner shall have the power to
19	nominate the presidential electors for that state and that
20	state's presidential elector certifying official shall certify
21	the appointment of such nominees.
22	(8) The chief election official of each member state
23	shall immediately release to the public all vote counts or
24	statements of votes as they are determined or obtained.
25	(9) This article shall govern the appointment of
26	presidential electors in each member state in any year in
27	which this agreement is, on July 20, in effect in states
28	cumulatively possessing a majority of the electoral votes.
29	
30	Article V
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(1) This agreement shall take effect when states sumulatively possessing a majority of the electoral votes have enacted this agreement in substantially the same form and the enactments by such states have taken effect in each state. (2) Any member state may withdraw from this agreement. except that a withdrawal occurring 6 months or less before the end of a President's term does not become effective until a president or Vice President has been qualified to serve the next term. (3) The chief executive of each member state shall promptly notify the chief executive of all other states when this agreement has been enacted and has taken effect in that official's state, when the state has withdrawn from this agreement, and when this agreement takes effect generally. (4) This agreement shall terminate if the electoral college is abolished. (5) If any provision of this agreement is held invalid, the remaining provisions shall not be affected. Section 2. This act shall take effect upon becoming a law. state is eligible to become a member state. Requires a state wide popular elections in member states. state wide popular election for President and Vice President by National Popular Vote. Provides that any	1	OTHER PROVISIONS
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