

HB 391

2007

1 A bill to be entitled

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

13  
14 Be It Enacted by the Legislature of the State of Florida:

15  
16 Section 1. Subsection (1) of section 101.657, Florida  
17 Statutes, is amended to read:

18 101.657 Early voting.--

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

29 | geographically located so as to provide all voters in the county  
 30 | an equal opportunity to cast a ballot, insofar as is  
 31 | practicable. The results or tabulation of votes cast during  
 32 | early voting may not be made before the close of the polls on  
 33 | election day. Results shall be reported by precinct.

34 | (b)1. If the supervisor determines that the statutorily  
 35 | permitted early voting sites are not sufficient to provide  
 36 | adequate voter opportunity for convenient use of early voting,  
 37 | the supervisor may file a request for exception with the  
 38 | division and propose additional locations for early voting  
 39 | sites. The proposed locations must be geographically located so  
 40 | as to provide all voters in the county an equal opportunity to  
 41 | cast a ballot, insofar as is practicable. The request for  
 42 | exception shall be submitted to the division no later than 180  
 43 | days before the first statewide election for which the proposed  
 44 | locations will be used as early voting sites and must include:

45 | a. The rationale for the supervisor's request for an  
 46 | exception, along with supporting documentation;

47 | b. A detailed description of the proposed locations and  
 48 | premises requested for use as additional early voting sites; and

49 | c. A map of the county identifying the requested placement  
 50 | of the proposed early voting locations.

51 | 2. The division shall have 30 days after receipt to  
 52 | receive public comment concerning the proposed locations. The  
 53 | division shall review and approve or disapprove the request, in  
 54 | whole or in part, no later than 60 days after submission.

55 | (c) ~~(b)~~ The supervisor shall designate each early voting  
 56 | site by no later than the 30th day prior to an election and

HB 391

2007

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

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

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

79 (f)~~(e)~~ Notwithstanding the requirements of s. 100.3605,  
80 municipalities may provide early voting in municipal elections  
81 that are not held in conjunction with county or state elections.  
82 If a municipality provides early voting, it may designate as  
83 many sites as necessary and shall conduct its activities in  
84 accordance with the provisions of paragraphs (a), (c), and (d)

HB 391

2007

85 ~~(a)–(e)~~. The supervisor is not required to conduct early voting  
86 if it is provided pursuant to this subsection.

87 (g)~~(f)~~ Notwithstanding the requirements of s. 189.405,  
88 special districts may provide early voting in any district  
89 election not held in conjunction with county or state elections.  
90 If a special district provides early voting, it may designate as  
91 many sites as necessary and shall conduct its activities in  
92 accordance with the provisions of paragraphs (a), (c), and (d)

93 ~~(a)–(e)~~. The supervisor is not required to conduct early voting  
94 if it is provided pursuant to this subsection.

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