

By Senator Hill

1-03040-08

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1 A bill to be entitled

2 An act relating to presidential elections; defining terms;
3 establishing the Agreement Among the States to Elect the
4 President by National Popular Vote; providing legislative
5 intent; providing that any state is eligible to become a
6 member state; requiring a statewide popular election for
7 President and Vice President of the United States;
8 establishing a procedure for appointing presidential
9 electors in member states; specifying when the agreement
10 becomes effective; providing for the withdrawal of a
11 member state; requiring notification of member states;
12 specifying that the provisions of the agreement are
13 severable; providing an effective date.

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

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17 Section 1. The Agreement Among the States to Elect the
18 President by National Popular Vote.--The Agreement Among the
19 States to Elect the President by National Popular Vote is enacted
20 into law and entered into by this state with all states legally
21 joining therein in the form substantially as follows:

22
23 Article I

24 DEFINITIONS.--For purposes of this agreement, "chief
25 election official" means the state official or body that is
26 authorized to certify the total number of popular votes for each
27 presidential slate; "chief executive" means the Governor of a
28 state of the United States or the Mayor of the District of
29 Columbia; "elector slate" means a slate of candidates who have

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30 been nominated in a state for the position of presidential
31 elector in association with a presidential slate; "presidential
32 elector" means an elector for President and Vice President of the
33 United States; "presidential elector certifying official" means
34 the state official or body that is authorized to certify the
35 appointment of the state's presidential electors; "presidential
36 slate" means a slate of two persons, the first of whom has been
37 nominated as a candidate for President of the United States and
38 the second of whom has been nominated as a candidate for Vice
39 President of the United States, or any legal successors to such
40 persons, regardless of whether both names appear on the ballot
41 presented to the voter in a particular state; "state" means a
42 State of the United States and the District of Columbia; and
43 "statewide popular election" means a general election in which
44 votes are cast for presidential slates by individual voters and
45 counted on a statewide basis.

46
47 Article II

48 MEMBERSHIP.--Any state of the United States and the District
49 of Columbia may become a member of this agreement by enacting
50 this agreement.

51
52 Article III

53 RIGHT OF THE PEOPLE IN MEMBER STATES TO VOTE FOR THE
54 PRESIDENT AND THE VICE PRESIDENT.--Each member state shall
55 conduct a statewide popular election for President and Vice
56 President of the United States.

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58 Article IV

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59 MANNER OF APPOINTING PRESIDENTIAL ELECTORS IN MEMBER
60 STATES.--

61 (1) Prior to the time set by law for the meeting and voting
62 by the presidential electors, the chief election official of each
63 member state shall determine the number of votes for each
64 presidential slate in each State of the United States and in the
65 District of Columbia in which votes have been cast in a statewide
66 popular election and shall add such votes together to produce a
67 "national popular vote total" for each presidential slate.

68 (2) The chief election official of each member state shall
69 designate the presidential slate with the largest national
70 popular vote total as the "national popular vote winner."

71 (3) The presidential elector certifying official of each
72 member state shall certify the appointment in that official's own
73 state of the elector slate nominated in that state in association
74 with the national popular vote winner.

75 (4) At least 6 days before the day fixed by law for the
76 meeting and voting by the presidential electors, each member
77 state shall make a final determination of the number of popular
78 votes cast in the state for each presidential slate and shall
79 communicate an official statement of such determination within 24
80 hours to the chief election official of each other member state.

81 (5) The chief election official of each member state shall
82 treat as conclusive an official statement containing the number
83 of popular votes in a state for each presidential slate made by
84 the day established by federal law for making a state's final
85 determination conclusive as to the counting of electoral votes by
86 Congress.

87 (6) In the event of a tie for the national popular vote

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88 winner, the presidential elector certifying official of each
89 member state shall certify the appointment of the elector slate
90 nominated in association with the presidential slate receiving
91 the largest number of popular votes within that official's own
92 state.

93 (7) If, for any reason, the number of presidential electors
94 nominated in a member state in association with the national
95 popular vote winner is fewer than or greater than that state's
96 number of electoral votes, the presidential candidate on the
97 presidential slate who has been designated as the national
98 popular vote winner shall have the power to nominate the
99 presidential electors for that state and that state's
100 presidential elector certifying official shall certify the
101 appointment of such nominees.

102 (8) The chief election official of each member state shall
103 immediately release to the public all vote counts or statements
104 of votes as they are determined or obtained.

105 (9) This article shall govern the appointment of
106 presidential electors in each member state in any year in which
107 this agreement is, on July 20, in effect in states cumulatively
108 possessing a majority of the electoral votes.

109 Article V

110 OTHER PROVISIONS.--

111 (1) This agreement shall take effect when states
112 cumulatively possessing a majority of the electoral votes have
113 enacted this agreement in substantially the same form and the
114 enactments by such states have taken effect in each state.

115 (2) Any member state may withdraw from this agreement,
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117 except that a withdrawal occurring 6 months or less before the
118 end of a President's term does not become effective until a
119 President or Vice President has been qualified to serve the next
120 term.

121 (3) The chief executive of each member state shall promptly
122 notify the chief executive of all other states when this
123 agreement has been enacted and has taken effect in that
124 official's state, when the state has withdrawn from this
125 agreement, and when this agreement takes effect generally.

126 (4) This agreement shall terminate if the electoral college
127 is abolished.

128 (5) If any provision of this agreement is held invalid, the
129 remaining provisions shall not be affected.

130 Section 2. This act shall take effect upon becoming a law.