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CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
4/1/2008	.	
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1 The Committee on Ethics and Elections (Rich) recommended the  
 2 following **amendment**:

**Senate Amendment (with title amendments)**

5 Delete everything after the enacting clause  
6 and insert:

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

9 101.6102 Mail ballot elections; limitations.--

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

11 1. It is an ~~The election is a referendum~~ election at which  
 12 all or a portion of the qualified electors of one of the  
 13 following subdivisions of government are the only electors  
 14 eligible to vote:

15 a. Counties;

16 b. Municipalities ~~Cities~~;

17 c. School districts covering no more than one county; or



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18           d. Special districts; however, for candidate elections, the  
19 district must cover no more than one county;

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

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

28           (b) An annexation referendum which includes only qualified  
29 electors of one county may also be voted on by mail ballot  
30 election.

31           (2) ~~The following elections may not be conducted by mail~~  
32 ~~ballot:~~

33 ~~—— (a) An election at which any candidate is nominated,~~  
34 ~~elected, retained, or recalled; or~~

35 ~~—— (b) An election held on the same date as another non-mail-~~  
36 ~~ballot election, other than a mail ballot election, in which the~~  
37 ~~qualified electors of that political subdivision are eligible to~~  
38 ~~cast ballots may not be conducted by mail ballot.~~

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

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

44           (5) Nothing in this section shall be construed to prohibit  
45 the use of a mail ballot election in a municipal annexation  
46 referendum requiring separate vote of the registered electors of  
47 the annexing municipality and of the area proposed to be annexed.

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48 | If a mail ballot election is authorized for a municipal  
49 | annexation referendum, the provisions of ss. 101.6101-101.6107  
50 | shall control over any conflicting provisions of s. 171.0413.

51 | Section 2. Subsections (1) and (2) of section 101.6103,  
52 | Florida Statutes, are amended to read:

53 | 101.6103 Mail ballot election procedure.--

54 | (1) Except as otherwise provided in subsection (7), the  
55 | supervisor of elections shall mail all official ballots with a  
56 | secrecy envelope, a return mailing envelope, and instructions  
57 | sufficient to describe the voting process to each elector  
58 | entitled to vote in the election not sooner than the 20th day  
59 | before the election and not later than the 10th day before the  
60 | date of the election. All such ballots shall be mailed by first-  
61 | class mail. Ballots shall be addressed to each elector at the  
62 | address appearing in the registration records and placed in an  
63 | envelope which is prominently marked "Do Not Forward." The  
64 | supervisor of elections shall keep a record of all ballots mailed  
65 | and all ballots returned.

66 | (2) Upon receipt of the ballot the elector shall mark the  
67 | ballot, place it in the secrecy envelope, sign the return mailing  
68 | envelope supplied with the ballot, and comply with the  
69 | instructions provided with the ballot. The elector shall mail,  
70 | deliver, or have delivered the marked ballot so that it reaches  
71 | the supervisor of elections no later than 7 p.m. on the day of  
72 | the election. The ballot must be returned in the return mailing  
73 | envelope. The elector shall pay postage if he or she chooses to  
74 | return the ballot by mail. If the elector chooses to return the  
75 | ballot in person, the main and branch offices of the supervisor  
76 | of elections shall remain open on the day of the election until 7  
77 | p.m.



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78 Section 3. Paragraph (a) of subsection (1) of section  
 79 101.62, Florida Statutes, is amended to read:

80 101.62 Request for absentee ballots.-

81 (1)(a) The supervisor may accept a request for an absentee  
 82 ballot from an elector in person or in writing. Except as  
 83 provided in s. 101.694, one request shall be deemed sufficient to  
 84 receive an absentee ballot for all elections ~~through the next two~~  
 85 ~~regularly scheduled general elections~~, unless the elector or the  
 86 elector's designee indicates at the time the request is made the  
 87 elections for which the elector desires to receive an absentee  
 88 ballot. Such request may be considered canceled when any first-  
 89 class mail sent by the supervisor to the elector is returned as  
 90 undeliverable or when the elector notifies the supervisor in  
 91 person or in writing that he or she no longer wishes to receive  
 92 an absentee ballot.

93 Section 4. This act shall take effect July 1, 2008.

94  
 95  
 96 ===== T I T L E A M E N D M E N T =====

97 And the title is amended as follows:

98 Delete everything before the enacting clause  
 99 and insert:

100 A bill to be entitled  
 101 An act relating to elections; amending s. 101.6102, F.S.;  
 102 revising limitations on, and requirements for, mail ballot  
 103 elections; authorizing certain candidate elections to be  
 104 conducted by mail ballot; amending s. 101.6103, F.S.;  
 105 requiring the supervisor of elections to keep a record of  
 106 all mail ballots; clarifying that electors mailing ballots  
 107 must pay postage; requiring all supervisors of elections

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108 | offices to remain open extra hours on the day of a mail  
109 | ballot election; amending s. 101.62, F.S.; providing for  
110 | permanent absentee voter status; revising circumstances  
111 | under which an absentee ballot request is deemed  
112 | cancelled; providing an effective date.