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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/16/2009	.	
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The Committee on Ethics and Elections (Fasano) recommended the following:

1           **Senate Amendment to Amendment (294434) (with title**  
2 **amendment)**

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4           Delete lines 1406 - 1420  
5 and insert:

6  
7           (1) If the second set of unofficial returns pursuant to s.  
8 102.141 indicates that a candidate for any office was defeated  
9 or eliminated by one-quarter of a percent or less of the votes  
10 cast for such office, that a candidate for retention to a  
11 judicial office was retained or not retained by one-quarter of a



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12 percent or less of the votes cast on the question of retention,  
13 or that a measure appearing on the ballot was approved or  
14 rejected by one-quarter of a percent or less of the votes cast  
15 on such measure, ~~the board responsible for certifying the~~  
16 ~~results of the vote on such race or measure shall order~~ a manual  
17 recount of the overvotes and undervotes cast in the entire  
18 geographic jurisdiction of such office or ballot measure shall  
19 be ordered unless:

20 (a) The candidate or candidates defeated or eliminated  
21 from contention by one-quarter of a percent or less of the votes  
22 cast for such office request in writing that a recount not be  
23 made; or,

24 (b) — A manual recount may not be ordered, however, if The  
25 number of overvotes and, undervotes, and provisional ballots is  
26 fewer than the number of votes needed to change the outcome of  
27 the election.

28  
29 The Secretary of State is responsible for ordering a manual  
30 recount for federal, state, and multi-county races. The county  
31 canvassing board or local board responsible for certifying the  
32 election is responsible for ordering a manual recount for all  
33 other races.

34  
35 ===== T I T L E A M E N D M E N T =====

36 And the title is amended as follows:

37 Delete lines 1970 - 1971

38 and insert:

39 102.166, F.S.; amending the section catch line; creating and  
40 modifying manual recount exemptions; revising the procedures for



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41 ordering a manual recount; amending s. 102.168, F.S.;