

By Senator Hill

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1                   A bill to be entitled  
2           An act relating to presidential elections; defining  
3           terms; establishing the Agreement Among the States to  
4           Elect the President by National Popular Vote;  
5           providing legislative intent; providing a method by  
6           which any state may become a member state; requiring a  
7           statewide popular election for President and Vice  
8           President of the United States; establishing a  
9           procedure for appointing presidential electors in  
10          member states; providing that the agreement becomes  
11          effective upon the occurrence of specified actions;  
12          providing for the withdrawal of a member state;  
13          requiring notification of member states when the  
14          agreement takes effect in a nonmember state or when a  
15          member state withdraws from the agreement; providing  
16          for severability; providing an effective date.

17  
18 Be It Enacted by the Legislature of the State of Florida:

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20           Section 1. The Agreement Among the States to Elect the  
21 President by National Popular Vote.—The 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 states  
24 legally joining therein in the form substantially as follows:

25  
26                   Article I

27           DEFINITIONS.—For purposes of this agreement:

28           (1) "Chief election official" means the state official or  
29 body authorized to certify the total number of popular votes for

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30 each presidential slate.

31 (2) "Chief executive" means the Governor of a state of the  
32 United States or the Mayor of the District of Columbia.

33 (3) "Elector slate" means a slate of candidates who have  
34 been nominated in a state for the position of presidential  
35 elector in association with a presidential slate.

36 (4) "Presidential elector" means an elector for President  
37 and Vice President of the United States.

38 (5) "Presidential elector certifying official" means the  
39 state official or body authorized to certify the appointment of  
40 the state's presidential electors.

41 (6) "Presidential slate" means a slate of two persons, the  
42 first of whom has been nominated as a candidate for President of  
43 the United States and the second of whom has been nominated as a  
44 candidate for Vice President of the United States, or any legal  
45 successors to such persons, regardless of whether both names  
46 appear on the ballot presented to the voter in a particular  
47 state.

48 (7) "State" means a state of the United States or the  
49 District of Columbia.

50 (8) "Statewide popular election" means a general election  
51 in which votes are cast for presidential slates by individual  
52 voters and counted on a statewide basis.

54 Article II

55 MEMBERSHIP.—Any state of the United States or the District  
56 of Columbia may become a member of the league of states  
57 officially supporting this agreement by enacting this agreement.

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Article III

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

Article IV

MANNER OF APPOINTING PRESIDENTIAL ELECTORS IN MEMBER  
STATES.—

(1) Before the time set by law for the meeting of and  
voting by the presidential electors, the chief election official  
of each member state shall determine the number of votes cast in  
a statewide popular election for each presidential slate in each  
state of the United States and in the District of Columbia and  
shall add the total number of votes from each state to produce a  
national popular vote total for each presidential slate.

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

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

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

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88 member state.

89 (5) The chief election official of each member state shall  
90 treat as conclusive an official statement containing the number  
91 of popular votes in a state for each presidential slate made by  
92 the day established by federal law for making a state's final  
93 determination conclusive as to the counting of electoral votes  
94 by Congress.

95 (6) If the election results in a tie for the national  
96 popular vote winner, the presidential elector certifying  
97 official of each member state shall certify the appointment of  
98 the elector slate nominated in association with the presidential  
99 slate receiving the largest number of popular votes within that  
100 official's respective state.

101 (7) If, for any reason, the number of presidential electors  
102 nominated in a member state in association with the national  
103 popular vote winner is fewer than or greater than that state's  
104 number of electoral votes, the presidential candidate on the  
105 presidential slate who has been designated as the national  
106 popular vote winner may nominate the presidential electors for  
107 that state, and that state's presidential elector certifying  
108 official shall certify the appointment of such nominees.

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

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

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Article VOTHER PROVISIONS.—

(1) This agreement shall take effect when states cumulatively 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, or when the state has withdrawn from this agreement.

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

(5) If any provision of this agreement is held invalid, the remaining provisions are not affected.

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