

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Ethics and Elections

BILL: SB 1058

INTRODUCER: Senator Smith

SUBJECT: Canvassing of Absentee Ballots

DATE: March 6, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Carlton	Roberts	EE	Pre-meeting
2.	_____	_____	CA	_____
3.	_____	_____	RC	_____

I. Summary:

SB 1058 permits a county canvassing board to begin canvassing absentee ballots 28 days prior to the election.

The bill takes effect July 1, 2015.

II. Present Situation:

Section 101.68(2), F.S., provides that a county canvassing board may begin the canvassing of absentee ballots at 7 a.m. on the 15th day before the election, but not later than noon on the day following the election.

III. Effect of Proposed Changes:

SB 1058 permits a county canvassing board to begin canvassing absentee ballots at 7 a.m. on the 28th day before the election. The bill also makes conforming changes to the instructions provided to absentee voters to reflect the longer canvassing period for absentee ballots. Those instructions are contained in ss. 101.65 and 101.6923, F.S.

The bill provides for an effective date of July 1, 2015.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Indeterminate.

VI. Technical Deficiencies:

Currently, s. 101.5612, F.S., requires certain public testing of automatic tabulating equipment to ascertain that the tabulating equipment will correctly count the votes for all offices and on all measures. That testing must occur on a day not later than ten days prior to the commencement of early voting. Pursuant to s. 101.657, F.S., a supervisor may conduct early voting as early as fifteen (15) days before the election. So, the earliest that the testing of the automatic tabulating equipment could occur is twenty five (25) days before the election. By expanding the time period for tabulation of absentee ballots to 28 days, the bill authorizes absentee ballots to be canvassed prior to public accuracy testing. The bill should be amended to allow Supervisors to choose the earliest date after the public accuracy tests required in s. 101.5612, F.S., are successfully completed.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: ss. 101.68, 101.65, 101.6923, F.S.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
