

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/CS/HB 1325 Elections

**SPONSOR(S):** Government Accountability Committee; Oversight, Transparency & Administration Subcommittee; Renner

**TIED BILLS:**           **IDEN./SIM. BILLS:** SB 1160

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Oversight, Transparency & Administration Subcommittee	15 Y, 0 N, As CS	Toliver	Harrington
2) Government Accountability Committee	23 Y, 1 N, As CS	Toliver	Williamson

### SUMMARY ANALYSIS

The bill makes several changes to the Florida Election Code.

Current law allows municipalities to conduct their elections at a time of their choosing. Effective July 1, 2020, the bill requires the governing body of a municipality to choose from among the following dates to hold its elections: the general election, the first Tuesday after the first Monday in November in an odd-numbered year, or the first Tuesday after the first Monday in April in an odd-numbered or even-numbered year. The bill sets a format for runoff elections and allows elected municipal officers to continue in office until the next municipal election held in accordance with the bill.

Current law requires a candidate for a state, district, county, or municipal position to resign from office if any part of the term will run concurrently with the office the candidate presently holds. The current resign-to-run provision does not apply to persons holding any federal office or seeking the office of President or Vice President. The bill requires state or local officers who qualify for federal public office to resign from the office they presently hold if the terms or any part thereof will run concurrently and sets the requirements for such resignations.

Current law only allows the use of voter interface devices to be used to aid persons with disabilities. The bill appears to expand the use of voter interface devices to permit all individuals to use such devices.

Current law requires polls to be open from 7 a.m. to 7 p.m. on the day of the election. The bill prohibits a court from extending the official closing time of the polls unless extraordinary circumstances exist. The bill also prohibits elected officials from being poll watchers.

Current law requires a candidate to pay his or her qualification fee with a properly executed check. The bill also allows a candidate to pay his or her qualification fee with a certified check.

Current law allows candidates to qualify without party affiliation (NPA) despite being registered with a political party. The bill requires all candidates who qualify for office as an NPA candidate in partisan elections to be registered at the time of qualification as NPA. The bill also requires that an NPA candidate attest in writing that he or she is registered as NPA.

Current law requires the supervisor of elections (supervisor) to publish a sample ballot in a newspaper of general circulation in the county. The bill allows the supervisor to forego publication of a sample ballot if the supervisor mails a sample ballot to each registered elector, or to each household in which there is a registered elector, at least seven days prior to an election.

The bill may have a negative fiscal impact on the state and an indeterminate fiscal impact on local governments.

**This document does not reflect the intent or official position of the bill sponsor or House of Representatives.**

**STORAGE NAME:** h1325c.GAC

**DATE:** 4/20/2017

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### **Municipal Election Dates**

###### Current Situation

Article VI, s. 5(a) of the Florida Constitution requires a general election to be held in each county on the first Tuesday after the first Monday in November of each even-numbered year to choose a successor to each elective state and county officer whose term will expire before the next general election. Section 100.031, F.S., incorporates that constitutional provision into statute, but also requires a general election to be held in each county on the first Tuesday after the first Monday in November of each even-numbered year to choose a successor to each elective federal and district officer whose term will expire before the next general election.

Article VI, s. 6 of the Florida Constitution provides that registration and elections in municipalities must, and in other governmental entities created by statute may, be provided by general law. The Florida Election Code,<sup>1</sup> which is a collection of general laws, provides that it governs the conduct of municipal elections in the absence of an applicable special act, charter, or ordinance.<sup>2</sup> However, no act, charter, or ordinance may be adopted which conflicts with or exempts a municipality from any provision in the Florida Election Code that expressly applies to municipalities.<sup>3</sup>

Elections for municipal officers are conducted during the general election in November of even-numbered years unless the governing body of a municipality has adopted an ordinance to change the dates for qualifying and for the election of members of the governing body of the municipality.<sup>4</sup> The ordinance may also provide for the orderly transition of office resulting from the date changes.<sup>5</sup>

Section 101.75, F.S., allows the governing body of a municipality to move the date of any municipal election to a date concurrent with any statewide or countywide election provided the election date and dates for qualifying for the election are specifically provided for in the ordinance.<sup>6</sup> However, if the voting devices used in the county are not available to the municipality during the statewide or countywide election, the municipality may provide that its election will be held 30 days before or after the statewide or countywide election.<sup>7</sup>

Any member of the governing body of a municipality may be removed from office by the electors of the municipality provided certain requirements are met.<sup>8</sup> If the requirements are met but the municipal officer does not resign his or her office, a municipal recall election is held for the removal of that officer.<sup>9</sup> A municipal recall election is held in conjunction with a general or special election if such an election is held during the defined timeframe for conducting a recall election.<sup>10</sup>

A municipality pays for the printing and delivery of ballots and instruction cards for a municipal election.<sup>11</sup>

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<sup>1</sup> Chapters 97-106, F.S., are known as "The Florida Election Code."

<sup>2</sup> Section 100.3605(1), F.S.

<sup>3</sup> *Id.*

<sup>4</sup> Section 100.3605(2), F.S.; *see also* s. 166.021(4), F.S.

<sup>5</sup> Section 100.3605(2), F.S.

<sup>6</sup> Section 101.75(3), F.S.

<sup>7</sup> Section 101.75(1), F.S.

<sup>8</sup> Section 100.361, F.S.

<sup>9</sup> Section 100.361(4), F.S.

<sup>10</sup> *Id.*

<sup>11</sup> Section 101.21, F.S.

### Effect of the Bill

The bill expressly preempts to the state the authority to establish the dates of elections of municipal officers. The bill requires the governing body of a municipality to choose from among the following dates:

- The general election in November of each even-numbered year;
- The first Tuesday after the first Monday in November of each odd-numbered year; or
- The first Tuesday after the first Monday in April of an even-numbered year or odd-numbered year.

If a municipal charter or ordinance requires the municipality to conduct its election in a runoff format, the bill requires the municipality to choose from among the following options:

<b>Initial Election</b>	<b>Runoff Election</b>
Primary Election (Tuesday, 10 weeks prior to General Election)	General Election
Tuesday 10 weeks before the first Tuesday after the first Monday in November of odd-numbered years	First Tuesday after the first Monday in November of odd-numbered years
Tuesday 10 weeks before the first Tuesday after the first Monday in April of even-numbered years or odd-numbered years	First Tuesday after the first Monday in April of even-numbered years or odd-numbered years.

The bill does not require a municipality to alter or amend its charter. Any municipal charter provision that conflicts with the bill is automatically superseded without further action by the municipality. Likewise, any ordinance that conflicts with the bill is automatically superseded without any further action of the municipality.

The provisions of the bill that establish the method of selecting municipal officer election dates does not affect the manner in which vacancies in municipal office are filled or the manner in which recall elections for municipal officers are conducted. However, the bill allows municipal recall elections to be held concurrently with municipal elections provided the municipal election occurs during a specific time period.

In order to provide for an orderly transition of office, the bill provides that the terms of incumbent elected municipal officers affected by the change in election dates will be extended to the next municipal election held in accordance with the provisions of the bill.

The bill also repeals s. 101.75, F.S., which allows a municipality to change municipal officer election dates in order to hold its elections concurrently with a statewide or countywide election or, if the voting devices for a statewide or countywide election are not available, to hold its elections 30 days before or after the statewide or countywide election.

The bill specifies that this portion of the bill is effective on July 1, 2020.

### **Resign-to-Run**

#### Current Situation

Current law requires state, district, county, or municipal public officers<sup>12</sup> to resign if that officer qualifies as a candidate for another office and the terms run concurrently.<sup>13</sup> The resignation must be in writing

<sup>12</sup> Section 99.012(1)(a), F.S., defines the term "officer" to mean a person, whether elected or appointed, who has the authority to exercise the sovereign power of the state pertaining to an office recognized under the Florida Constitution or laws of the state. With respect to a municipality, the term "officer" means a person, whether elected or appointed, who has the authority to exercise municipal power as provided by the Florida Constitution, state laws, or municipal charter.

<sup>13</sup> Section 99.012(3), F.S.

and once proffered it is irrevocable.<sup>14</sup> The resignation must be submitted<sup>15</sup> at least 10 days prior to first day of qualification for the office sought and is effective on the date the officer would take office, if elected, or the date the officer's successor is required to take office, whichever is earlier.<sup>16</sup> However, the resign-to-run provision does not apply to persons holding any federal office or seeking the office of President or Vice President.<sup>17</sup>

### Effect of the Bill

The bill requires state or local officers who qualify for federal public office to resign from the office they presently hold if the terms or any part thereof run concurrently. The resignation must be in writing and once proffered is irrevocable. The bill requires the resignation to be submitted no later than the date upon which the officer qualifies for office. The resignation is effective on the date the officer takes office, if elected, or the date the officer's successor is required to take office, whichever is earlier. Any resignation of an elected officer under these provisions results in the office held becoming vacant upon the effective date of the resignation.

The person to whom the candidate must submit his or resignation varies according to the office held. If the officer is an elected district, county, or municipal officer, the resignation must be submitted to the officer before whom the officer initially qualified. If the officer is an appointed district, county, or municipal officer, the resignation must be submitted to the person or authority which appointed him or her. Any person holding public office that is not a district, county, or municipal officer must submit his or her resignation to the Governor.

The bill also contains an automatic resignation provision that becomes effective if an officer, subject to the bill's provisions, qualifies for federal public office without submitting the required resignation. In that instance, the resignation is irrevocable and effective immediately upon qualification. The Department of State must notify the appropriate authority of the resignation.

## **Voting Systems**

### Background

The Florida Election Code<sup>18</sup> requires certain specifications for voting systems<sup>19</sup> and ballots.<sup>20</sup> The term "ballot" is divided into two sub-categories:

- "Marksense ballots" means that printed sheets of paper, used in conjunction with an electronic or electromechanical vote tabulation voting system, containing the names of candidates, or a statement of proposed constitutional amendments or other questions or propositions submitted to the electorate at any election, on which sheet of paper an elector casts his or her vote.<sup>21</sup>

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<sup>14</sup> Section 99.012(3)(b), F.S.

<sup>15</sup> See s. 99.012(3)(e), F.S.

<sup>16</sup> Section 99.012(3)(d), F.S.

<sup>17</sup> Section 99.012(7), F.S.

<sup>18</sup> Chapters 97-106, F.S., are known as The Florida Election Code.

<sup>19</sup> The term "voting system" is defined to mean a method of casting and processing votes that functions wholly or partly by use of electromechanical or electronic apparatus or by use of marksense ballots and includes, but is not limited to, the procedures for casting and processing votes and the programs, operating manuals, supplies, printouts, and other software necessary for the system's operation. Section 97.021(44), F.S.

<sup>20</sup> Section 101.015(1), F.S., sets the standards for voting systems. The Department of State is required to adopt rules establishing the minimum standards for hardware and software for electronic and electromechanical voting systems. Section 101.015(1), F.S.; see also Fla. Admin. Rule 1S-5.001. Sections 101.151 and 101.161, F.S., set the specifications for ballots. The Department of State is required to adopt rules prescribing a uniform primary and general election ballot for each certified voting system in accordance with The Florida Election Code. Section 101.151(9), F.S.; see also Fla. Admin. Rule 1S-2.032.

<sup>21</sup> Section 97.021(4)(a), F.S.

- “Electronic or electromechanical devices” means a ballot that is voted by the process of electronically designating, including by touchscreen, or marking with a marking device<sup>22</sup> for tabulation by automatic tabulating equipment or data processing equipment.<sup>23</sup>

The Electronic Voting Systems Act (act)<sup>24</sup> was established “to authorize the use of electronic and electromechanical voting systems in which votes are registered electronically or are tabulated on automatic tabulating equipment or data processing equipment.”<sup>25</sup> The act requires all voting to be by marksense ballot utilizing a marking device for the purpose of designating ballot selections.<sup>26</sup> However, persons with disabilities may vote on a voter interface device that meets the voting system accessibility requirements for individuals with disabilities pursuant to the federal Help America Vote Act of 2002 and s. 101.56062, F.S.<sup>27</sup> The term “voter interface device” means any device that communicates voting instructions and ballot information to a voter and allows the voter to select and vote for candidates and issues.<sup>28</sup>

The Department of State must publicly examine all makes of electronic or electromechanical voting systems submitted to it and determine whether the systems comply with s. 101.5606, F.S., which establishes requirements for approval of systems.<sup>29</sup> Any person owning or interested in an electronic or electromechanical voting system may submit it to the department for examination.<sup>30</sup> Each certified voting system must include the capability to install accessible voter interface devices in the system configuration that will allow the system to meet certain minimum standards to aid persons with disabilities in the voting process.<sup>31</sup>

By 2020, all persons with disabilities must vote on a voter interface device that meets the voter accessibility requirements for individuals with disabilities under the Help America Vote Act of 2002 and s. 101.56062, F.S.<sup>32</sup>

#### Effect of the Bill

The bill appears to expand the use of voter interface devices to all individuals instead of persons with disabilities only.

The bill revises the definition of “marksense ballot” to include sheets of paper used indirectly to designate the elector’s ballot selections through the use of a voter interface device.

With respect to any voting system that uses a voter interface device, the bill provides that ss. 101.151, 101.161, 101.2512, 101.2515 101.252, and 101.254, F.S., which relate to ballot layout, only apply to the display of candidates and issues on such devices.

The bill amends the Electronic Voting Systems Act to include voter interface devices within the definition of “marking device.”

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<sup>22</sup> The term “marking device” is defined to mean any approved device for marking a ballot with ink or other substance that will enable the ballot to be tabulated by means of automatic tabulating equipment. Section 101.5603(5), F.S.

<sup>23</sup> Section 97.021(4)(b), F.S.

<sup>24</sup> Sections 101.5601-101.5614, F.S., are cited as the “Electronic Voting Systems Act.”

<sup>25</sup> Section 101.5602, F.S.

<sup>26</sup> Section 101.56075(1), F.S.

<sup>27</sup> Section 101.56075(2), F.S.

<sup>28</sup> Section 97.021(40), F.S.

<sup>29</sup> Section 101.5605(1), F.S.

<sup>30</sup> Section 101.5605(2)(a), F.S.

<sup>31</sup> See s. 101.56062, F.S.

<sup>32</sup> Section 101.56075(3), F.S.

## Polls and Poll Watchers

### Background

Current law requires polls to be open at 7 a.m. on the morning of the election and kept open until 7 p.m. that night.<sup>33</sup>

Poll watchers are persons unaffiliated with the administration of the election who monitor the election by observing the conduct of electors and officials at polling places.<sup>34</sup> The following entities may designate one poll watcher for each polling room:

- Political parties;
- Political committees formed for the specific purpose of expressly advocating the passage or defeat of an issue on the ballot; and
- Candidates.<sup>35</sup>

To designate a poll watcher, the listed entities must submit a designation form<sup>36</sup> to the supervisor of elections (supervisor) within a prescribed timeframe prior to the election.<sup>37</sup> Once accepted and approved by the supervisor, the list of poll watchers is submitted to each election board<sup>38</sup> and the poll watcher will receive an identification badge to wear in the polling area.<sup>39</sup>

Each poll watcher must be allowed within the polling room<sup>40</sup> or early voting site<sup>41</sup> to perform his or her duties.<sup>42</sup> Poll watchers must be qualified and registered electors of the county in which they serve.<sup>43</sup> A poll watcher is prohibited from:

- Coming closer to the election officials' table or the voting booths than is reasonably necessary to perform his or her function;
- Obstructing the orderly conduct of any election;
- Interacting with voters.<sup>44</sup>

Candidates, sheriffs, deputy sheriffs, police officers, or law enforcement officers are prohibited from being poll watchers.<sup>45</sup>

A poll watcher may challenge the right of a person to vote by submitting an oath that sets forth the reasons for the poll watcher's belief that the elector is casting a vote illegally.<sup>46</sup>

### Effect of the Bill

The bill prohibits a court from extending the official closing time of the polls unless there is a specific showing or finding of fact that extraordinary circumstances exist to justify the extension. Extraordinary circumstances may include an act of God or any other circumstance that materially impairs the physical operation of the polling equipment.

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<sup>33</sup> Section 100.011(1), F.S.

<sup>34</sup> Section 101.131, F.S.

<sup>35</sup> Section 101.131(1), F.S.

<sup>36</sup> See DS-DE 125, incorporated by reference by Fla. Admin. Code. R. 1S-2.054.

<sup>37</sup> Section 101.131(2), F.S.

<sup>38</sup> *Id.*

<sup>39</sup> Section 101.131(5), F.S.

<sup>40</sup> The term "polling room" is defined to mean "the actual room in which ballots are cast on election day and during early voting." Section 97.021(28), F.S.

<sup>41</sup> The term "early voting site" is defined to mean "those locations specified in s. 101.657 and the building in which early voting occurs." Section 97.021(11), F.S.

<sup>42</sup> Section 101.131(1), F.S.

<sup>43</sup> *Id.*

<sup>44</sup> Section 101.111, F.S.

<sup>45</sup> Section 101.131(3), F.S.

<sup>46</sup> *Id.*

The bill adds elected officials to the list of persons prohibited from being poll watchers.

## **Payment of Candidate Qualification Fee**

### Current Situation

Current law requires a person seeking to become a candidate for public office to either pay a qualification fee or qualify by petition.<sup>47</sup> If the person opts for the former, he or she must pay the qualification fee with a "properly executed check drawn upon the candidate's campaign account."<sup>48</sup> If the check is returned by the bank for any reason, the filing officer must immediately notify the candidate.<sup>49</sup> The candidate then has until the end of the qualification period<sup>50</sup> to pay the fee with a cashier's check purchased from funds of the campaign account.<sup>51</sup>

### Recent Litigation

The Florida Supreme Court, in *Wright v. City of Miami Gardens*,<sup>52</sup> recently declared the statutory requirement that a candidate has until the end of the qualification period to rectify a check returned by a bank unconstitutional. In that case, a candidate for mayor of the City of Miami Gardens had the check he used to pay his qualification fee returned by the bank due to banking error. The candidate was not notified of the bank's erroneous action in time to remedy the defective instrument. The candidate was thereafter disqualified and his name withheld from the ballot. The Court held that the statute "unconstitutionally erects a barrier that is an unnecessary restraint on one's right to seek elective office" and severed the portion of the 2011 law that created that process. In so doing, the court reverted the statute back to its pre-2011 form, which allows a candidate 48 hours, notwithstanding the end of the qualification period, after notification of the returned check to pay the qualification fee with a cashier's check.<sup>53</sup>

### Effect of the Bill

The bill allows a candidate to pay his or her qualification fee with a certified check.

## **Candidates Qualifying with No Party Affiliation**

### Current Situation

A candidate in a partisan election is currently allowed to run without party affiliation regardless of whether that candidate is personally registered with a political party. Candidates running for office without party affiliation do not participate in the primary election. As such, a candidate registered with a political party is able to avoid the primary election and be placed on the general election ballot as a No Party Affiliated (NPA) candidate even though that candidate is registered with a political party.<sup>54</sup>

### Effect of the Bill

The bill requires a person seeking to qualify as an NPA candidate to be personally registered as NPA and attest to such in writing at the time of qualification.

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<sup>47</sup> Section 99.061, F.S.

<sup>48</sup> Sections 99.051(7)(a)1. and 105.031(5)(a)1., F.S.; The Division of Elections in the Department of State has interpreted that phrase to prohibit the use of cashier's checks. *See* 2016 State Qualification Handbook, Division of Elections, Department of State, at pg. 5. *available at* <http://dos.myflorida.com/media/695458/state-qualifying-handbook.pdf> (last visited 3/20/17).

<sup>49</sup> Section 99.061(7)(a)1., F.S.

<sup>50</sup> Section 99.061(1)-(2), F.S.

<sup>51</sup> Section 99.061(7)(a)1., F.S.

<sup>52</sup> *Wright v. City of Miami Gardens*, 200 So. 3d 765 (Fla. 2016).

<sup>53</sup> *Id.*

<sup>54</sup> Section 99.0955(1), F.S.

## Sample Ballots

### Background

Current law requires the supervisor to publish a sample ballot in a newspaper of general circulation in the county prior to the day of the election.<sup>55</sup> The sample ballot must be in the form of the official ballot as it will appear on election day.<sup>56</sup> A supervisor may send a sample ballot via email to electors who have provided their email and opted for that service.<sup>57</sup>

### Effect of the Bill

The bill allows the supervisor to forego publication of a sample ballot in a newspaper of general circulation if the supervisor mails a sample ballot to each registered elector, or to each household in which there is a registered elector at least seven days prior to an election.

#### B. SECTION DIRECTORY:

Section 1 amends s. 97.021, F.S., relating to definitions for the Florida Election Code.

Section 2 amends s. 99.012, F.S., relating to restrictions on individuals qualifying for public office.

Section 3 amends s. 99.021, F.S., relating to the form of a candidate's oath.

Section 4 amends s. 99.061, F.S., relating to the method of qualifying for nomination or election to federal, state, county, or district office.

Section 5 amends s. 99.063, F.S., relating to candidates for Governor and Lieutenant Governor.

Section 6 amends s. 99.0955, F.S., relating to NPA candidates.

Section 7 amends s. 100.011, F.S., relating to the opening and closing of polls.

Section 8 amends s. 100.3605, F.S., relating to the conduct of municipal elections, effective July 1, 2020.

Section 9 amends s. 100.361, F.S., relating to municipal recall elections.

Section 10 amends s. 101.131, F.S., relating to watchers at polls.

Section 11 amends s. 101.151, F.S., relating to specifications for ballots.

Section 12 amends s. 101.20, F.S., relating to publication of ballot form; sample ballots.

Section 13 amends s. 101.5603, F.S., relating to definitions to the Electronic Voting Systems Act.

Section 14 amends s. 101.56075, F.S., relating to voting methods.

Section 15 repeals s. 101.75, F.S., relating to municipal elections.

Section 16 amends s. 105.031, F.S., relating to qualification of candidates in nonpartisan elections.

Section 17 amends s. 121.121, F.S., making a conforming change.

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<sup>55</sup> Section 101.20(2), F.S.

<sup>56</sup> Section 101.20(1), F.S.

<sup>57</sup> Section 101.20(2), F.S.



Section 18 creates an unnumbered section of law requiring the terms of incumbent elected municipal officers to be extended to the next municipal election held in accordance with this bill.

Section 19 provides an effective date of July 1, 2017, except as otherwise expressly provided.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

1. Revenues:

None.

2. Expenditures:

There may be a minimal fiscal impact associated with the rulemaking process that the Department of State, Division of Elections will have to engage in to implement some of the changes in the bill.

### **B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None.

2. Expenditures:

The bill may have an indeterminate fiscal impact on local governments as it may decrease or increase the cost of conducting elections for certain municipalities. The bill does not require municipalities to amend their charters because all conflicting provisions are automatically superseded.

### **C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

Companies offering voter interface devices may see an increase in requests for such devices due to the authorized expansion of the use of such devices.

### **D. FISCAL COMMENTS:**

None.

## **III. COMMENTS**

### **A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

The bill appears to be exempt from the requirements of Art. VII, s. 18 of the Florida Constitution because it is an election law.

2. Other:

None.

### **B. RULE-MAKING AUTHORITY:**

None.

### **C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

#### **IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

On March 28, 2017, the Oversight, Transparency & Administration Subcommittee adopted two amendments and reported the bill favorably as a committee substitute. The amendments removed the provisions of the bill concerning vote-by-mail ballots and allowed properly executed checks to be used when paying a candidate qualification fee.

On April 19, 2017, the Government Accountability Committee adopted a strike all amendment and reported the bill favorably as a committee substitute. The amendment made several changes to the bill. The amendment:

- Required that municipal elections to be held at one of four dates: at the general election, the first Tuesday after the first Monday in November in an odd-numbered year, or the first Tuesday after the first Monday in April in an odd-numbered or even-numbered year;
- Required state or local officers who qualify for federal public office to resign from the office they presently hold if the terms or any part thereof will run concurrently and set the requirements for such resignations;
- Required all candidates who qualify for office as an NPA candidate in partisan elections to be registered at the time of qualification as NPA and attest in writing that they are registered as NPA;
- Changed the acceptable payment methods for a qualification fee from money order, cashier's check, or properly executed check to certified check or properly executed check;
- Removed the requirement that polling rooms and early voting areas be laid out so as not to impede poll watchers performing their duties;
- Removed the provision prohibiting an election official from obstructing a poll watcher's good faith performance of his or her duties; and
- Defined what constitutes "extraordinary circumstances" necessary for a court to extend the official closing time of a poll.

This analysis is drafted to the committee substitute as approved by the Government Accountability Committee.