

By Senator Baxley

12-01194-18

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1 A bill to be entitled
2 An act relating to voting systems; amending s. 97.021,
3 F.S.; revising the definition of the term "marksense
4 ballots" for purposes of the Florida Election Code;
5 amending s. 101.151, F.S.; providing applicability of
6 specified ballot requirements to a voter interface
7 device; amending ss. 101.5603 and 101.56075, F.S.;
8 conforming provisions to changes made by the act;
9 providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Paragraph (a) of subsection (5) of section
14 97.021, Florida Statutes, is amended to read:

15 97.021 Definitions.—For the purposes of this code, except
16 where the context clearly indicates otherwise, the term:

17 (5) "Ballot" or "official ballot" when used in reference
18 to:

19 (a) "Marksense ballots" means that printed sheet of paper,
20 used in conjunction with an electronic or electromechanical vote
21 tabulation voting system, containing the names of candidates, ~~or~~
22 a statement of proposed constitutional amendments or other
23 questions or propositions submitted to the electorate at any
24 election, or the selections made by the elector of candidates or
25 other questions or propositions at an election, on which sheet
26 of paper an elector casts his or her vote either directly on a
27 sheet of paper or indirectly through the use of a voter
28 interface device used to designate the elector's ballot
29 selections on the sheet of paper.

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30 Section 2. Subsection (10) is added to section 101.151,
31 Florida Statutes, to read:

32 101.151 Specifications for ballots.—

33 (10) With respect to any voting system that uses a voter
34 interface device to designate the elector's ballot selections on
35 a sheet of paper, the provisions of this section, s. 101.161,
36 and ss. 101.2512-101.254 that prescribe the ballot layout apply
37 only to the display of candidates and issues on the voter
38 interface device.

39 Section 3. Subsection (5) of section 101.5603, Florida
40 Statutes, is amended to read:

41 101.5603 Definitions relating to Electronic Voting Systems
42 Act.—As used in this act, the term:

43 (5) "Marking device" means any approved device for marking
44 a ballot with ink or other substance, including through a voter
45 interface device, which will enable the ballot to be tabulated
46 by means of automatic tabulating equipment.

47 Section 4. Subsection (1) of section 101.56075, Florida
48 Statutes, is amended to read:

49 101.56075 Voting methods.—

50 (1) Except as provided in subsection (2), all voting shall
51 be by marksense ballot using ~~utilizing~~ a marking device for the
52 purpose of designating ballot selections.

53 Section 5. This act shall take effect July 1, 2018.