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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/07/2019	.	
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The Committee on Community Affairs (Baxley) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (41) of section 97.021, Florida
Statutes, is amended to read:

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

(41) "Voter interface device" means any device that
communicates voting instructions and ballot information to a



344688

11 voter and allows the voter to select and vote for candidates and
12 issues. A voter interface device may not be used to tabulate
13 votes. Any vote tabulation must be based upon a subsequent scan
14 of the marked marksense ballot or the voter-verifiable paper
15 output after the voter interface device process has been
16 completed.

17 Section 2. Section 101.56075, Florida Statutes, is amended
18 to read:

19 101.56075 Voting methods.—For the purpose of designating
20 ballot selections,

21 ~~(1) Except as provided in subsection (2), all voting must~~
22 ~~shall be by marksense ballot, using utilizing a marking device~~
23 ~~or a voter interface device that produces a voter-verifiable~~
24 ~~paper output and for the purpose of designating ballot~~
25 ~~selections.~~

26 ~~(2) Persons with disabilities may vote on a voter interface~~
27 ~~device that meets the voting system accessibility requirements~~
28 ~~for individuals with disabilities pursuant to s. 301 of the~~
29 ~~federal Help America Vote Act of 2002 and s. 101.56062.~~

30 ~~(3) By 2020, persons with disabilities shall vote on a~~
31 ~~voter interface device that meets the voter accessibility~~
32 ~~requirements for individuals with disabilities under s. 301 of~~
33 ~~the federal Help America Vote Act of 2002 and s. 101.56062 which~~
34 ~~are consistent with subsection (1) of this section.~~

35 Section 3. Paragraph (b) of subsection (4) of section
36 102.166, Florida Statutes, is amended to read:

37 102.166 Manual recounts of overvotes and undervotes.—

38 (4)

39 (b) The Department of State shall adopt specific rules for



40 the federal write-in absentee ballot and for each certified
41 voting system prescribing what constitutes a "clear indication
42 on the ballot that the voter has made a definite choice." The
43 rules shall be consistent, to the extent practicable, and may
44 not:

45 1. Authorize the use of any electronic or electromechanical
46 reading device to review a hybrid voting system ballot that is
47 produced using a voter interface device and that contains both
48 machine-readable fields and machine-printed text of the contest
49 titles and voter selections, unless the printed text is
50 illegible;

51 2. Exclusively provide that the voter must properly mark or
52 designate his or her choice on the ballot; or

53 ~~3.2.~~ Contain a catch-all provision that fails to identify
54 specific standards, such as "any other mark or indication
55 clearly indicating that the voter has made a definite choice."

56 Section 4. This act shall take effect January 1, 2020.

57
58 ===== T I T L E A M E N D M E N T =====

59 And the title is amended as follows:

60 Delete everything before the enacting clause
61 and insert:

62 A bill to be entitled
63 An act relating to voting methods; amending s. 97.021,
64 F.S.; revising the definition of the term "voter
65 interface device"; amending s. 101.56075, F.S.;
66 authorizing voting to be conducted using a voter
67 interface device that produces a voter-verifiable
68 paper output; amending s. 102.166, F.S.; revising



344688

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requirements for Department of State rules regarding
manual recounts of certain ballots; providing an
effective date.