

1 A bill to be entitled
 2 An act relating to voting methods; amending s. 97.021,
 3 F.S.; revising the definition of the term "voter
 4 interface device"; amending s. 101.56075, F.S.;
 5 providing that voting must be conducted using a
 6 marking device or voter interface device that produces
 7 a voter-verifiable paper output; amending s. 102.166,
 8 F.S.; revising requirements for Department of State
 9 rules regarding manual recounts of certain ballots;
 10 providing an effective date.

11

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

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

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

18 (41) "Voter interface device" means any device that
 19 communicates voting instructions and ballot information to a
 20 voter and allows the voter to select and vote for candidates and
 21 issues. A voter interface device may not be used to tabulate
 22 votes. Any vote tabulation must be based upon a subsequent scan
 23 of the marked marksense ballot or the voter-verifiable paper
 24 output after the voter interface device process has been
 25 completed.

26 Section 2. Section 101.56075, Florida Statutes, is amended
 27 to read:

28 101.56075 Voting methods.—For the purpose of designating
 29 ballot selections

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

35 ~~(2) Persons with disabilities may vote on a voter~~
 36 ~~interface device that meets the voting system accessibility~~
 37 ~~requirements for individuals with disabilities pursuant to s.~~
 38 ~~301 of the federal Help America Vote Act of 2002 and s.~~
 39 ~~101.56062.~~

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

45 Section 3. Paragraph (b) of subsection (4) of section
 46 102.166, Florida Statutes, is amended to read:

47 102.166 Manual recounts of overvotes and undervotes.—

48 (4)

49 (b) The Department of State shall adopt specific rules for
 50 the federal write-in absentee ballot and for each certified

51 voting system prescribing what constitutes a "clear indication
52 on the ballot that the voter has made a definite choice." The
53 rules shall be consistent, to the extent practicable, and may
54 not:

55 1. Authorize the use of any electronic or
56 electromechanical reading device to review a hybrid voting
57 system ballot that is produced using a voter interface device
58 and that contains both machine-readable fields and machine-
59 printed text of the contest titles and voter selections, unless
60 the printed text is illegible;

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

63 ~~3.2.~~ Contain a catch-all provision that fails to identify
64 specific standards, such as "any other mark or indication
65 clearly indicating that the voter has made a definite choice."

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