



The Florida Senate

Interim Project Report 2002-132

October 2001

Committee on Ethics and Elections

Senator Debby P. Sanderson, Chairman

REVISION OF ELECTIONS ADMINISTRATION PORTIONS OF THE ELECTION CODE

SUMMARY

Individual election administration provisions of the Florida Election Code have been amended periodically over many years, without regard to the construction and operation of the code as a whole. This has resulted in a code with numerous archaic terms, duplicative language and concepts, ambiguous and sometimes conflicting provisions, and unnecessary or outdated procedures.

Proposed Committee Bill 2 ("PCB-2") re-writes and re-organizes substantial portions of the election administration provisions of the code (Chapters 97-104, Florida Statutes). PCB-2 does not address the provisions of the code dealing with nonpartisan elections and campaign financing.

FINDINGS

The periodic changes to the administration provisions of the election code have, over time, resulted in some duplication of language, ambiguity, lack of coherence, and confusion. Specific findings relating to individual provisions of the code can be found in the staff analysis to PCB-2.

RECOMMENDATIONS

Staff recommendations are embodied in Proposed Committee Bill 2 of the Ethics and Elections Committee.

BACKGROUND

The election administration portions of the Florida Election Code have been amended and modified piecemeal over the past 25 years.

METHODOLOGY

Staff reviewed and re-worked each section of Chapter 97-104, Florida Statutes, aided by two prior code revisions prepared by David Leahy, Supervisor of Elections of Miami Dade County and a work group comprised of Senate staff, House staff, and Division of Elections staff. The Committee staff also re-organized sections within various chapters to provide more coherence and closer proximity of related subjects. Finally, committee staff consulted with the Florida Association of Supervisors and the staff of the Senate Criminal Justice Committee to get their input on relevant sections.