



SENATE BILL NO. 29. BY SENATORS Kogovsek, Darby, MacManus, Massari, Minister, Ruland, and Wunsch; also REPRESENTATIVES Mullen, Baer, Benavidez, Boley, Cooper, DeBulin, Eaker, Farley, Frank, Gallagher, Gaon, Hayes, Howe, Kopel, Koster, Lamm, Lloyd, Lucero, McNeil, O'Brian, Safran, Smith, and Webb.

PROVIDING FOR THE USE OF ELECTRONIC VOTING EQUIPMENT IN ELECTIONS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 49-1-4, Colorado Revised Statutes 1963, as amended, is amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to read:

49-1-4. Definitions. (26) "Electronic voting equipment" or "a punch card electronic voting system" means a method in which votes are recorded on ballot cards by means of marking or punching, and such votes are subsequently counted and tabulated by electronic vote tabulating equipment at one or more counting centers.

(27) "Electronic vote tabulating equipment" or "electronic vote counting equipment" includes any apparatus necessary to automatically examine and count votes as designated on ballot cards and tabulate the result.

(28) "Vote recorder" or "voting device" means any apparatus which the voter uses to record his votes by marking or punching a hole in a paper ballot or tabulating card, which votes are subsequently counted by electronic tabulating equipment.

SECTION 2. 49-8-2 (1), Colorado Revised Statutes 1963, is amended to read:

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

49-8-2. Primary election ballots. (1) The method of voting at the primary election may be either by paper ballots as provided in articles 5 to 8 of this chapter or by voting machine OR ELECTRONIC VOTING EQUIPMENT as provided in article 15 of this chapter.

SECTION 3. 49-8-2 (2) (b), Colorado Revised Statutes 1963 (1965 Supp.), is amended to read:

49-8-2. Primary election ballots. (2) (b) All official ballots shall be white and printed in black ink and shall be uniform in size, EXCEPT THAT THE SECRETARY OF STATE MAY AUTHORIZE THE USE OF COLORS OR OTHER DISTINCTIVE MARKINGS TO IDENTIFY POLITICAL SUBDIVISIONS WHEN SUCH COLORS OR DISTINCTIVE MARKINGS WILL AID IN THE DISTRIBUTION AND TABULATION OF THE BALLOTS. The extreme top part of each ballot shall be divided by two perforated lines, into two spaces, each of which shall be not less than one inch in width, the top portion being known as the stub, and the next portion as the duplicate stub. Stubs and duplicate stubs of the various party ballots shall be numbered consecutively commencing with number one in each precinct. Nothing shall be printed on the stubs but the number of the ballot and the same number shall be printed on both stubs. On the back of each ballot shall be printed "Official Primary Election Ballot". On the next line shall be printed the precinct and county in which the ballot is to be used, and the date of the election and below that a facsimile of the signature of the county clerk. Across the head of each ballot shall be printed the name of the political party for which the ballot is to be used. In the left hand column shall appear the designated office and to the extreme right of the same line the words, "Vote for", then the words, "One", "Two", or a spelled number designating how many persons under that heading are to be voted for. The name of each candidate shall be printed below the designated office with a square to the right of the name to give each voter a clear opportunity to designate his choice of such candidates by a cross (X) therein. Following the names of all candidates for any particular office shall be a blank space wherein the voter may write the names of one or more candidates according to the number of candidates to be nominated for such office. No cross (X) shall be required at the right of the name so written in. Each office, with the names of the candidates for that office, shall be clearly separated from the following one.

SECTION 4. 49-8-2 (2) (e), Colorado Revised Statutes 1963, is amended to read:

49-8-2. Primary election ballots. (2) (e) Sample ballots shall be printed in the same form as the official ballot, but upon DIFFERENT colored paper.

SECTION 5. 49-11-1 (1) (c), Colorado Revised Statutes 1963 (1965 Supp.), is amended to read:

49-11-1. Establishing precincts and polling places. (1)  
(c) In counties which use voting machines OR ELECTRONIC VOTING EQUIPMENT, the commissioners shall establish at least one precinct for every one thousand registered electors.

SECTION 6. 49-11-3 (2) (a) and (b) and 49-11-7 (1), Colorado Revised Statutes 1963, are amended to read:

49-11-3. Number of voting booths or voting machines or electronic voting equipment. (2) (a) At primary and special elections in all counties which use voting machines; and at general elections in all counties of less than three hundred thousand population in which voting machines are used OR ELECTRONIC VOTING EQUIPMENT, the county clerk shall supply each precinct with a sufficient number of voting machines OR ELECTRONIC VOTING EQUIPMENT.

(b) At general elections in counties of three hundred thousand population and over, in which voting machines OR ELECTRONIC VOTING EQUIPMENT is used, the county clerk shall supply each precinct with one voting machine OR COMPARABLE ELECTRONIC VOTING EQUIPMENT for APPROXIMATELY each two hundred fifty registered electors or fraction thereof, as computed by the total number of registrations in the registration book for such precinct at the close of the last day for registration before the election.

49-11-7. Ballots for general and special elections. (1)  
The method of voting at general and special elections may be either by paper ballots as provided in this article ARTICLES 5 TO 8 OF THIS CHAPTER or by voting machine OR ELECTRONIC VOTING EQUIPMENT as provided in article 15 of this chapter.

SECTION 7. 49-14-6 (1) and 49-14-8 (2), Colorado Revised Statutes 1963 (1971 Supp.), are amended to read:

49-14-6. Manner of absentee voting by paper ballot. (1)  
Any registered elector applying for and receiving an absent voter's ballot, in casting such ballot, shall make and subscribe to the affidavit on the return envelope before an officer authorized by law to administer oaths, who shall administer said oath without charge therefor. The voter shall thereupon mark the ballot, in the presence of such officer and no other person, but in such a manner that such officer cannot know how the ballot is marked. The voter shall, in the presence of such officer, fold the ballot OR INSERT THE BALLOT CARD IN THE SPECIAL ENVELOPE PROVIDED FOR THE PURPOSE so as to conceal the marking, deposit it in the return envelope, and seal the envelope securely. The envelope may be delivered personally or mailed by the voter to the county clerk issuing the ballot. It shall be permissible for a voter to deliver the ballot to any person of his own choice or to any duly authorized agent of the county clerk for mailing or personal delivery to the county clerk. All such envelopes

containing absent voters' ballots shall be in the hands of the county clerk not later than the hour of 5:00 7:00 p.m. on the day of the general, primary, or special election. Absentee voters' envelopes received after 5:00 7:00 p.m. on the day of the election but postmarked on or before the day of the election will remain sealed and uncounted but the voter's registration sheet will not be purged for failure to vote in a general election.

49-14-8. Appointment of receiving judges for absent voters' polling place. (2) In all counties in which voting machines OR ELECTRONIC VOTING EQUIPMENT are used, the county clerk shall, prior to the fifteenth day preceding any general, primary, or special election, appoint not less than three receiving judges whose qualifications, powers, and duties shall be the same as those provided for receiving judges at precinct polling places where voting machines are used. Precinct residence shall not apply as to qualifications. The political party entitled to the additional judge in even-numbered precincts as provided in section 49-9-4 shall be entitled to the additional judge on the absent voters' election board of the county. One or more of the regular employees of the county clerk may serve as a receiving judge so long as the party affiliation of the entire absent voters' election board corresponds to the provisions of section 49-9-4.

SECTION 8. 49-14-9 (2) and 49-14-10, Colorado Revised Statutes 1963, are amended to read:

49-14-9. Appointment of counting judges and clerks for absent voters' polling place. (2) In all counties in which voting machines OR ELECTRONIC VOTING EQUIPMENT is used, for each five hundred absent voters' ballots so mailed or delivered, the county clerk shall MAY appoint, in addition to the receiving judges appointed as provided in section 49-14-8, five counting judges, not more than three of whom shall be from one political party.

49-14-10. Casting absent voter's ballot on voting machine or electronic voting equipment. In all counties in which voting machines OR ELECTRONIC VOTING EQUIPMENT are used, the absent voters' polling place shall be opened fifteen days prior to the primary, general, or special election day and shall remain open during the time the offices of the county clerk shall be open until the closing of business on the Friday immediately preceding the election. Qualified applicants for absent voters' ballots appearing in person at the absent voters' polling place during this time may cast their absent voters' ballots on voting machines OR ELECTRONIC VOTING EQUIPMENT expressly provided for that purpose in the same manner as any ballot would be cast on a voting machine OR ELECTRONIC VOTING EQUIPMENT in a precinct polling place on election day. The registration sheet of each such voter shall be placed in the "absent voters' registration

book" and noted on the list attached at the back of the precinct registration book as provided in section 49-14-4. The voting machines OR ELECTRONIC VOTING EQUIPMENT used for the casting of such absent voters' ballots shall remain locked OR SEALED, OR BOTH LOCKED AND SEALED, and the tabulation of the votes cast shall remain unknown until the time prescribed in section 49-14-11 for counting absentee ballots. During the time the absent voters' polling place is not open, the county clerk shall have the custody and keys of any voting machine OR ELECTRONIC VOTING EQUIPMENT being used for the casting of absent voters' ballots. The voting machines OR ELECTRONIC VOTING EQUIPMENT used for the casting of absent voters' ballots shall not be used for the further counting of absentee ballots as provided in section 49-14-13 (3) (c).

SECTION 9. 49-14-13 (3), Colorado Revised Statutes 1963, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

49-14-13. Casting and counting absent voters' paper ballots. (3) (e) Any county may use electronic vote tabulating equipment for the counting of absent voters' ballots in the same manner as for the counting of precinct ballots as provided in article 15 of this chapter.

SECTION 10. 49-14-21 (3), Colorado Revised Statutes 1963 (1965 Supp.), is amended to read:

49-14-21. Supplies for absentee voting. (3) In counties including more than one state senatorial district or more than one state representative district, or both, absent voters' ballots shall be provided in a manner to be determined by the county clerk for each combination of state legislative districts. WHEN AUTHORIZED BY THE SECRETARY OF STATE, DISTINCTIVE MARKINGS OR COLORS MAY BE USED TO IDENTIFY POLITICAL SUBDIVISIONS WHEN SUCH COLORS OR DISTINCTIVE MARKINGS WILL AID IN THE DISTRIBUTION OR TABULATION, OR BOTH DISTRIBUTION AND TABULATION, OF THE BALLOTS. A COMPLETE BALLOT MAY CONSIST OF ONE OR MORE PAGES OR CARDS SO LONG AS EACH SUCH PAGE OR CARD IS NUMBERED AND IDENTIFIED AS PROVIDED FOR PAPER BALLOTS IN SECTIONS 49-8-2 AND 49-11-7. This subsection (3) shall apply to ballots to be cast on absent voters' voting machines as well as to paper ballots AND PUNCH CARDS WHICH CAN BE ELECTRONICALLY COUNTED.

SECTION 11. Article 14 of chapter 49, Colorado Revised Statutes 1963, as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

49-14-22. Casting and counting - electronic system In counties using a punch card electronic voting system, absentee votes may be cast on paper ballots and counted as provided in section 49-14-13, or may be cast on ballot cards and counted by electronic voting equipment as provided in article 15 of this chapter, or both methods may be used.

SECTION 12. 49-15-1, Colorado Revised Statutes 1963, is amended to read:

49-15-1. Use of voting machines or electronic voting system.  
In all general, primary, and special elections held in this state, the ballots or votes may be cast, registered, recorded, and counted by means of voting machines OR BY MEANS OF A PUNCH CARD ELECTRONIC VOTING SYSTEM, as provided in this article.

SECTION 13. Article 15 of chapter 49, Colorado Revised Statutes 1963, as amended, is amended BY THE ADDITION OF THE FOLLOWING NEW SECTIONS to read:

49-15-15. Requirements - electronic voting system. (1) (a)  
No punch card electronic voting system shall be used, purchased, or leased unless it fulfills the following requirements:

(b) It shall provide for voting in secrecy.

(c) It shall permit each voter to write in the names of persons which are not on the printed ballot, and to vote for any persons whose names are printed on the ballot for whom the voter is lawfully entitled to vote; to vote for as many persons for an office for which he is entitled to vote; and to vote for or against any question upon which he is entitled to vote; and the electronic vote counting equipment shall reject any vote for an office or on a measure if the number of votes exceeds the number for which he is entitled to vote.

(d) It shall permit each voter, other than at a primary election, to vote for the candidates of one or more parties and for independent candidates.

(e) It shall prevent the voter from voting for the same person more than once for the same office.

(f) It shall be suitably designed and of durable construction, and capable of being used safely, efficiently, and accurately in the conduct of elections and counting ballots. When the names of candidates or the text of issues are not printed on the ballot card but are printed on pages attached to the vote recorder device, such pages must be securely locked or sealed to prevent tampering.

49-15-16. Acquisition and use authorized. (1) The board of county commissioners of any county may adopt, experiment with, acquire by purchase, or lease a punch card electronic voting system which meets the requirements of section 49-15-15. It may enlarge, consolidate, or alter the boundaries of precincts in which a punch card electronic voting system is used.

(2) The provisions of sections 49-15-15 to 49-15-22 shall be controlling with respect to elections conducted with a punch

card electronic voting system and shall be liberally construed so as to carry out the purpose of said elections. The provisions of this chapter relating to the conduct of elections, insofar as they are applicable and not inconsistent with the efficient conduct of elections with punch card electronic voting systems, shall apply.

49-15-17. Ballots - electronic voting. (1) Ballot pages or ballot cards placed upon voting devices shall, so far as practicable, be in the same order of arrangement as provided by sections 49-8-2, 49-11-7, and 49-11-8 for paper ballots, except that they shall be of the size and design required by the vote recorder or the electronic vote counting equipment, or both the vote recorder and the electronic vote counting equipment, and may be printed on a number of separate pages which are placed on the voting device or on one or more ballot cards.

(2) If votes are recorded on a ballot card, a separate write-in ballot may be provided, which may be in the form of a paper ballot or envelope on which the voter may write in the titles of the office and the names of persons not on the printed ballot for whom he wishes to vote.

49-15-18. Preparation for use - electronic voting. (1) Prior to an election in which a punch card electronic voting system is to be used, the county clerk shall have the vote recorders or punching devices, or both the vote recorders and punching devices, prepared for voting and shall inspect and determine that each such recorder or device is in proper working order and shall cause a sufficient number of such recorders or devices to be delivered to each election precinct in which the punch card electronic voting system is to be used.

(2) The county clerk shall supply each election precinct in which vote recorders or voting devices are to be used with a sufficient number of ballot cards, sample ballots, ballot boxes, write-in ballots, if required, and other supplies and forms as may be required. Each ballot card shall have a serially numbered stub attached, which shall be removed by a judge of elections before the card is deposited in the ballot box.

49-15-19. Close of polls - count and seals in electronic voting. After the polls have been closed, the election judges shall secure the vote recorders or the voting devices, or both the vote recorders and the voting devices, against further use and prepare a ballot return in duplicate showing the number of voters as indicated by the pollbook who have voted in the precinct, the number of official ballot cards received, and the number of spoiled and unused ballot cards returned. The original copy of said ballot return shall be deposited in the metal or durable plastic transfer box, along with all voted and spoiled ballots. The transfer box shall then be sealed in such a way as to prevent tampering with the box or its contents. The county

clerk shall provide such a numbered seal. The duplicate copy of said ballot return shall be mailed at the nearest post office or post box to the county clerk by a judge other than those who deliver the transfer box to the counting center. Two judges of different political parties, as provided in section 49-9-15 (1), shall deliver the sealed transfer box to the counting center or other place designated by the county clerk.

49-15-20. Electronic vote counting - test. (1) The county clerk shall have the electronic ballot counting equipment tested in the manner prescribed in this section to ascertain that it will accurately count the votes cast for all offices and all measures. The electronic equipment shall be tested at least three times, once on the day before the election, again just prior to the start of the count on election day, and finally at the conclusion of the counting. The county clerk may make any additional tests he deems necessary.

(2) The county chairmen of the two major political parties, or their official representatives, shall each be supplied at least one hundred official ballots which are clearly marked as test ballots and shall secretly vote said test ballots and retain a record of such test votes. The county clerk shall also vote and retain at least one hundred test ballots.

(3) The county clerk and county chairmen shall meet at the counting center to observe the tabulation of all test ballots by means of the electronic counting equipment and compare such tabulation with the previously retained records of the test vote count. The cause of any discrepancies shall be corrected prior to the actual vote tabulation.

(4) All test materials when not in use shall be kept in a metal box with two metal hasps, and each county chairman shall affix his own padlock and retain the key. The county clerk shall be the custodian of the box.

(5) After the final test following the conclusion of the counting, all programs, test materials, and ballots shall be sealed and retained as provided for paper ballots.

49-15-21. Electronic vote counting - procedure. (1) All proceedings at the counting center shall be under the direction of the county clerk and shall be conducted under the observation of representatives of the political parties, but no persons except those authorized for the purpose shall touch any ballot or ballot card or return. All persons who are engaged in processing and counting of the ballots shall be deputed in writing and take an oath that they will faithfully perform their assigned duties. If any ballot is damaged or defective so that it cannot properly be counted by the electronic vote counting equipment, a true duplicate copy shall be made of the damaged ballot in the presence of two witnesses. The duplicate ballot shall be



substituted for the damaged ballot. All duplicate ballots shall be clearly labeled as such and shall bear a serial number which shall be recorded on the damaged ballot.

(2) The return printed by the electronic vote tabulating equipment, to which have been added write-in votes, shall, when certified by the county clerk, constitute the official return of each precinct. The county clerk may from time to time release unofficial returns. Upon completion of the count the official returns shall be open to the public.

(3) Absentee ballots shall be counted at the counting center in the same manner as precinct ballots. Write-in ballots may be counted in their precincts by the precinct judges of election or at the counting center, but before any write-in vote is counted, it shall be compared with votes cast for the same office on the ballot card to ascertain whether the write-in vote is valid. If the voter has cast more votes for the office than he is lawfully entitled to vote, the word "Void" shall be written across the write-in vote, and it shall not be counted. Votes cast for a nominated candidate whose name appears on the ballot will not be voided because of an invalid write-in vote for the same office.

(4) If for any reason it becomes impracticable to count all or a part of the ballots with electronic vote tabulating equipment, the county clerk may direct that they be counted manually, following as far as practicable the provisions governing the counting of paper ballots.

(5) The receiving of, the opening of, and the preservation of the transfer boxes and their contents shall be the responsibility of the county clerk who shall provide adequate personnel and facilities to assure accurate and complete election results. Any indication of tampering with the ballots or ballot cards or other fraudulent action shall be immediately reported to the district attorney who shall immediately investigate such action and report in writing within ten days his findings to the county clerk and shall prosecute to the full extent of the law any person or persons responsible for such fraudulent action. The secretary of state shall issue such directives as may be necessary to implement or to clarify the procedures outlined for the conduct of elections when punch card electronic voting systems are used.

SECTION 14. Safety clause. The general assembly hereby

finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

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John D. Vanderhoof  
PRESIDENT  
OF THE SENATE

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John D. Fuhr  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Comfort W. Shaw  
SECRETARY OF  
THE SENATE

---

Lorraine F. Lombardi  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_

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John A. Love  
GOVERNOR OF THE STATE OF COLORADO

*Revisions*  
*re punched and marking*

1 supervisor after the election for which such ballots, forms, 66  
2 or other election materials were to be used. 66.

3 Section 21. Sections 101.55, 101.56, 101.5602, 66.  
4 101.5603, 101.5604, 101.5605, 101.5606, 101.5607, 101.5608, 66.  
5 101.5609, 101.5611, 101.5612, 101.5613, 101.5614, 101.5615, 66  
6 101.58, and 101.62, Florida Statutes, are amended to read: 66

7 101.55 Certificate of results returns.--In precincts 66  
8 where voting machines are used, certificates of results shall 66  
9 be printed to conform with the type of machines used, on a 66  
10 form approved by the Department of State. The designating 66  
11 number and letter on the counter for each candidate shall be 66  
12 printed next to the candidate's name on the certificate of the 66  
13 result. The form of such certificate shall also provide for 66  
14 the entry of the total number of votes cast for each candidate 66  
15 and upon each question. Three of such certificates shall be 66  
16 made in each precinct, of which one shall be sent to the 66  
17 supervisor of the county, another sent to the chairman of the 66  
18 county canvassing board county-court-judge, and another 66  
19 publicly posted at the polling place in which the precinct is 66  
20 situated. 66.

21 101.56 Locking machine and returning irregular 66.  
22 ballots.--The election officers shall, as soon as the count is 66.  
23 completed and ascertained, lock the counter compartment of the 66.  
24 machine, and it shall so remain for a period not less than 10 66.  
25 days, unless another election is held within 3 weeks, in which 66.  
26 event the machine shall remain locked for 5 days, except in 66.  
27 either event it may be opened by the canvassing board or by 66.  
28 order of a court of competent jurisdiction. Whenever irregular 66.  
29 ballots have been voted, the election officers shall return 66.  
30 such ballots in a secured package endorsed "irregular ballots" 66.  
31 and return and file such package with the original statement 66.

*ELECTRONIC CODE*

1 of the result of the election made by them. The package shall 66  
2 be filed for 6 months succeeding the election, and not opened 66  
3 or its contents examined during that time except by a judge of 66  
4 a court lawfully empowered to direct the package to be opened 66  
5 and examined. The package may be opened at the end of 6 months 66  
6 and the ballots disposed of at the discretion of the official 66  
7 or body having charge of them. 66

8 101.5602 Purpose.--The purpose of this act is to 66  
9 authorize the use of electronic and electromechanical voting 66  
10 systems in which the voter records his vote in such a manner 66  
11 by means of marking or punching a ballot or one or more ballot 66  
12 cards which are designed so that votes may be counted by data 66  
13 processing machines at one or more counting places. 66

14 101.5603 Definitions.--As used in this act: 66  
15 (1) "Automatic tabulating equipment" includes 66  
16 apparatus necessary to automatically examine, and count, and 1:  
17 record automatically votes as designated on ballots and data 66  
18 processing machines which can be used for counting ballots and 66  
19 tabulating results. 66

20 (2) --"Ballot card" means a ballot which is voted by the 66  
21 process of punching. 66

22 (3) --"Ballot labels" means the cards, papers, booklet, 67  
23 pages, or other material containing the names of offices and 66  
24 candidates and statements of measures to be voted on. 57

25 (2) (4) "Ballot" means the card, tape, or other vehicle 1:  
26 upon which the elector's choices are recorded may include 67  
27 ballot cards, ballot labels, and paper ballots. 67

28 (3) "Ballot information" means the material containing 67  
29 the names of offices and candidates and the statements of 66  
30 votes on. 67

1 ~~(5)--"Counting-location"--means-a-location-selected-by~~  
2 ~~the-county-canvassing-board-for-the-automatic-processing-or~~  
3 ~~counting,-or-both,-of-ballots;~~

4 ~~(6)--"Electronic-or-electromechanical-voting-system"~~  
5 ~~means-a-system-of-casting-votes-by-use-of-marking-devices-and~~  
6 ~~tabulating-ballots-employing-automatic-tabulating-equipment-or~~  
7 ~~data-processing-equipment;~~

8 ~~(4)(7) "Marking device" means either an approved~~  
9 ~~apparatus in-which-ballots-or-ballot-cards-are-inserted-and~~  
10 ~~used in-connection-with-a-punch-apparatus for the piercing of~~  
11 ~~ballots by the voter or any approved device for marking a~~  
12 ~~paper ballot with ink or other substance which will enable the~~  
13 ~~ballot to be tabulated by means of automatic tabulating~~  
14 ~~equipment. The-hole-or-mark-made-by-a-marking-device-may-be-in~~  
15 ~~the-form-of-a-round-dot,-rectangle,-square,-or-any-other-shape~~  
16 ~~that-will-clearly-indicate-the-intent-of-the-voter.~~

17 101.5604 Adoption of system; procurement of equipment;  
18 commercial tabulations.--The board of county commissioners of  
19 any county, at any regular meeting or a special meeting called  
20 for the purpose, may, upon consultation with the supervisor of  
21 elections, adopt, purchase or otherwise procure, and provide  
22 for the use of any electronic or electromechanical voting  
23 system approved by the Department of State secretary-of-state  
24 in all or a portion of the election precincts of that county.  
25 Thereafter the electronic or electromechanical voting system  
26 may be used for voting at all elections for public and party  
27 offices and on all measures, and for receiving, registering,  
28 and counting the votes thereof in such election precincts as  
29 the governing body directs. Any such board may contract for  
30 the tabulation of votes at a location within the county when  
31

1 there is no suitable tabulating equipment available which is  
2 owned by the county.

3 101.5605 Examination and approval of equipment by  
4 ~~secretary-of-state.--~~

5 (1) The Department of State secretary-of-state shall  
6 publicly examine all makes of electronic or electromechanical  
7 voting systems submitted to it him and determine whether the  
8 systems comply with the requirements of s. 101.5606.

9 (2) Any person owning or interested in an electronic  
10 or electromechanical voting system may submit it to the  
11 Department of State secretary-of-state for examination. The  
12 vote counting segment shall be certified after a satisfactory  
13 evaluation testing has been performed according to electronic  
14 industry standards. This testing shall include but not be  
15 limited to the basic source program and its security; the  
16 ballot reader; the vote processor, especially in its logic and  
17 memory components; the digital printer; the fail safe  
18 operations; counting center environmental requirements; and  
19 equipment reliability estimate. For the purpose of assisting  
20 in examining the system, the Department of State secretary-of  
21 state may employ not more than three individuals who are  
22 expert in one or more fields of data processing, mechanical  
23 engineering, and public administration, and shall require from  
24 them a written report of their examination. The person  
25 submitting a system for approval or the board of county  
26 commissioners of any county seeking approval of a given system  
27 shall reimburse the Department of State in an amount equal to  
28 the actual costs incurred by the department in examining the  
29 system. Such reimbursement shall be made whether or not the  
30 system is approved by the Department of State secretary-of  
31 state. Neither the Secretary of State nor any examiner shall

1 have any pecuniary interest in any voting equipment. The  
2 Department of State secretary-of-state shall approve or  
3 disapprove any voting system submitted to it him within 180  
4 days after the date of its initial submission.  
5 (3) Within 30 days after completing the examination  
6 and upon approval of any electronic or electromechanical  
7 voting system, the Department of State secretary-of-state  
8 shall make and maintain a file-in-his-office-his report on the  
9 system, together with a written or printed description and  
10 drawings and photographs clearly identifying the system and  
11 the operation thereof. As soon as practicable after such  
12 filing, the Department of State secretary-of-state shall send  
13 a notice of certification and, upon request, a copy of the  
14 report to the governing bodies of the respective counties of  
15 the state. Any voting system that does not receive the  
16 approval of the Department of State secretary-of-state shall  
17 not be adopted for or used at any election. After a voting  
18 system has been approved by the department secretary-of-state,  
19 any change or improvement in the system is required to must be  
20 approved by the Department of State secretary-of-state prior  
21 to the adoption of such change or improvement by any county.  
22 However, the Department of State shall secretary-of-state-is  
23 not required-to reexamine or reapprove the system in its  
24 entirety.  
25 (4) No governing body shall purchase or cause to be  
26 purchased any certified voting system or equipment without  
27 prior approval of the Department of State. The department,  
28 within 30 days of receipt of notice of intention to make such  
29 a purchase, shall reexamine the voting system or equipment to  
30 be purchased to insure that any changes made in the equipment  
31 or system since the most recent certification of the equipment

CODING: Words in ~~stuck through~~ type are deletions from existing law; words underlined are additions.

1 or system also comply with the requirements of this act. If  
2 any of the changes do not comply with the requirements of this  
3 act, the department shall suspend all sales of the equipment  
4 or system in the state until the equipment or system complies  
5 with the requirements of this act.  
6 101.5606 Requirements for approval of systems.--No  
7 electronic or electromechanical voting system shall be  
8 approved by the Department of State secretary-of-state unless  
9 it is so constructed that:  
10 (1) It permits and requires voting in secrecy.  
11 (2) It permits each elector to vote at any election  
12 for all persons and offices for whom and for which he is  
13 lawfully entitled to vote, and no others; to vote for as many  
14 persons for an office as he is entitled to vote for; and to  
15 vote for or against any question upon which he is entitled to  
16 vote.  
17 (3) The automatic tabulating equipment may be set to  
18 reject all votes for any office or measure when the number of  
19 votes therefor exceeds the number which the voter is entitled  
20 to cast or when the voter is not entitled to cast a vote for  
21 the office or measure.  
22 (4) It is capable of correctly counting votes on  
23 ~~ballots-or-ballot-cards-on-which-the-proper-number-of-votes~~  
24 ~~have-been-marked-for-any-office-or-question-or-issue-that-has~~  
25 ~~been-voted.~~  
26 (5) When used in primary elections, the automatic  
27 tabulating equipment will count only votes for the candidates  
28 of one party and will reject all votes for an office when the  
29 number of votes therefor exceeds the number which the voter is  
30 entitled to cast and will reject all votes of a voter cast for  
31 candidates of more than one party.

CODING: Words in ~~stuck through~~ type are deletions from existing law; words underlined are additions.

1 (6) At presidential elections it permits each elector 68  
2 ~~at-presidential-elections~~, by one operation punch-or-mark, to 68  
3 vote for all presidential electors of a party or independent  
4 candidate the-candidates-of-a-party for President and Vice 68.  
5 President,-vice-president,-and-presidential-electors. 68.

6 (7) It provides a method for write-in voting. 68.

7 (8) It is capable of accumulating a count of the 68.  
8 specific number of ballots or ~~ballot-cards~~ tallied for a 68.  
9 precinct, accumulating total votes by candidate for each 68.  
10 office, and accumulating total votes for and against each 68.  
11 question and issue of the ballots or ~~ballot-cards~~ tallied for 68  
12 a precinct. 68.

13 (9) It is capable of tallying votes from ballots or 68  
14 ~~ballot-cards~~ of different political parties from the same 68  
15 precinct, in the case of a primary election. 68

16 (10) It is capable of automatically producing precinct 68  
17 totals in either printed, marked, or punched form, or 68  
18 combination thereof. 68

19 101.5607 Department of State Secretary-of-state to 68  
20 prescribe rules and regulations.--The Department of State  
21 secretary-of-state shall prescribe rules and regulations to 1:  
22 achieve and maintain the maximum degree of correctness, 68  
23 impartiality, and efficiency of the procedures of voting, and 68  
24 of counting, tabulating, and recording votes, by the 69  
25 electronic or electromechanical voting systems and methods  
26 provided by this act. 69

27 101.5608 Paper balloting procedures to apply.--So far 69.  
28 as practicable applicable, the procedures for voting paper 69.  
29 ballots as prescribed in this code ss-101+101+1-through-101+264 69  
30 P.S.-1974 shall apply to procedures followed pursuant to this 69  
31 act. The following procedures shall apply, however, and any 1:

1 procedure prescribed for paper ballots which is made 69  
2 impractical because of any of the following requirements may 69  
3 be modified with approval of the Department of State to  
4 facilitate adherence to the following requirements: 69

5 (1) After preparing his ballot, the elector shall 69  
6 place his ballot in the secrecy envelope so as to cover the 69  
7 ballot but leave the attached stub exposed. 69

8 (2) The ballot shall have two stubs. Stub number one 69  
9 shall have the ballot serial number on it. Stub number two 69  
10 shall have the official title of the election and the name of 69  
11 the county and state on it. On ballots to be used in the  
12 precincts, the ballot serial number shall also be on stub 69  
13 number two. On absentee ballots, the ballot serial number may 69  
14 be on stub number two, but shall be on stub number one. 69

15 (3) Ballots to be used in the precincts shall be 1:  
16 assembled in pads so that stub number one will remain on the 69  
17 ballot pad and stub number two will go with the ballot. On 69  
18 absentee ballots, stub number one shall be retained by the 69  
19 supervisor, and stub number two may be retained by the 69  
20 supervisor or sent with the ballot. 69

21 (4) The elector shall sign the signature slip, poll 69  
22 list, or ballot stub on which the ballot serial number may be 69  
23 recorded. 69

24 (5) Absentee ballots shall be placed in the secrecy 69  
25 envelope before being placed in the mailing envelope on which 69  
26 the Voter's Certificate is printed. 69

27 101.5609 Ballot requirements.-- 69.

28 (1) The ballot information, whether placed on the 69.  
29 ballot or on the marking device, shall, as far as practicable, 69.  
30 be in the order of arrangement provided for paper ballots. 69.  
31 Ballots for all questions or propositions to be voted on shall 1:1

1 must be provided in the same manner and shall must be arranged 1  
 2 on or in the marking device in the places provided for such 69  
 3 purposes. 69  
 4 (2) When an electronic voting system utilizes ballot 69  
 5 information a-ballot-label-booklet-and-ballot-card,-ballots 69  
 6 for candidates and all propositions to be voted upon, such may 69  
 7 ~~be placed on the electronic voting device by providing in the~~ 69  
 8 ballot information may be provided with a booklet-separate 69  
 9 ~~ballot-label-pages-or~~ series of pages distinguished by 69  
 10 different colors. More than one public measure or proposition 69  
 11 may be placed on the same ~~ballot-label~~ page or series of 69  
 12 pages. 69  
 13 (3) In primary elections, a separate ballot 69  
 14 information label booklet, marking device, and voting booth 69  
 15 shall be used for each political party holding a primary, with 69  
 16 the ballot information label booklet arranged to include 69  
 17 ~~ballot-label pages listing~~ of the candidates of the party and 69  
 18 public measures and other propositions to be voted upon on the 69  
 19 day of the primary election. One ballot card may be used for 69  
 20 recording the voter's vote or choice on all such aces 69  
 21 ~~ballots, proposals, public measures, or propositions, and such~~ 69  
 22 ~~ballot card shall, if possible, be arranged so as to record~~ 69  
 23 ~~the voter's vote or choice in a separate column or columns for~~ 69  
 24 aces, each-such kind-of ballot proposals preposai, public 69  
 25 measures measure, or propositions proposition. 69  
 26 (4) If the ballot information label booklet includes 69  
 27 pages containing both candidates for office and pages 69  
 28 containing public measures or propositions to be voted on, the 69  
 29 election official in charge of the election shall divide the 69  
 30 pages by protruding tabs identifying the division of the pages 69  
 31 which relate to candidates, constitutional amendments, bond

1 referenda, or other propositions. and-printing-on-such-tabs 69.  
 2 ~~"Candidates"-and-"Propositions"~~ 1:  
 3 (5) Voting squares may be placed in front of or in 69  
 4 back of the names of candidates and statements of questions 70  
 5 and shall be of such size as is compatible with the type of 70  
 6 system used. Ballots and ballot information labels shall be 70  
 7 printed in a size and style of type as plain and clear as the 70  
 8 ballot spaces will reasonably permit. Tear-off stubs shall be 70  
 9 of a size suitable for the ballots or ~~ballot-cards~~ used and 70  
 10 for the requirements of the marking device. The ballots or 70  
 11 ~~ballot-cards~~ may contain special printed marks and holes as 70  
 12 required for proper positioning and reading of the ballots by 70  
 13 the automatic tabulating equipment. When ballots or ~~ballot~~ 70  
 14 cards are bound into pads, they may be bound at the top or 70  
 15 bottom or at either side. In the case of the paper ballots, 70  
 16 all offices and questions may be printed on the same sheet of 70  
 17 paper. 70  
 18 (6) ~~--A-separate-write-in-ballot,-which-may-be-in-the~~ 1:  
 19 ~~form-of-a-paper-ballot,-card,-or-envelope-in-which-the-elect~~ 70  
 20 ~~places-his-ballot-card-after-voting,-shall-be-provided-when~~ 70  
 21 ~~necessary-to-permit-electors-to-write-in-the-names-of-persons~~ 70  
 22 ~~whose-names-are-not-on-the-ballot~~ 70  
 23 (6) (7) Absentee ballots may consist of ballot cards, 1:1  
 24 envelopes, or and paper ballots voted in person in the office 70  
 25 of the election official in charge of the election or voted by 70  
 26 mail. When a ballot card is used for voting by mail it shall 70  
 27 must be accompanied by a marking device punching-tool, voter 70  
 28 instructions, an envelope which will maintain the secrecy of a 1:1  
 29 marked ballot, a mailing envelope, and a specimen ballot 70  
 30 showing the proper positions to vote on the ballot card for 70  
 31 each party, candidate, proposal, public measure, or 70

1 proposition, and any other item needed by the elector to cast  
2 his vote, and, if a punching device is required, shall must be  
3 mounted on a suitable material to receive the punched-out  
4 chip.

5 ~~(71-10)~~ Any voter who spoils his ballot or makes an  
6 error may return the ballot to the election officials and  
7 secure another, except that in no case shall a voter be  
8 furnished with more than three ballots. A spoiled ballot  
9 shall be preserved, without examination, in an envelope  
10 provided for that purpose. The stub shall be removed from the  
11 ballot and placed in an envelope separate from the ballot.

12 101.5611 Instructions to electors Model-electronic  
13 voting-marking-device.--

14 (1) For the instruction of voters on election day, the  
15 supervisor of elections shall provide at each polling place  
16 one instruction model illustrating the manner of electronic  
17 voting with the system marking-device. Each such instruction  
18 model shall show the arrangement of party rows, office  
19 columns, and questions to be voted on. Such model shall be  
20 located at a place which voters must pass to reach the  
21 official voting booth marking-device-used-in-the-actual  
22 casting-of-votes.

23 (2) Before entering the voting booth each voter shall  
24 be offered instruction in voting the-operation-of-the marking  
25 device by use of the instruction model, and the voter shall be  
26 given ample opportunity to operate the model by himself. In  
27 instructing voters, no precinct official may show partiality  
28 to any political party or candidate. The-duties-of-instruction  
29 shall-be-discharged-by-an-inspector-from-each-of-the-political  
30 parties-represented, and they shall alternate serving as  
31 instructor so that each inspector shall serve a like time at

1 ~~such-duties. No instructions may be given after the elector~~  
2 ~~enters the voting booth.~~

3 101.5612 Testing of tabulating equipment.--

4 (1) On any day not more than 10 days prior to the  
5 election day, the supervisor of elections shall have the  
6 automatic tabulating equipment tested to ascertain that the  
7 equipment will correctly count the votes cast for all offices  
8 and on all measures. Public notice of the time and place of  
9 the test shall be given at least 48 hours prior thereto by  
10 publication once in one or more newspapers of general  
11 circulation in published-within the county, or if there is no  
12 a newspaper of general circulation in the county is published  
13 therein, or by posting such notice in at least four  
14 conspicuous places in the county. The canvassing board shall  
15 convene and each member of the canvassing board shall certify  
16 to the accuracy of the test. For the test, the canvassing  
17 board may designate one member to represent it. Each member  
18 of-the-county-canvassing-board-established-by--s--102-144  
19 shall-attend-the-test. The test shall be open to  
20 representatives of the political parties, the press, and the  
21 public.

22 (2) The test shall be conducted by processing a  
23 preaudited group of ballots so punched or marked as to record  
24 a predetermined number of valid votes for each candidate and  
25 on each measure and shall include for each office one or more  
26 ballots which have votes in excess of the number allowed by  
27 law in order to test the ability of the automatic tabulating  
28 equipment to reject such votes. If any error is detected, the  
29 cause therefor shall be ascertained and corrected and an  
30 errorless count shall be made before the automatic tabulating  
31 equipment is approved. The test shall be repeated immediately



1 before the start of the official count of the ballots in the  
2 same manner as set forth above. After the completion of the  
3 count the test shall be repeated. The programs used and  
4 ballots used shall be sealed and retained under the custody of  
5 the county canvassing board.

6 101.5613 Examination of equipment during voting.--~~A~~  
7 member of the election board clerks shall occasionally examine  
8 the face of the voting machine and the ballot information  
9 labels to determine that the machine and the ballot  
10 information labels have not been damaged or tampered with.

11 101.5614 Canvass of returns.--

12 (1) In precincts in which where an electronic or  
13 electromechanical voting system is used, as soon as the polls  
14 are closed, the election board shall secure the marking  
15 devices against further voting. They shall thereafter open the  
16 ballot box and count the number of voted ballots, unused  
17 ballots, and spoiled ballots to ascertain whether such or  
18 ~~envelopes-containing-ballots-that-have-been-cast-to-determine~~  
19 ~~that-the number of-ballots corresponds with the number of~~  
20 ballots issued by the supervisor voters who voted as shown on  
21 the poll lists. If there is a difference, this fact shall be  
22 reported in writing to the county canvassing board with the  
23 reasons therefor if known. The total number of voted ballots  
24 voters shall be entered on the forms provided.

25 (2) (a) If the ballots are to be tallied at a central  
26 location, ~~ballot-cards-are-used, and-separate-write-in-ballots~~  
27 ~~or-envelopes-for-casting-write-in-votes-are-used, all-write-in~~  
28 ~~ballots-or-envelopes-on-which-write-in-votes-have-been-cast~~  
29 ~~shall-be-serially-numbered, starting-with-the-number-one, and~~  
30 ~~the-same-number-shall-be-placed-on-the-ballot-card-of-the~~  
31 voters.

1 {3} the election board shall place all ballots that  
2 have been cast in the container provided for the purpose,  
3 which shall be sealed and delivered forthwith to the central  
4 counting location or other designated location by two  
5 inspectors who shall not, whenever possible, be of the same  
6 political party, together with the unused, void, and defective  
7 ballots. The ~~clerk-of-the~~ election board shall certify under  
8 oath that the ballots were placed in such container and the  
9 container was sealed in its his presence and under its his  
10 supervision, and it he shall further certify under-oath to the  
11 number of ballots of each type placed in the container.

12 (b) If ballots are to be counted at the precincts,  
13 such ballots shall be counted pursuant to rules adopted by the  
14 Department of State, which rules shall provide safeguards  
15 which conform as nearly as practicable to the safeguards  
16 provided in the procedures prescribed in paragraph (a) for the  
17 counting of votes at a central location.

18 {3}{4} All proceedings at the central counting  
19 location shall be under the direction of the county canvassing  
20 board, ~~under-the-observation-of-at-least-two-election~~  
21 ~~inspectors-who-shall-not-be-of-the-same-political-party,~~ and  
22 shall be open to the public, but no persons except those  
23 employed and authorized for the purpose shall touch any ballot  
24 or ballot container, any item of automatic tabulating  
25 equipment, or any return prior to its release.

26 {5}{4}--~~For-each-ballot-or-ballot-and-ballot-envelope~~  
27 ~~on-which-write-in-votes-have-been-cast, the-canvassing-board~~  
28 ~~shall-compare-the-write-in-votes-with-the-votes-cast-on-the~~  
29 ~~ballot-card, and-if-the-total-number-of-votes-for-any-office~~  
30 ~~exceeds-the-number-allowed-by-law, a-notation-to-that-effect,~~  
31 ~~specifying-the-office-involved, shall-be-entered-on-the-back~~

1 of-the-ballot-card,-or-on-a-margin-if-voting-areas-are-printed 72  
2 on-both-sides-of-the-ballot-card,-Such-votes-shall-not-be 72  
3 counted,-All-other-valid-votes,-both-write-ins-and-those 72  
4 otherwise-cast,-on-the-remainder-of-the-ballot-shall-be 72  
5 tallied-by-the-canvassing-board-on-a-form-provided-for-the 72  
6 purpose,-and-the-ballot-shall-be-placed-in-an-envelope-marked 72  
7 "defective-ballots,-The-totals-for-all-such-ballots-shall-be 72  
8 added-to-the-totals-for-the-respective-precincts,-If-paper 72  
9 ballots-are-used,-the-canvassing-board-shall,-before-counting 72  
10 the-write-in-votes,-compare-the-write-in-votes-with-the-votes 72  
11 cast-elsewhere-on-the-ballot,-if-the-total-number-of-votes-for 72  
12 any-office-involving-write-in-votes-exceeds-the-number-allowed 72  
13 by-law,-a-notation-to-that-effect-shall-be-entered-on-the-back 72  
14 of-the-ballot,-specifying-the-office-involved,-and-all-such 72  
15 votes-shall-not-be-counted,-All-other-valid-votes,-both-write- 72  
16 in-and-marked,-on-the-rest-of-the-ballot-shall-be-tallied-by 72  
17 the-canvassing-board-on-a-form-provided-for-the-purpose,-and 72  
18 the-ballot-shall-then-be-placed-in-an-envelope-marked 72  
19 "defective-ballots,-The-totals-for-all-such-ballots-shall-be 72  
20 added-to-the-totals-of-the-respective-precincts,-So-far-as 72  
21 applicable,-provisions-of-this-code-relating-to-defective 72  
22 paper-ballots-shall-apply- 72

23 (4)(b) If any ballot card of the type for which the 1:  
24 offices and measures are not printed directly on the card is 72  
25 damaged or defective so that it cannot properly be counted by 72  
26 the automatic tabulating equipment, a true duplicate copy 72  
27 shall be made of the damaged ballot card in the presence of 72  
28 witnesses and substituted for the damaged ballot. Likewise, a 72  
29 duplicate ballot card shall be made of a defective ballot 72  
30 which shall not include the invalid votes. All duplicate 72  
31 ballot cards shall be clearly labeled "duplicate," bear a 1

1 serial number which shall be recorded on the damaged or  
2 defective ballot card, and be counted in lieu of the damaged 72  
3 or defective ballot. If any ballot card of the type for which 72  
4 offices and measures are printed directly on the card is 72  
5 damaged or defective so that it cannot properly be counted by 72  
6 the automatic tabulating equipment, a true duplicate copy may  
7 be made of the damaged ballot card in the presence of 72  
8 witnesses and in the manner set forth above, or the valid 72  
9 votes on the damaged ballot card may be manually counted at 72  
10 the counting center by the canvassing board, whichever  
11 procedure is best suited to the system used. If any paper 72  
12 ballot is damaged or defective so that it cannot be counted 72  
13 properly by the automatic tabulating equipment, the ballot 72  
14 shall be counted manually at the counting center by the  
15 canvassing board. The totals for all such ballots or ballot 72  
16 cards counted manually shall be added to the totals for the 72  
17 several precincts or election districts. No vote shall be 72  
18 declared invalid or void if there is a clear indication of the 72  
19 intent of the voter as determined by the canvassing board. 72  
20 After duplicating a ballot, the defective ballot shall be 72  
21 placed in an envelope provided for that purpose, and the 72  
22 duplicate ballot shall be tallied with the other ballots for 72  
23 that precinct.

24 (5)(6) Absentee ballots may be counted by automatic 1:  
25 tabulating equipment if they have been punched or marked in a 72  
26 manner which will enable them to be properly counted by such 72  
27 equipment.

28 (6)(7) The return printed by the automatic tabulating 72  
29 equipment, to which has been added the return of write-in,  
30 absentee, and manually counted votes, shall constitute the 72  
31 official return of the each-precinct-or election district. 72

1 Upon completion of the count, the returns shall be open to the 72.  
2 public. A copy of the returns may shall be posted at the 72.  
3 central counting place or at the office of the supervisor of 72.  
4 elections in lieu of the posting of returns at individual 72.  
5 precincts.

6 101.5615 Recounts and election contests.--Except as 72.  
7 herein provided, recounts and election contests shall be 72.  
8 conducted as otherwise provided for in this the election code. 72.  
9 The automatic tabulating equipment shall be tested prior to 72.  
10 the recount or election contest, as provided in s. 101.5612 73.  
11 and then the official ballots or ballot cards shall be 73.  
12 recounted on the automatic tabulating equipment. Each  
13 duplicate ballot shall be compared with the original ballot to 73  
14 insure the correctness of the duplicate. In addition, the 73  
15 ballot or ballot cards shall be checked for the presence or 73  
16 absence of inspectors' initials and other distinguishing 73  
17 marks; the ballots marked rejected, defective, objected to, 73  
18 and absentee ballots shall be examined to determine the 73  
19 propriety of such labels, and the duplicate absentee ballots, 73  
20 duplicate overvoted ballots, and duplicate damaged ballots 73  
21 shall be compared with their respective originals to determine 73  
22 the correctness of the duplicates.

23 101.58 Supervising and observing registration and 73.  
24 election processes.--The Department of State may, at any time 73.  
25 it deems fit or upon the petition of 5 percent of the 73.  
26 registered electors, or upon the petition of any candidate, 73.  
27 county executive committee chairman, state committeeman or 73.  
28 committeewoman or state executive committee chairman, appoint 73.  
29 one or more deputies whose duties shall be to observe and 73.  
30 examine the registration and election processes and the 73.  
31 condition, custody, and operation of voting machines in any 73.

1 county or municipality. The deputy shall have access to all 73.  
2 registration books and records as well as any other records or 73.  
3 procedures relating to the voting election process. The deputy 1:1  
4 shall supervise preparation of the election machines and 73.  
5 procedures for election, and it shall be unlawful for any 73.  
6 person to obstruct the deputy in the performance of his duty. 73.  
7 He shall file with the Department of State a certificate that 73.  
8 he personally examined the voting machines and with such 73.  
9 certificate file a report of his findings and observations of 73.  
10 the registration and election processes in the county or 73.  
11 municipality, and a copy of the certificate and report shall 73.  
12 also be filed with the Clerk of the Circuit Court of said 73.  
13 county. The compensation of such deputies shall be fixed by 73  
14 the Department of State; and costs incurred under this section 73  
15 shall be paid from the annual operating appropriation made to 73  
16 the Department of State.

17 101.62 Request for absentee ballots; application; 73  
18 time; form.-- 73

19 (1) An absent elector may request from make 73  
20 application to the supervisor of elections or his deputy for 73  
21 an absentee ballot during the 1-year period preceding an 73  
22 election at any permanent registration office maintained by 73  
23 the supervisor for the purpose of registering electors. The 1:  
24 supervisor may accept a request for an absentee ballot for an  
25 elector from any person designated by such elector. A 73  
26 supervisor may accept an application obtained from a 73  
27 supervisor of a county other than that in which the applicant 73.  
28 is registered provided the application bears the signature and 73.  
29 official seal of the officer issuing such absentee  
30 application. Such request application may be made by the 73.  
31 registered voter either in person, or by mail, or by telephone 73

1 te-the-supervisor-at-any-time-during-the-45-days-preceding-an 73  
2 election-but-not-later-than-5-p.m.-of-the-day-preceding-such 73.  
3 election. One request shall application-may be deemed 73.  
4 sufficient to receive an absentee ballot ballots for each the 73.  
5 following-regular-primaries-and-general election which is held 73.  
6 within such 1-year period, provided the elector or his 73.  
7 designee applicant-so indicates at the time the request is 73.  
8 made the elections for which the elector desires to receive an 73.  
9 absentee ballot.  
10 (2) If a request for an absentee ballot is received, 73.  
11 after the Friday before the election, by the supervisor of 73.  
12 elections from an absent elector overseas, the supervisor 73.  
13 shall send a notice to the elector acknowledging receipt of 73.  
14 his request and notifying the elector that the ballot will not 73.  
15 be forwarded due to insufficient time for return of the ballot 73.  
16 by the required deadline. The application blank shall be sent 73.  
17 immediately by mail or delivered by hand in the office of the 73.  
18 supervisor or in any permanent branch office thereof, or may 73.  
19 be delivered by hand by the supervisor or any authorized 73.  
20 deputy at any other location within the county, to the absent 73.  
21 electors. Before mailing or delivering such application, the 73.  
22 supervisor shall fill in the precinct in which the voter is 74.  
23 registered in the space provided on the application for this 74.  
24 purpose. When there is insufficient time for the elector to 74.  
25 return the application, receive and vote his ballot, and 74.  
26 return the ballot to the supervisor by 7 p.m. on the day of 74.  
27 the election, a telephoned or written request may be accepted 74.  
28 as an application if the necessary information is submitted to 74.  
29 identify adequately the elector making request for his ballot, 74.  
30 and the supervisor may mail or deliver by hand the application 74.  
31 and ballot at the same time. However, no application for an 74.

1 absentee-ballot-shall-be-issued-after-5-p.m.-on-the-day 71  
2 preceding-such-election. 71  
3 (3) Upon receipt of a request for an absentee ballot, 7  
4 the supervisor shall record the date the request is made, the 7  
5 date the absentee ballot was delivered or mailed, the date the 7  
6 ballot was received by the supervisor, and such other 7  
7 information he may deem necessary. The application blank 7  
8 shall be in substantially the following form and signed by the 7  
9 applicant:- 1  
10 APPLICATION-FOR-ABSENT 1  
11 ELECTOR'S-BALLOT 1:  
12  
13 ~~I, \_\_\_\_\_~~ duly qualified and registered as a \_\_\_\_\_ (party) \_\_\_\_\_ 74  
14 elector of the \_\_\_\_\_ precinct of the County of \_\_\_\_\_ and State 74  
15 of Florida, coming within the purview of the definition  
16 "absent elector" because (check appropriate reason): 1:  
17 1. I am disabled and unable, without the assistance of 74  
18 another, to attend the polls on election day. 74  
19 2. I am a permanent resident of the county and will be 74.  
20 absent from the county during the entire period the polls are 74.  
21 open.  
22 3. I will be unable to attend the polls because of the 74.  
23 tenets of my religion. 74.  
24 4. I will be a supervisor of elections or deputy 74.  
25 supervisor of elections, a poll worker or voting machine 74.  
26 deputy, or deputy sheriff who is assigned to a different  
27 precinct than that in which I am registered to vote. 74.  
28 5. I have changed my residency to another county in 74.  
29 Florida within 45 days of the election for which I am 74.  
30 requesting a ballot. I understand that I am allowed to vote  
31