

By Senator Rouson

19-00422-17

2017242__

1 A bill to be entitled
2 An act relating to presidential elections;
3 establishing the Agreement Among the States to Elect
4 the President by National Popular Vote; defining
5 terms; providing a method by which any state may
6 become a member state; requiring a statewide popular
7 election for President and Vice President of the
8 United States; establishing a procedure for appointing
9 presidential electors in member states; providing that
10 the agreement becomes effective upon the occurrence of
11 specified actions; providing for the withdrawal of a
12 member state; specifying circumstances under which
13 certain notification be provided to a member state;
14 providing for severability; providing an effective
15 date.

16
17 Be It Enacted by the Legislature of the State of Florida:

18
19 Section 1. The Agreement Among the States to Elect the
20 President by National Popular Vote.—The Agreement Among the
21 States to Elect the President by National Popular Vote is
22 enacted into law and entered into by this state with all states
23 legally joining therein in the form substantially as follows:

24
25 Article I

26 DEFINITIONS.—For purposes of this agreement:

27 (1) "Chief election official" means the state official or
28 body authorized to certify the total number of popular votes for
29 each presidential slate.

30 (2) "Chief executive" means the Governor of a state of the
31 United States or the Mayor of the District of Columbia.

32 (3) "Elector slate" means a slate of candidates who have

19-00422-17

2017242__

33 been nominated in a state for the position of presidential
34 elector in association with a presidential slate.

35 (4) "Presidential elector" means an elector for President
36 and Vice President of the United States.

37 (5) "Presidential elector certifying official" means the
38 state official or body authorized to certify the appointment of
39 the state's presidential electors.

40 (6) "Presidential slate" means a slate of two persons, the
41 first of whom has been nominated as a candidate for President of
42 the United States and the second of whom has been nominated as a
43 candidate for Vice President of the United States, or any legal
44 successors to such persons, regardless of whether both names
45 appear on the ballot presented to the voters in a particular
46 state.

47 (7) "State" means a state of the United States or the
48 District of Columbia.

49 (8) "Statewide popular election" means a general election
50 in which votes are cast for presidential slates by individual
51 voters and counted on a statewide basis.

52
53 Article II

54 MEMBERSHIP.—Any state may become a member of the league of
55 states officially supporting this agreement by enacting this
56 agreement.

57
58 Article III

59 RIGHT OF THE PEOPLE IN MEMBER STATES TO VOTE FOR THE
60 PRESIDENT AND THE VICE PRESIDENT.—Each member state shall
61 conduct a statewide popular election for President and Vice

19-00422-17

2017242__

62 President of the United States.

63
64 Article IV

65 MANNER OF APPOINTING PRESIDENTIAL ELECTORS IN MEMBER
66 STATES.—

67 (1) Before the time set by law for the meeting of and
68 voting by the presidential electors, the chief election official
69 of each member state shall determine the number of votes cast in
70 a statewide popular election for each presidential slate in each
71 state and shall add the total number of votes from each state to
72 produce a national popular vote total for each presidential
73 slate.

74 (2) The chief election official of each member state shall
75 designate the presidential slate having the largest national
76 popular vote total as the national popular vote winner.

77 (3) The presidential elector certifying official of each
78 member state shall certify the appointment in that official's
79 respective state of the elector slate nominated in that state in
80 association with the national popular vote winner.

81 (4) At least 6 days before the day established by law for
82 the meeting of and voting by the presidential electors, each
83 member state shall make a final determination of the number of
84 popular votes cast in the state for each presidential slate and
85 shall communicate an official statement of such determination
86 within 24 hours to the chief election official of each other
87 member state.

88 (5) The chief election official of each member state shall
89 treat as conclusive an official statement containing the number
90 of popular votes in a state for each presidential slate made by

19-00422-17

2017242__

91 the day established by federal law for making a state's final
92 determination conclusive as to the counting of electoral votes
93 by Congress.

94 (6) If the election results in a tie for the national
95 popular vote winner, the presidential elector certifying
96 official of each member state shall certify the appointment of
97 the elector slate nominated in association with the presidential
98 slate receiving the largest number of popular votes within that
99 official's respective state.

100 (7) If, for any reason, the number of presidential electors
101 nominated in a member state in association with the national
102 popular vote winner is fewer than or greater than that state's
103 number of electoral votes, the presidential candidate on the
104 presidential slate who has been designated as the national
105 popular vote winner may nominate the presidential electors for
106 that state, and that state's presidential elector certifying
107 official shall certify the appointment of such nominees.

108 (8) The chief election official of each member state shall
109 immediately release to the public all vote counts or statements
110 of votes as they are determined or obtained.

111 (9) This article shall govern the appointment of
112 presidential electors in each member state in any year in which
113 this agreement is, on July 20, in effect in states cumulatively
114 possessing a majority of the electoral votes.

116 Article V

117 OTHER PROVISIONS.—

118 (1) This agreement shall take effect when states
119 cumulatively possessing a majority of the electoral votes have

19-00422-17

2017242__

120 enacted this agreement in substantially the same form and the
121 enactments by such states have taken effect in each state.

122 (2) Any member state may withdraw from this agreement,
123 except that a withdrawal occurring 6 months or less before the
124 end of a President's term does not become effective until a
125 President or Vice President has been qualified to serve the next
126 term.

127 (3) The chief executive of each member state shall promptly
128 notify the chief executive of all other states when this
129 agreement has been enacted and has taken effect in that
130 official's state, or when the state has withdrawn from this
131 agreement.

132 (4) This agreement shall terminate if the electoral college
133 is abolished.

134 (5) If any provision of this agreement is held invalid, the
135 remaining provisions are not affected.

136 Section 2. This act shall take effect upon becoming a law.