

Rules Subcommittee on Ethics and Elections

CS/HB 227 — Federal Write-In Absentee Ballot (FWAB)

by Government Operations Subcommittee; and Rep. Brandes and others (CS/SB 378 by Rules Subcommittee on Ethics and Elections and Senators Gaetz and Benacquisto)

Committee Substitute for House Bill 227 allows absent uniformed services or overseas electors to use the federal write-in absentee ballot (FWAB) in any federal, state, or local election involving two or more candidates. The bill maintains that the FWAB may only be used by eligible electors as a last resort, that is, when the elector has timely requested but has not received an official state absentee ballot. The bill adopts specific procedures to duplicate an FWAB when canvassed, similar to when an absentee ballot is duplicated when received physically damaged. It allows the voter to designate candidate choices for offices by name or, except for a primary or nonpartisan race, by political party preference. It requires the Department of State to adopt rules to determine voter intent on an FWAB. Finally, the bill requires that all races on each FWAB received by a county supervisor of elections by 7 p.m. on election day be canvassed, unless an elector's official absentee ballot is received by that time — in which case the official absentee ballot is counted in lieu of the FWAB.

If approved by the Governor, these provisions take effect July 1, 2011.

Vote: Senate 38-0; House 116-0