

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 270

SPONSOR: Committee on Ethics and Elections and Senator Sebesta

SUBJECT: Elections; absentee ballots; election boards

DATE: December 8, 1999 REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Bradshaw</u>	<u>Bradshaw</u>	<u>EE</u>	<u>Favorable/CS</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

## I. Summary:

Committee Substitute for Senate Bill 270 provides an alternative means of voting an in-person absentee ballot. The bill allows a person who is voting an absentee ballot in the office of the supervisor of elections to present a picture identification, complete an In-Office Voter's Certificate, vote the ballot, and deposit the voted ballot directly into a device for collecting or tabulating ballots. This procedure is similar to the procedure used at the polling place on election day. No tabulation of these ballots would be made prior to the close of the polls on election day.

The bill eliminates the requirement that the election board be composed of a specific number of persons and requires that a deputy sheriff be present at each polling place, rather than each precinct, during the voting hours.

Finally, the bill eliminates the requirement of the supervisors of elections to hold formal training classes for poll workers. This will allow more flexibility in the manner in which poll workers receive training.

This bill substantially amends the following sections of the Florida Statutes: ss. 101.657, 102.012, 102.021 and 102.031, F.S.

## II. Present Situation:

### *Absentee Ballots*

Prior to 1996, an elector was required to have a specific reason for voting absentee. In 1996, the Legislature abandoned the "for cause" requirements for absentee voting to allow any person who was "unable to attend the polls on election day" to vote absentee. In 1998, the Legislature, in an effort to combat voter fraud and abuses in the absentee balloting process, returned to "for cause" requirements for voting absentee. However, a new provision was added which allows a voter who is "unable to attend the polls on election day" to pick up and vote an absentee ballot in the office

of the supervisor of elections. These ballots are handled the same as other absentee ballots. They are deposited in a secrecy envelope and a mailing envelope with a completed Voter's Certificate and presented to the canvassing board for its review.

#### *Election Boards and Deputy Sheriffs*

Each precinct is required to have one or two election boards, each composed of one clerk and three inspectors. In addition, a deputy sheriff is required to be at each precinct during the hours of voting. Because the number of voters at each precinct varies, there may be a need for the election board to be composed of either more or fewer persons. Also, many times smaller precincts are housed together at the same polling place. There may not be a need for each of these precincts to have its own deputy sheriff, so long as there is at least one deputy available at the polling place. Supervisors of elections are required to provide training classes for the inspectors, clerks and deputy sheriffs prior to each election.

### **III. Effect of Proposed Changes:**

#### *Absentee Ballots*

Committee Substitute for Senate Bill 270 provides an alternative method to the current provisions for in-person absentee voting. This procedure would allow persons voting in the office of the supervisor of elections to present a picture identification and complete an In-Office Voter Certificate. Instead of placing the absentee ballot in an envelope, the voter would deposit the voted ballot directly into a voting device used by the supervisor to collect or tabulate ballots. This is the same method used at the polling place. There would be no tabulation or results made before the close of the polls on election day.

#### *Election Boards and Deputy Sheriffs*

Committee Substitute for Senate Bill 270 eliminates the requirement that the election board be composed of a specified number of persons and requires there to be a deputy sheriff at each polling place, rather than at each precinct. These provisions will allow the supervisors of elections to determine the number of election workers needed at each precinct and polling place, depending on the number of voters and the history of voter turnout. In addition, the bill eliminates the requirement to provide formal training classes for poll workers to allow more flexibility in the manner in which poll workers are trained.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

C. Trust Funds Restrictions:

None.

**V. Economic Impact and Fiscal Note:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

None.