

**STORAGE NAME:** h1167a.ree.doc  
**DATE:** March 27, 2001

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
RULES, ETHICS, & ELECTIONS  
ANALYSIS**

**BILL #:** HB 1167  
**RELATING TO:** Voting System Technology Task Force  
**SPONSOR(S):** Representative Siplin & Others

**TIED BILL(S):**

**ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:**

- (1) RULES, ETHICS, & ELECTIONS (PRC) YEAS 14 NAYS 0
- (2) GENERAL GOVERNMENT APPROPRIATIONS (FRC)
- (3) PROCEDURAL & REDISTRICTING COUNCIL
- (4)
- (5)

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I. SUMMARY:

HB 1167 creates a 21-member task force within the Department of State to study the issues and cost of developing and implementing an Internet or on-line voting system in Florida.

The bill has a general appropriation of \$200,000 associated with the creation of this task force.

The bill shall be effective upon becoming a law.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- |                                   |                              |  |   |
|-----------------------------------|------------------------------|--|---|
| 1. <u>Less Government</u>         | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/>            |
| 2. <u>Lower Taxes</u>             | Yes <input type="checkbox"/> | No <input type="checkbox"/>            | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/>            | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/>            | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/>            | N/A <input checked="" type="checkbox"/> |

To the extent there is created a task force, the principle of "Less Government" is not advanced. However, to the extent that such a task force may make recommendations that ultimately create a more efficient election process, this principle may be advanced.

B. PRESENT SITUATION:

An interim project entitled *Strategies for Increasing Voter Participation in Florida* was produced by the Senate Committee on Ethics and Elections in October 1999. The report explored the viability of utilizing the Internet or another form of on-line voting to make voting more convenient in hopes this would increase voter turnout.

Several States have embraced the idea of utilizing technology to enhance a voter's ability to cast a ballot. California concluded the California Internet Task Force (January 2000) to study this issue while Arizona held the first of a series of pilot programs (November 2000) to test the use of on-line voting. California concluded that this manner of voting holds promise for the future, however, it was not feasible at the present time. The report noted that although technology was available, it was best to approach the issue by a strategy that was "evolutionary rather than revolutionary."

C. EFFECT OF PROPOSED CHANGES:

HB 1167 creates a 21 member Voting System Technology Task Force within the Department of State. The Task Force members will be composed as follows:

- Secretary of State or designee;
- One member of the Senate appointed by the Senate President;
- One member of the House of Representatives appointed by the Speaker of the House of Representatives;
- One member of the Senate appointed by the minority leader of the Senate and one member of the House of Representatives appointed by the minority leader of the House of Representatives;
- One individual appointed by the Governor;
- Two faculty members of the State University System who are technical experts appointed by the Chancellor;
- Twelve individuals appointed by the Secretary of State to include:
  - Four Supervisors of Elections, two from urban counties and two from rural counties;
  - Two technical experts;
  - One member of the Florida State Conference of Branches of the NAACP;

- One member of the League of United Latin American Citizens;
- Two individuals of diverse age, race, gender, economic, and other demographic characteristic;
- Two individuals at the discretion of the Secretary of State to have expertise in the field of computers, the Internet, or associated technologies;
- The Chair of the Information Service Technology Development Task Force, or designee.

Members serve without compensation but are entitled to reimbursements for travel and per diem pursuant to s. 112.061, F.S., while on official business.

The Task Force is charged with studying the issue of allowing voters to cast ballots securely over the Internet or by other on-line means. The study must specifically address the following:

1. Security, voter fraud, and privacy issues;
2. Public accessibility to the voting system to include demographic factors that may limit access;
3. Voter acceptance and support for the system;
4. Cost for development and implementing pilot projects;
5. Costs and realized savings in continuing the development, implementation, maintenance, and operation of the system over time.

The Task Force report must be submitted to the Governor, Senate President, and the Speaker of the House of Representatives by July 1, 2002. The Task Force is abolished upon submission of the report. The report must include findings and recommendations concerning whether the State should pursue the development and implementation of an Internet or on-line voting system. Should the Task Force recommend the development of such a system favorably, the report must include steps for developing and implementing such a system.

The Division of Elections is responsible for providing staffing for the Task Force and, upon request by the Task Force, the State Technology Office of the Department of Management Services and the State University System.

The bill appropriates \$200,000 and creates two positions within the Department of State to implement the provisions of this bill.

#### D. SECTION-BY-SECTION ANALYSIS:

This section need be completed only in the discretion of the Committee.

### III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

#### A. FISCAL IMPACT ON STATE GOVERNMENT:

##### 1. Revenues:

None.

##### 2. Expenditures:

Two FTE's are created and \$200,000 appropriated to the Department of State to cover the costs associated with the creation of this Task Force. Also, members of the commission may receive reimbursements for travel and per diem pursuant to s. 112.061, F.S.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

None.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

None.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

None.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

None.

C. OTHER COMMENTS:

None.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

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VII. SIGNATURES:

COMMITTEE ON RULES, ETHICS, & ELECTIONS:

Prepared by:

Staff Director:

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