

1 A bill to be entitled
 2 An act relating to mail ballot elections; amending s.
 3 101.6102, F.S.; authorizing counties to conduct county
 4 elections by mail ballot under certain circumstances;
 5 providing an effective date.

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 7 Be It Enacted by the Legislature of the State of Florida:

8
 9 Section 1. Section 101.6102, Florida Statutes, is amended
 10 to read:

11 101.6102 Mail ballot elections; limitations.--

12 (1) (a) An election may be conducted by mail ballot if:

13 1. The election is a referendum election at which all or a
 14 portion of the qualified electors of one of the following
 15 subdivisions of government are the only electors eligible to
 16 vote:

- 17 a. Counties;
- 18 b. Cities;
- 19 c. School districts covering no more than one county; or
- 20 d. Special districts;

21 2. The governing body responsible for calling the election
 22 and the supervisor of elections responsible for the conduct of
 23 the election authorize the use of mail ballots for the election;
 24 and

25 3. The Secretary of State approves a written plan for the
 26 conduct of the election, which shall include a written timetable
 27 for the conduct of the election, submitted by the supervisor of
 28 elections.

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29 (b) ~~In addition,~~ An annexation referendum which includes
30 only qualified electors of one county may also be voted on by
31 mail ballot election.

32 (c) A board of county commissioners may declare that a
33 county election shall be conducted entirely by mail ballot. The
34 board of county commissioners shall make that declaration no
35 later than 90 days before the date of the scheduled election.

36 (2) The following elections may not be conducted by mail
37 ballot:

38 (a) An election at which any candidate is nominated,
39 elected, retained, or recalled, except a county election
40 pursuant to paragraph (1)(c); or

41 (b) An election held on the same date as another election,
42 other than a mail ballot election, in which the qualified
43 electors of that political subdivision are eligible to cast
44 ballots.

45 (3) The supervisor of elections shall be responsible for
46 the conduct of any election held under ss. 101.6101-101.6107.

47 (4) The costs of a mail ballot election shall be borne by
48 the jurisdiction initiating the calling of the election, unless
49 otherwise provided by law.

50 (5) Nothing in this section shall be construed to prohibit
51 the use of a mail ballot election in a municipal annexation
52 referendum requiring separate vote of the registered electors of
53 the annexing municipality and of the area proposed to be
54 annexed. If a mail ballot election is authorized for a municipal
55 annexation referendum, the provisions of ss. 101.6101-101.6107
56 shall control over any conflicting provisions of s. 171.0413.

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Section 2. This act shall take effect July 1, 2007.