

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

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1 Committee/Subcommittee hearing bill: Oversight, Transparency &  
 2 Public Management Subcommittee

3 Representative Fitzenhagen offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsection (41) of section 97.021, Florida  
 8 Statutes, is amended to read:

9 97.021 Definitions.—For the purposes of this code, except  
 10 where the context clearly indicates otherwise, the term:

11 (41) "Voter interface device" means any device that  
 12 communicates voting instructions and ballot information to a  
 13 voter and allows the voter to select and vote for candidates and  
 14 issues. A voter interface device may not be used to tabulate  
 15 votes. Any vote tabulation must be based upon a subsequent scan  
 16 of the marked marksense ballot or the voter-verifiable paper

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17 output after the voter interface device process has been  
18 completed.

19 Section 2. Section 101.56075, Florida Statutes, is amended  
20 to read:

21 101.56075 Voting methods.— For the purpose of designating  
22 ballot selections,

23 ~~(1) Except as provided in subsection (2), all voting must~~  
24 ~~shall be by marksense ballot, using utilizing a marking device~~  
25 ~~or a voter interface device that produces a voter-verifiable~~  
26 ~~paper output and for the purpose of designating ballot~~  
27 ~~selections.~~

28 ~~(2) Persons with disabilities may vote on a voter~~  
29 ~~interface device that meets the voting system accessibility~~  
30 ~~requirements for individuals with disabilities pursuant to s.~~  
31 ~~301 of the federal Help America Vote Act of 2002 and s.~~  
32 ~~101.56062.~~

33 ~~(3) By 2020, persons with disabilities shall vote on a~~  
34 ~~voter interface device that meets the voter accessibility~~  
35 ~~requirements for individuals with disabilities under s. 301 of~~  
36 ~~the federal Help America Vote Act of 2002 and s. 101.56062 which~~  
37 ~~are consistent with subsection (1) of this section.~~

38 Section 3. Paragraph (b) of subsection (4) of section  
39 102.166, Florida Statutes, is amended to read:

40 102.166 Manual recounts of overvotes and undervotes.—

41 (4)

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42 (b) The Department of State shall adopt specific rules for  
43 the federal write-in absentee ballot and for each certified  
44 voting system prescribing what constitutes a "clear indication  
45 on the ballot that the voter has made a definite choice." The  
46 rules shall be consistent, to the extent practicable, and may  
47 not:

48 1. Authorize the use of any electronic or  
49 electromechanical reading device to review a hybrid voting  
50 system ballot that is produced using a voter interface device  
51 and that contains both machine-readable fields and machine-  
52 printed text of the contest titles and voter selections, unless  
53 the printed text is illegible;

54 2. Exclusively provide that the voter must properly mark  
55 or designate his or her choice on the ballot; or

56 ~~3.2.~~ Contain a catch-all provision that fails to identify  
57 specific standards, such as "any other mark or indication  
58 clearly indicating that the voter has made a definite choice."

59 Section 4. This act shall take effect January 1, 2020.

60  
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62 **T I T L E A M E N D M E N T**

63 Remove everything before the enacting clause and insert:  
64 An act relating to voting methods; amending s. 97.021,  
65 F.S.; revising the definition of the term "voter interface  
66 device"; amending s. 101.56075, F.S.; authorizing voting to

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67 | be conducted using a voter interface device that produces a  
68 | voter-verifiable paper output; amending s. 102.166, F.S.;  
69 | revising requirements for Department of State rules  
70 | regarding manual recounts of certain ballots; providing an  
71 | effective date.