

1 A bill to be entitled
 2 An act relating to the Florida Election Code; amending
 3 s. 101.161, F.S.; providing a limitation on the number
 4 of words for certain ballot summaries in joint
 5 resolutions proposed by the Legislature; specifying
 6 that the limitation on the number of words does not
 7 apply to a ballot summary revised by the Attorney
 8 General; amending s. 101.657, F.S.; revising the list
 9 of permissible sites available for early voting;
 10 revising the number of days and hours for early
 11 voting; providing an effective date.

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

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 15 Section 1. Subsection (3) of section 101.161, Florida
 16 Statutes, is amended to read:

17 101.161 Referenda; ballots.—

18 (3) (a) Each joint resolution that proposes a
 19 constitutional amendment or revision shall include one or more
 20 ballot statements set forth in order of priority. Each ballot
 21 statement shall consist of a ballot title, by which the measure
 22 is commonly referred to or spoken of, not exceeding 15 words in
 23 length, and either a ballot summary that describes the chief
 24 purpose of the amendment or revision in clear and unambiguous
 25 language, or the full text of the amendment or revision. If a
 26 joint resolution that proposes a constitutional amendment or
 27 revision contains only one ballot statement, and the ballot
 28 statement includes a ballot summary, the ballot summary may not

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29 | exceed 75 words in length. If a joint resolution that proposes a
30 | constitutional amendment or revision contains more than one
31 | ballot statement that includes a ballot summary, the first
32 | ballot summary in order of priority may not exceed 75 words in
33 | length.

34 | **(b)** The Department of State shall furnish a designating
35 | number pursuant to subsection (2) and the appropriate ballot
36 | statement to the supervisor of elections of each county. The
37 | ballot statement shall be printed on the ballot after the list
38 | of candidates, followed by the word "yes" and also by the word
39 | "no," and shall be styled in such a manner that a "yes" vote
40 | will indicate approval of the amendment or revision and a "no"
41 | vote will indicate rejection.

42 | **(c)**~~(b)~~1. Any action for a judicial determination that one
43 | or more ballot statements embodied in a joint resolution are
44 | defective must be commenced by filing a complaint or petition
45 | with the appropriate court within 30 days after the joint
46 | resolution is filed with the Secretary of State. The complaint
47 | or petition shall assert all grounds for challenge to each
48 | ballot statement. Any ground not asserted within 30 days after
49 | the joint resolution is filed with the Secretary of State is
50 | waived.

51 | 2. The court, including any appellate court, shall accord
52 | an action described in subparagraph 1. priority over other
53 | pending cases and render a decision as expeditiously as
54 | possible. If the court finds that all ballot statements embodied
55 | in a joint resolution are defective and further appeals are
56 | declined, abandoned, or exhausted, unless otherwise provided in

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57 | the joint resolution, the Attorney General shall, within 10
58 | days, prepare and submit to the Department of State a revised
59 | ballot title or ballot summary that corrects the deficiencies
60 | identified by the court, and the Department of State shall
61 | furnish a designating number and the revised ballot title or
62 | ballot summary to the supervisor of elections of each county for
63 | placement on the ballot. The court shall retain jurisdiction
64 | over challenges to a revised ballot title or ballot summary
65 | prepared by the Attorney General, and any challenge to a revised
66 | ballot title or ballot summary must be filed within 10 days
67 | after a revised ballot title or ballot summary is submitted to
68 | the Department of State. The 75-word limitation contained in
69 | this subsection does not apply to any ballot summary revised by
70 | the Attorney General to correct deficiencies identified by a
71 | court.

72 | 3. A ballot statement that consists of the full text of an
73 | amendment or revision shall be presumed to be a clear and
74 | unambiguous statement of the substance and effect of the
75 | amendment or revision, providing fair notice to the electors of
76 | the content of the amendment or revision and sufficiently
77 | advising electors of the issue upon which they are to vote.

78 | Section 2. Paragraphs (a) and (d) of subsection (1) of
79 | section 101.657, Florida Statutes, are amended to read:

80 | 101.657 Early voting.—

81 | (1) (a) As a convenience to the voter, the supervisor of
82 | elections shall allow an elector to vote early in the main or
83 | branch office of the supervisor. The supervisor shall mark,
84 | code, indicate on, or otherwise track the voter's precinct for

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85 | each early voted ballot. In order for a branch office to be used
86 | for early voting, it shall be a permanent facility of the
87 | supervisor and shall have been designated and used as such for
88 | at least 1 year prior to the election. The supervisor may also
89 | designate any city hall, ~~or~~ permanent public library facility,
90 | fairground, civic center, courthouse, county commission
91 | building, stadium, or convention center as early voting sites;
92 | however, if so designated, the sites must be geographically
93 | located so as to provide all voters in the county an equal
94 | opportunity to cast a ballot, insofar as is practicable. The
95 | results or tabulation of votes cast during early voting may not
96 | be made before the close of the polls on election day. Results
97 | shall be reported by precinct.

98 | (d) Early voting shall begin on the 10th day before an
99 | election that contains state or federal races and end on the 3rd
100 | day before the election, and shall be provided for no less than
101 | 6 hours and no more than 12 hours per day at each site during
102 | the applicable period. In addition, early voting may be offered,
103 | at the discretion of the supervisor of elections on the 15th,
104 | 14th, 13th, 12th, 11th, or 2nd day before an election that
105 | contains state or federal races, for at least 6 hours but not
106 | more than 12 hours per day at each site, up to a maximum of 14
107 | days of early voting. The supervisor of elections may provide
108 | early voting for elections that are not held in conjunction with
109 | a state or federal election. However, the supervisor has the
110 | discretion to determine the hours of operation of early voting
111 | sites in those elections.

112 | Section 3. This act shall take effect July 1, 2013.