



Absentee Voting: The Numbers –The Process

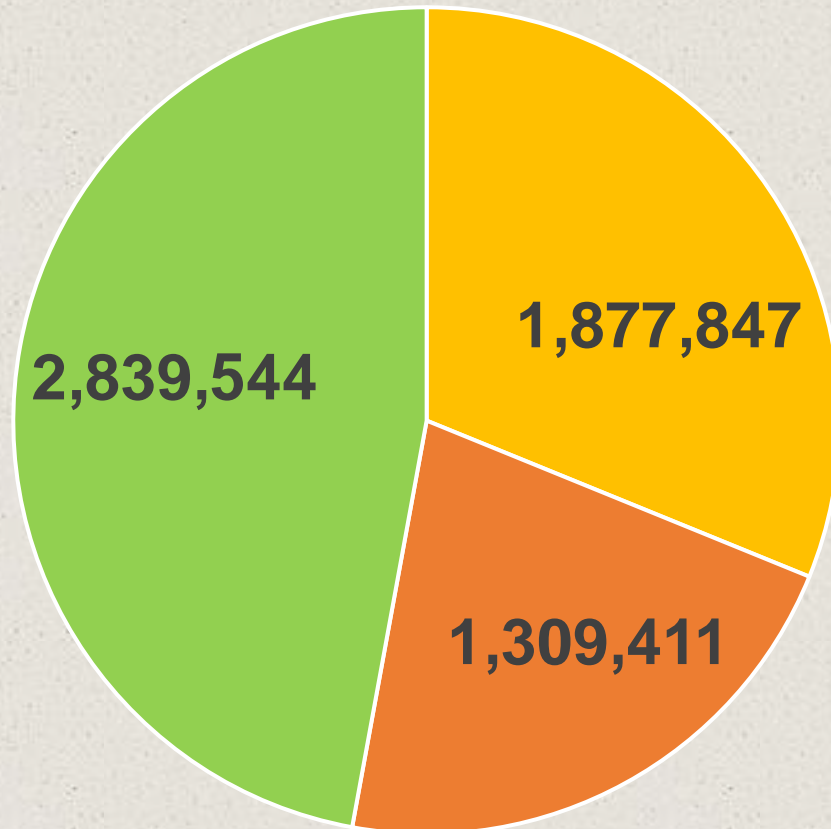
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Secretary of State Ken Detzner

The Numbers

General Election 2014



- Absentee Voting
- Early Voting
- Election Day

2014 GENERAL ELECTION

52.9%

Percentage of voters who voted either by absentee ballot or during early voting in the election

[3,187,258 out of a total 6,026,802 voters.]

2014 GENERAL ELECTION

50.51%

Percentage of voters who voted

6,026,802 voters out of
11,931,533 active registered voters

2012 vs 2014 GENERAL ELECTION



2014 General Election

Absentee Ballot Statewide Statistics

- **Total mailed:** **2,659,644**
- **Mailed and canceled:** 22,064 (0.83%)
- **Mailed not returned** 753,866 (28.3%)
- **Mailed undeliverable:** 39,068 (1.4%)
 - Stateside: 38,632
 - Overseas: 436

2014 General Election

Absentee Ballot Statewide Statistics

Total returned: 1,905,771 (71.7% of those mailed)

⇒ Voted: 1,877,847 (98.5% of those returned)

⇒ Not voted: 27,924 (1.5% of those returned)

⇒ Missing signature: 6,481 (0.34% of returned)

⇒ Other voter error: 21,443 (1.1% of returned)

Open Dialogue:

1. Absentee Ballot (AB) Request Process
2. Procedures for Emergency Delivery of AB on Election Day
3. Returned AB Processing Procedures
4. Procedures for Unsigned ABs
5. AB Canvassing Procedures (including duplication of FWAB and overvotes)

Absentee Ballot Requests - Process

Alan is registered in Duval County. He submitted an absentee ballot request on October 10, 2011. Is his absentee ballot request still good for the special election to be held on January 27, 2015?

Absentee Ballot Request Process

Answer: Unless stated otherwise in the request, the request is valid to receive an absentee ballot for all elections through the end of the calendar year for the second ensuing regularly scheduled general election.

In Alan's case, the next 2 general elections following his request were in 2012 and 2014. His request expired at midnight, December 31, 2014. Thus, the request is not valid for the January 2015 special election.

Election Day Emergency Delivery of Absentee Ballot

Bob is registered in Lake County. He asked his brother, Bill, to pick up an absentee ballot for him on election day (November 4, 2014). Bill went to the Supervisor of Elections' office on election day. What does he have to complete or provide in order to receive the absentee ballot?

Election Day Emergency Delivery of Absentee Ballot

Answer: **DS-DE 136** (Election Day Absentee Ballot Delivery Affidavit); plus, the designee must provide:

1. Photo ID;
2. The voter's written authorization permitting the designee to pick up the ballot (if not already on file); and
3. The designee must provide a separate affidavit (**DS-DE 37**) that indicates the designee is authorized. (s. 101.62(4)(c)4., F.S.)

Returned AB Processing Procedures

Carla is a registered voter in Manatee County but was on sabbatical in California for several months up to and including the November 4, 2014 General Election. She voted absentee. The Supervisor of Elections' office date-and-time-stamped the ballot as received on November 13, 2014 at 3:03 pm. Could the ballot have been canvassed and counted?

Returned AB Processing Procedures

Answer: Carla's ballot should be rejected as too late and not counted.

The 10-day extension only applies to "overseas" voters. All other voters must have their absentee ballot returned by 7pm on Election Day.

Returned AB Processing Procedures Omitted Signature on Ballot

Professor Moriarty is a registered voter in Gulf County. He is checking off a number of things to do before he leaves for a trip to Sweden on October 31, 2016. As soon as he drops off his absentee ballot at the U.S. Post Office, he realizes he did not sign his envelope/certificate. What can he do at that point and what obligation does the Supervisor of Elections have to notify him of the omission before the General Election on November 8, 2016 ?

Assume law does not change.

Returned AB Processing Procedures Omitted Signature on Ballot

Answer: The professor may contact the SOE before leaving and execute the Absentee Ballot Certificate and provide the requisite ID to “cure” the missing signature.

The SOE has no obligation to notify him of the omission before the General Election on November 8, 2016. Section 101.68, F.S., mandates that the SOE provide notification on behalf of the canvassing board, but provides no timeline for doing so.

Canvass of Absentee Ballots

When is the earliest and latest that the canvass of absentee ballots may begin?

Canvass of Absentee Ballots

Answer:

Canvassing of absentee ballots may begin at 7am of the 15th day before the election, but not later than Noon on the day following the election. (s. 101.69(2)(a), F.S.)

- **Canvass Early - Don't Procrastinate!**

Canvass of Federal Write-in Absentee Ballot (FWAB)

An overseas voter submits both a FWAB and regular Absentee Ballot (AB). The FWAB arrives by 7pm on Election Day and the regular AB arrives days later, but within the 10-day post-election deadline for ballots from overseas voters in s. 101.6952(5), F.S.

What ballot gets canvassed and counted?

Canvass of Federal Write-in Absentee Ballot (FWAB)

A Conflict Exists in the law:

Federal law: FWAB will not be counted if the official AB is received by the deadline for receipt of the official AB *as provided by state law* [this could be 10 days after the election in certain Florida elections per s. 101.6952(5), F.S.]

Florida law: Each FWAB received by 7pm on Election Day shall be canvassed unless the official AB is *received by 7pm, Election Day*. (s. 101.6952(3)(b), F.S.)

Resolution of Conflict -- DE 14-05 (Dec 5, 2014)

Summary: In elections to which the 10-day provision in section 101.6952(5) applies, when an overseas voter who has previously requested an absentee ballot submits a FWAB that is received by 7 p.m. on election day, the FWAB should be set aside and should not be canvassed until 10 days after Election Day. If the voter's official Florida absentee ballot is received within the 10-day period and is otherwise proper, that ballot should be canvassed, and the FWAB should not be counted. If the voter's official Florida absentee ballot is not properly received within the 10-day period, the FWAB should then be canvassed. For all other elections, the FWAB shall be processed in accordance with section 101.6952(3)(b).

CONCLUSION

**Any Questions or
Comments?**