

2009 Update to Florida's HAVA State Plan : Element 1

This 2009 Update to subsection A.1. Introduction of Element 1 replaces the existing version as found on pages 7-8 of the 2006 HAVA State [Plan](#).

ELEMENT 1. USE OF TITLE III REQUIREMENTS PAYMENTS

A. VOTING SYSTEMS

Section 251(b)(1): How the State will use the requirements payment to meet the requirements of Title III, and, if applicable under section 251(b)(2), to carry out other activities to improve the administration of elections.

1. Introduction

After the 2000 General Election, Florida made a concerted effort to improve all facets of its election procedures, standards and voting systems. The first major changes evolved from recommendations by the 2001 Governor's Select Task Force on Election Procedures, Standards and Technology. The Legislature adopted them in the Florida Election Reform Act of 2001. A central component of Florida's election law at that time mandated the replacement of punch card voting systems, lever machines, paper ballots and central count optical scanning systems with precinct tabulated Marksense voting systems or the Direct Recording Electronic (DRE or "touch screen") voting systems. The introduction of these voting systems sought to reduce voter error, to improve tabulation accuracy, and to restore voter confidence in Florida's elections.

The Legislature set the minimum standards for voting systems in this state. The Bureau of Voting Systems Certification within the Department of State has adopted rules that expand upon those standards for voting systems purchased and used in Florida. The Bureau is required to conduct bi-ennial review of the standards for voting systems. Each voting system goes through vigorous testing prior to its certification and use in Florida.

Florida's 67 counties have authority to purchase and to maintain the appropriate certified voting system for use in elections. Following the 2000 General Election, the State of Florida provided \$24 million to assist counties in purchasing new certified voting systems. For the fiscal year 2004-05, the Florida Legislature additionally appropriated \$11.6 million to assist Supervisors of Elections with purchasing DREs in order to provide one accessible voting system at each polling place. For the fiscal year 2005-06, the Legislature appropriated \$13,406,163 to reimburse sixteen counties that acquired accessible voting systems prior to July 1, 2004. In addition, eight counties received a total of \$63,215 as reimbursement for existing DREs that were not included in the fiscal year 2004-05 appropriations.

In July 2007, the Legislature initiated a major shift in voting systems requirements. As of July 1, 2008, all 67 counties are required to use marksense ballot systems as their primary voting system. Each county is still required to have one voter interface device in each polling place that meets the accessibility requirements for individuals with disabilities, which can be a DRE. However, in 2012, voter interface devices for persons with disabilities must also meet the requirement to allow voting by marksense ballot. Fifteen counties that exclusively used DREs for precinct voting purchased marksense voting systems for use in all elections held after July 1,

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2008. Also in 2007, the Legislature authorized certain counties to use a ballot-on-demand production system for early voting and absentee voting. The purpose was to facilitate the county's ability to have an ample supply of all ballot styles at each early voting location. The Legislature appropriated \$27,861,850 of HAVA funds for the purchase of optical scan and ballot-on-demand equipment after authorization obtained by the U.S. Election Assistance Commission.

There are currently three manufacturers who have certified voting systems for use in Florida: Premier Election Solutions (formerly Diebold Election Systems, Inc. (DESI)); Elections Systems and Software, Inc. (ES&S); and Sequoia Voting Systems, Inc. (SP). The following chart details the types of voting systems used in Florida, the respective manufacturer, and the number of counties using the voting systems for the period through 2006 and through 2009:

Table 1.1

(October 2006)				
Voting Systems and Number of Counties in Use For Precinct and Absentee Voting				
Florida Certified Voting System	Precinct Equipment	Accessible Equipment	Central Count Method	Counties
Diebold Voting System Release 1-18-19, Version 2	AccuVote OS	AccuVote TSx DRE	Optical scan	22
Diebold Voting System 2005 B (Blended) + (Plus Audio)	AccuVote OS	AccuVote TSx DRE	Optical scan	9
ES&S Voting System Release 4.5, Version 1	Optech III P Eagle	iVotronic DRE	Optical scan	7
ES&S Voting System Release 4.5, Version 2	Model 100	iVotronic DRE	Optical scan	14
ES&S Voting System Release 4.5, Version 2	iVotronic DRE	iVotronic DRE	Optical scan	11
Sequoia AVC "Edge" Voting System Release 4.3.320	Edge I DRE	Edge I DRE	Optical scan	4

Table 1.2

(February 2009)			
Voting Systems and Number of Counties in Use For Precinct and Absentee Voting			
Florida Certified Voting System	Precinct Equipment	Accessible Equipment	Counties
<i>ESS</i>	Paper Ballot Tabulator	iVotronic DRE	31
	Paper Ballot Tabulator	AutoMARK	1
			32
<i>Premier</i>	Paper Ballot Tabulator	AccuVote TSX DRE	30
	Paper Ballot Tabulator	AutoMARK	3
			33
<i>Sequoia</i>	Paper Ballot Tabulator	Edge DRE	2
			Total: 67

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Section 301 of the Title III of the Help America Vote Act of 2002 (HAVA) also established new voting system requirements that were to be met by January 1, 2006. Florida is in compliance with these new federal directives and these are addressed in the HAVA State Plan.