

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Ethics and Elections Committee

BILL: CS/SB 900

INTRODUCER: Ethics and Elections Committee and Senator Thrasher

SUBJECT: Elections

DATE: February 19, 2010

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Kruse	Rubinas	EE	Fav/CS
2.			TA	
3.			RC	
4.				
5.				
6.				

Please see Section VIII. for Additional Information:

- | | | |
|------------------------------|--|---|
| A. COMMITTEE SUBSTITUTE..... | ☒ | Statement of Substantial Changes |
| B. AMENDMENTS..... | ☐ | Technical amendments were recommended |
| | ☐ | Amendments were recommended |
| | ☐ | Significant amendments were recommended |

I. Summary:

Committee Substitute for Senate Bill 900 is an elections measure that contains numerous changes to the Florida Election Code, most of which were recommended by the Division of Elections (“the Division”). Some of the major provisions include:

- Providing that chapters 97-105, F.S., preempt any other election law within the state unless specified otherwise in federal or state law.
- Revising the definition of “overseas voter” and defining “absent uniformed services voter.”
- Providing an opportunity for a challenged voter challenged on the basis of address to update his or her address information in order to vote a regular ballot in the precinct.
- Increasing the penalty for a frivolous voter challenge to a third degree felony.
- Extending the 2012 paper ballot requirement for disabled voters to 2016.
- Requiring supervisors to use actual ballots when testing tabulating equipment prior to an election.
- Requiring supervisors to post notice of the testing of tabulating equipment on his or her website.
- Revising absentee ballot procedures.

- Revising the procedures and requirements for co-locating polling place precincts.
- Requiring the supervisor to post notice of a change in polling place on his or her website.
- Providing that Election Canvassing Commission members shall serve ex officio and providing a time certain for the commission to meet after elections.
- Requiring the supervisor to post notice on his or her website of where and when the county canvassing board will meet to canvass absentee and provisional ballots.
- Providing that the Secretary of State must order recounts in federal, state, and multicounty races, while recounts in all other races must be ordered by the local board responsible for certifying the election in those races.
- Providing that the Secretary of State must order manual recounts of the overvotes and undervotes in federal, state, and multicounty races, while manual recounts of the overvotes and undervotes in all other races must be ordered by the local board responsible for certifying the election in those races.
- Requiring political committees to reports all changes in information within 10 days of the change.
- Clarifying the authority of the Division to dissolve political committees for failing to file certain information or meet certain requirements.
- Providing for numerous changes to statutory provisions regarding committees of continuous existence.
- Revising notice requirements for incomplete campaign finance reports filed by political committees and candidates.
- Requiring political committees participating in certain county or municipal elections to file campaign finance reports at the same time and with the same local filing officer as county or municipal candidates.
- Revising notice requirements for late-filing fines for campaign finance reports.
- Requiring campaign finance reports to include transaction information from each credit card purchase.
- Providing that a candidate may obtain reimbursement for a loan made to his or her campaign if there are sufficient funds in the campaign account to cover the reimbursement and all other obligations.
- Shortening the candidate disclaimers that are circulated prior to an election.
- Clarifying that a nonpartisan candidate must omit any reference to party affiliation in his or her political advertisements.

Except as provided, the bill takes effect on January 1, 2011.

This bill creates s. 97.0115, F.S., and substantially amends the following sections of the Florida Statutes: 97.021, 98.0981, 101.111, 101.56075, 101.5612, 101.62, 101.694, 101.6952, 101.71, 102.012, 102.111, 102.112, 102.141, 102.166, 106.03, 106.04, 106.07, 106.0705, 106.11, 106.143, 106.29, and 379.352.

II. Present Situation:

Preemption

Currently, Florida has no statute that expressly preempts election law to the state.¹

Definition of Overseas Voter

Currently, an overseas voter is defined as:

- anyone who is an active service member of the uniformed services and a permanent resident of Florida temporarily residing outside the United States; or
- a United States citizen or merchant marine who is a permanent resident of Florida temporarily residing outside the United States.²

Voter Challenges

Any elector or poll watcher may challenge the right of a voter to vote on election day. The challenger must file a completed oath with the clerk or inspector. Prior to election day, any elector or poll watcher may challenge a voter if the challenge is made no earlier than 30 days prior to the election. The challenger must file a completed copy of the oath required for making such a challenge with the supervisor's office. The challenged voter must be given a copy of the completed oath registering the challenge, and may vote a provisional ballot. Electors or poll watchers who file challenges shall not be held liable for any good faith action; however, if the challenge is determined to be frivolous, the elector or poll watcher commits a first degree misdemeanor.³

Voting Machines for the Disabled

Currently, the law provides that in 2012, persons with disabilities must vote on a voter interface device that uses a paper ballot.⁴

Testing Tabulating Equipment

Tabulating equipment tests must use preprinted ballots and ballot-on-demand ballots if those ballots will be used in the election.⁵ However, there is no requirement that supervisors use the actual ballots printed for the election when testing tabulating equipment.

Absentee Ballots

Currently, a voter, a member of a voter's immediate family, or a voter's guardian may request an absentee ballot from the supervisor. The request may be in person, in writing, or made by

¹ In *Browning v. Sarasota Alliance for Fair Elections, Inc.*, 968 So. 2d 637, 641-642 (Fla. 2nd DCA 2007) Appellees sponsored an amendment that required a certain type of voting system to be used in the county, mandatory audit provisions for the county, and specific certification procedures. The amendment was approved by the county electors in the 2006 general election. The Appellants argued that the amendment conflicted with the Florida Election Code or was preempted by the Florida Election Code. *Id.* The court found that the Florida Election Code does not contain any language regarding express preemption. *Id.* at 645. However, the court determined that implied preemption precluded the amendment from taking effect. *Id.* at 653. The Florida Supreme Court found that while portions of the amendment conflicted with state election law, it held that the Florida Election Code does not preempt the area of election law. *Sarasota Alliance for Fair Elections v. Browning*, No. SC07-2074, op. at 2 (Fla. Feb. 11, 2010).

² §97.011(22), F.S.

³ § 101.111, F.S.

⁴ § 101.56075, F.S.

⁵ § 101.5612(5), F.S.

telephone. The person making the request must disclose certain information including the name, date of birth and address of the voter, along with the requester's name, date of birth, address, driver's license number, his or her relationship to the voter, and if the request is in writing, his or her signature. A request for an absentee ballot is automatically good for all elections occurring during the next two generally scheduled election cycles unless the voter specifically designates the elections for which he or she would like to receive an absentee ballot. The automatic request is cancelled when first-class mail is sent to the voter and returned to the supervisor as undeliverable.⁶

For each absentee ballot request, the supervisor of elections must record certain information and make the information available in electronic format. The information includes the date the request was made, the date the ballot was delivered to the voter, his or her post office address, or the voter's designee, and any other information the supervisor deems necessary. The information must be updated daily, provided to the division contemporaneously, and made available by noon each day. The information is considered confidential and only the following persons and entities may access the information:

- The voter requesting a ballot;
- A canvassing board;
- An election official;
- A political party or its official;
- A candidate that is opposed in an upcoming election; or
- A registered political committee, or committee of continuous existence (hereinafter, "CCE").⁷

The deadline for mailing absentee ballots to overseas voters is 35 days before the primary and 45 days before the general election.⁸ If the Elections Canvassing Commission is unable to certify the results of an election for state office in time for supervisors to mail absentee ballots within these time frames, the department has rule making authority to provide for a ballot to be sent to absent overseas voters.⁹

Co-located Precincts

If a supervisor determines that a polling place in a precinct is unavailable or inadequate, the supervisor must move the polling place to another location within the precinct, or if another location is not available, to another contiguous precinct. If the relocation of the polling place results in two polling places in one building, the polling places must be established and maintained separately from each other.¹⁰

Election Canvassing Commission

The State Elections Canvassing Commission is comprised of the Governor and two other Cabinet officers selected by the Governor. In the event this composition cannot be achieved (due

⁶ § 101.62(1), F.S.

⁷ § 101.62(3), F.S.

⁸ § 101.62(4)(a), F.S.

⁹ § 101.62(5), F.S.

¹⁰ § 101.71, F.S.

to scheduling or other unforeseen reasons), the members of the commission may agree on another elected official to fill any vacancies.¹¹

The Commission performs two principally ministerial tasks:¹²

- It orders machine and manual recounts in federal, state, and multi-county elections, when required by law,¹³ and,
- It certifies the final results of such elections as soon as the official results are compiled from the counties (7 days following a primary election (Tuesday); 12 days following a general election (Sunday)).¹⁴

Manual Recounts

Current law provides for the manual recount of overvotes and undervotes if the second set of unofficial returns indicates that a candidate or ballot measure was defeated by one quarter of a percent or less of the votes cast. The board responsible for certifying the results is tasked with ordering a manual recount. However, an exception exists to the manual recount provision: If the number of overvotes, undervotes and provisional ballots in a candidate race or for a ballot measure is fewer than the number of votes needed to change the outcome of the election, a manual recount does not have to be ordered.¹⁵

Political Committee Registration

A political committee must report to the division or supervisor of elections, depending on which agency is the political committee's filing officer, if there have been any changes to any information reported in the committee's statement of organization. The political committee must report within 10 days of a change.

The Division of Elections has rulemaking authority with regard to how a committee may be dissolved and its registration canceled. The rules must provide for notice, adequate opportunity to respond, and an appeal to the Florida Elections Commission.¹⁶

Committees of Continuous Existence

Committees of Continuous Existence must file an annual report with the division in January. CCEs must also file regular reports at the same times and under the same conditions established for candidate reports. Reports must contain specific information including the transaction information from each credit card statement. Any late report or failure to file a report shall subject the CCE to fines. The fine is fifty dollars per day for the first three days. After three days, the fine goes up to 500 dollars per day not to exceed 25 percent of the total expenditures or receipts, whichever is greater, for the period covered by the late report. The collected fines must be deposited in the General Revenue Fund. Notice of a late report must be provided to the committee's treasurer. If a CCE fails to meet the criteria for a CCE, then the division must revoke its certification until the CCE meets the criteria again.¹⁷

¹¹ § 102.111(1), F.S.

¹² For local elections, the county (or other local) canvassing board performs these duties. §§ 102.141(7), 102.166(1), F.S.

¹³ §§ 102.141(7), 102.166(1), F.S.

¹⁴ §§ 102.111(1), 102.112, F.S.

¹⁵ § 102.166, F.S.

¹⁶ § 106.03, F.S.

¹⁷ § 106.04, F.S.

Candidate Loans

A loan to a campaign is considered a contribution and subject to contribution limits. However, a loan provided by a candidate to his or her own campaign is not subject to contribution limits.¹⁸ Prior to the disposition of surplus funds, a candidate may be reimbursed by the campaign, in full or in part, for any reported contributions by the candidate to the campaign.¹⁹

Political Advertisements Circulated Prior to Election

Currently, a political advertisement that is paid for by a candidate and is circulated prior to the election must state “Political advertisement paid for and approved by” followed by the name of the candidate, his or her party affiliation, and the office sought.²⁰

Military and Overseas Voter Empowerment Act

The Military and Overseas Voter Empowerment (MOVE) Act was signed into law on October 28, 2009, as part of the National Defense Authorization Act for Fiscal Year 2010.²¹ The Act made sweeping changes to the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA).²² A few of the more significant changes affecting states are listed below:

- MOVE requires absent uniformed service voters and overseas voters to be able to request electronically voter registration applications, absentee ballot applications, and blank absentee ballots for all federal elections, including primary and special elections.
- MOVE requires states to allow these voters to individually designate his or her preference for receiving an application and ballot, either by mail or electronically and requires states to send the requested application and blank ballot by the method designated. If a voter does not designate a preference, a state must transfer the requested information by a delivery method allowed by state law.
- MOVE provides that if a request for a ballot is received 45 days before an election, the ballot must be transmitted to the voter 45 days before an election. If a request is received less than 45 days before an election, the ballot must be transmitted as set forth in state law, but in a manner that expedites the transmission process.
- MOVE requires states to develop a free access system which would allow an absent uniformed services voter or overseas voter to determine whether his or her ballot has been received by the appropriate State election official.
- MOVE repeals the requirement applicable to absent uniformed services voters and overseas voters of “one absentee ballot application is good for all federal elections through the next two regularly scheduled general elections for federal office.” This repealed requirement is currently found in s. 101.694, F.S.²³

III. Effect of Proposed Changes:

The following is a section by section analysis of CS for SB 900:

¹⁸ §§ 106.011(3), 106.08(1)(b)1., F.S.

¹⁹ § 106.141(2), F.S.

²⁰ § 106.143, F.S.

²¹ Military and Overseas Voter Empowerment Act, Pub. L. No. 111-84, 2009.

²² Uniformed and Overseas Citizens Absentee Voting Act, Pub. L. No. 99-410, 42 U.S.C. § 1973 (2008).

²³ See *infra*, note 21.

Section 1 creates s. 97.0115, F.S., which gives chapters 97-105 of the Florida Statutes precedence over national, state, county, and district elections, unless otherwise specifically provided by state or federal law. This language specifically requires that municipal elections be conducted in accordance with s. 100.3605, F.S. This section also explicitly prohibits a local law, charter, or regulation from conflicting with any law set forth in chapters 97-105, F.S.²⁴

Section 2 defines absent uniformed services voter and overseas voter. An absent uniformed services voter is a uniformed service member or his or her spouse, who by reason of active duty, is absent from the place where he or she is qualified to vote. This definition also includes a merchant marine or his or her spouse, who, because of service in the Merchant Marine, is absent from the place where he or she is qualified to vote.

An overseas voter is defined as either an absent uniformed service voter who is absent on election day from the U.S. because of active duty or a person residing outside the U.S. who is qualified to vote or who would be qualified to vote, but for such residence, in the last place the person lived before leaving the U.S.

Section 2 takes effect upon becoming law.

Section 3 conforms a cross-reference. This section takes effect upon becoming law.

Section 4 removes the requirement that a challenger state his or her party affiliation and specific city of residence in the challenger oath. The city of residence requirement is redundant because a challenger must give his or her residential address in the oath.

Section 4 also provides that if the basis for a challenge is that the voter's legal residence is not in the particular precinct, the voter must be given an opportunity to execute a change of legal residence so that he or she can vote a regular ballot in the proper precinct.

Section 4 also raises the frivolous challenge penalty from a first degree misdemeanor to a third degree felony.

Section 5 removes the requirement that by 2012, the disabled vote on machines using a paper ballot.

Section 6 requires that by 2016, the disabled vote on machines using a paper ballot. This section takes effect July 1, 2016.

Section 7 requires that optical scan tests utilize actual ballots rather than test ballots. If ballot-on-demand technology will be used, the supervisor must use the same paper stock that will be used in the election in order to test the ballot-on-demand technology. This section also requires that notice of the test be posted on the supervisor's website. This section takes effect upon becoming law.

Section 8 makes numerous changes to the absentee ballot process. Most of these changes are a response to the Military and Overseas Voter Empowerment Act (MOVE Act) recently passed by

²⁴ See *infra*, note 1.

Congress and signed into law by the President of the United States as part of the National Defense Authorization Act for Fiscal Year 2010. The changes include:

- Shortening the time in which an absentee ballot request is valid. Currently, a request for an absentee ballot is valid for all elections through the next two general elections. This language would make a request valid for all elections through the *next general election*.
- Removing the requirements of a requester's driver's license number and signature for someone who requests an absentee ballot.
- Requiring a supervisor, upon receipt of a request for an absentee ballot, to notify the absentee voter of the free access system available to an absentee voter so he or she can determine the status of his or her absentee ballot. While the MOVE Act mandates the establishment of a free access system, the federal requirement only applies to absent uniformed service voters and overseas voters. This new language would establish the system for all absentee voters.
- Requiring certain absentee ballot information — the date the ballot was requested, the date the ballot was mailed or delivered, the date the ballot was received, and any other information deemed necessary by the supervisor — to be made available beginning on the date on which the first absentee ballots are mailed for the election.
- Requiring supervisors to send an absentee ballot 45 days before *each election* to each absent uniformed services voter and overseas voter who has requested such ballot. The ballot must be sent by forwardable mail, email, or fax machine transmission. The absent uniformed services voter or overseas voter may designate a preferred method of transmission; however, if no designation is made, the ballot will be mailed.
- Revising language with regard to the Election Canvassing Commission certifying the results of the election. Currently, if the ECC is unable to certify the election in time for supervisors to meet the ballot deadline of 45 days prior to an election, the Department has rule making authority to provide a ballot to send to absent uniformed services voters and overseas voters. The proposed language removes the ECC from this specific provision by providing that if the *Department* is unable to *certify candidates* for an election to meet the 45-day deadline for ballots, then the Department has rule making authority to provide a ballot to send to absent uniformed services voters and overseas voters.

This section takes effect upon becoming law.

Section 9 Since the federal MOVE Act repealed the “one absentee ballot request is sufficient for all elections through the next two regularly scheduled general elections” requirement for persons using the federal postcard application to request an absentee ballot, this change removes that language from the law. This section takes effect upon becoming law.

Section 10 requires that if an absentee ballot request from an overseas voter includes an email address, the supervisor must: record that email address in the voter's ballot record, confirm via email that the request was received along with an estimated date that the ballot will be sent to the voter, and notify the voter via email when the voted ballot is received by the supervisor. This section takes effect upon becoming law.

Section 11 requires a supervisor to provide adequate resources to handle voters of two precincts when those precincts are located in one building. This section removes the requirement that the two precincts be maintained separately from each other. This section also provides that the

supervisor must publish notice on his or her website when a polling place is moved. This section takes effect upon becoming law.

Section 12 allows the supervisor to appoint only one election board for two precincts that share the same building and voting place. The supervisor must provide a sufficient number of poll workers to process voters in both precincts. This section takes effect upon becoming law.

Section 13 provides that the members of the Election Canvassing Commission serve ex officio or by virtue of the offices held. This section also sets a time certain for commission members to meet after each election: 9 a.m. on the 9th day after a primary election and 9 a.m. on the 14th day after a general election. This section takes effect upon becoming law.

Section 14 conforms a cross-reference. This section takes effect upon becoming law.

Section 15 provides that notice of the place and time that the county canvassing board will meet to canvass absentee and provisional ballots must be provided on the supervisor's website. This section removes the requirement that the returns be on file in the county court judge's office. This section removes the ability of the Election Canvassing Commission to order recounts in federal, state, and multicounty races and places that responsibility with the Secretary of State. Recounts in all other races must be ordered by the local board responsible for certifying the election in those races. This section takes effect upon becoming law.

Section 16 provides that the Secretary of State shall order all manual recounts of the overvotes and undervotes for federal, state, and multicounty races. The local board responsible for certifying the election is responsible for ordering manual recounts of the overvotes and undervotes in all other races. This section adds an exception to the manual recount requirement by allowing a candidate for which a recount would be conducted to request in writing that it not be conducted. This section takes effect upon becoming law.

Section 17 requires political committees to report all changes in information previously submitted to the Division of Elections or supervisor of elections within 10 days of the change, not just changes to information previously submitted on a statement of organization. This section also clarifies the authority of the Division to dissolve political committees deemed "inactive" that fail to:

- File any campaign finance report or information required by Chapter 106; or,
- Meet the statutory criteria defining a political committee.

Section 18 makes a number of changes to the Committees of Continuous Existence (CCEs) statute, the more significant of which include:

- Clarifying that CCEs participating in special elections and special primary elections must file campaign finance reports on the same schedule as candidates and other committees.
- Requiring CCEs participating in certain county or municipal elections to file campaign finance reports at the same time and with the same local filing officer as county or municipal candidates to provide for timelier reporting in local races. Fines for late-filed reports are designated to the general revenue fund of the political subdivision at issue.
- Requiring campaign finance reports to include transaction information from each credit card *purchase*, instead of from each credit card *statement* received during the reporting period.

- Mirroring the political committee change in the previous section, this section requires any change in information previously submitted to the division to be reported within 10 days of the change.
- Similar to the political committee change in the previous section, this section expands the authority of the division to revoke a CCE's certification if it fails to:
 - File any campaign finance report or information required by Chapter 106; or,
 - Meet the statutory criteria defining a CCE.
- Increasing the automatic, late-filing fines for CCEs failing to file the requisite campaign finance reports immediately preceding a primary or general election to \$500 per day not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period. This puts the fine on par with late-filing political committees, but is an increase from the current CCE fine of \$50 per day for the first 3 days, \$500 per day thereafter not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period.
- Easing notice requirements for late-filing fines by providing that written notice that a report is late and fines forthcoming may be delivered to the *registered agent* of the CCE, and notice of the amount of the fine is sufficient upon proof of delivery to the mailing or street address on file with the division or local filing officer.

Section 19 makes a number of changes related to campaign finance reports filed by political committees and candidates, including:

- Similar to the CCE change in the previous section, with respect to *incomplete* campaign finance reports, easing notice requirements by:
 - Allowing the campaign treasurer to be notified by certified mail or other common carrier with proof-of-delivery service, as opposed to registered mail.
 - Providing that notice is sufficient upon proof of delivery to the mailing address or street address of the campaign treasurer or registered agent on record with the Division or local filing officer.
- Similar to the CCE change in the previous section, requiring political committees participating in certain county or municipal elections to file campaign finance reports at the same time and with the same local filing officer as county or municipal candidates to provide for timelier reporting in local races.
- Similar to the CCE change in the previous section, requiring campaign finance reports to include transaction information from each credit card *purchase*, instead of a copy of each credit card *statement* received during the reporting period. This change conforms better to the format of electronic reporting.
- Similar to the CCE change in the previous section, eases notice requirements by providing that notice of the amount of late filing fines for campaign finance reports may be provided to the registered agent of the political committee, and that notice is sufficient upon proof of delivery to the mailing or street address on record with the division or local filing officer.

Section 20 conforms a cross-reference.

Section 21 prohibits a reimbursement to a candidate who loans money to his or her campaign unless there are sufficient funds in the campaign account to repay the loan and satisfy the campaign's other financial obligations.

Section 22 shortens candidate disclaimers that are circulated prior to an election and clarifies that nonpartisan candidates must omit any reference to party affiliation in their ads.

Section 23 provides that notice of the amount of a fine for the late-filing of campaign finance reports by a political party is deemed sufficient upon proof of delivery to the mailing or street address on record with the filing officer.

Section 24 conforms a cross-reference. This section takes effect upon becoming law.

Except as provided, the bill takes effect on January 1, 2011.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Increasing fines for CCEs that fail to timely file the report immediately preceding an election will result in additional costs of \$450 per day for each day late.

C. Government Sector Impact:

Sections (5) and (6) of the committee substitute will result in postponing county purchase of disability compliant paper ballot generating machines statewide to 2016. The approximate current fiscal impact is estimated to be 45 million dollars. The cost for the free access system in section 8 of the committee substitute for absentee ballot tracking has not been provided by the Department of State and is indeterminate at this time.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Ethics and Elections Committee on February 17, 2010:

Committee Substitute for Senate Bill 900 is an elections measure that contains numerous changes to the Florida Election Code, most of which were recommended by the Division of Elections. Some of the major differences from the original bill include:

- Providing that chapters 97-105, F.S., preempt any other election law within the state unless specified otherwise in federal or state law.
- Revising the definition of “overseas voter” and defining “absent uniformed services voter.”
- Providing an opportunity for a challenged voter challenged on the basis of address to update his or her address information in order to vote a regular ballot in the precinct.
- Increasing the penalty for a frivolous voter challenge to a third degree felony.
- Revising the 2012 paper ballot requirement for disabled voters to 2016.
- Requiring supervisors to use actual ballots when testing tabulating equipment prior to an election.
- Requiring supervisors to post notice of the testing of tabulating equipment on his or her website.
- Revising absentee ballot procedures.
- Revising the procedures and requirements for co-locating polling place precincts.
- Requiring the supervisor to post notice of a change in polling place on his or her website.
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- Providing that the Secretary of State must order recounts in federal, state, and multicounty races, while recounts in all other races must be ordered by the local board responsible for certifying the election in those races.
- Providing that the Secretary of State must order manual recounts of the overvotes and undervotes in federal, state, and multicounty races, while manual recounts of the overvotes and undervotes in all other races must be ordered by the local board responsible for certifying the election in those races.
- Requiring political committees to reports all changes in information within 10 days of the change.
- Clarifying the authority of the Division to dissolve political committees for failing to file certain information or meet certain requirements.

- Providing for numerous changes to statutory provisions regarding committees of continuous existence.
- Revising notice requirements for incomplete campaign finance reports filed by political committees and candidates.
- Requiring political committees participating in certain county or municipal elections to file campaign finance reports at the same time and with the same local filing officer as county or municipal candidates.
- Revising notice requirements for late-filing fines for campaign finance reports.
- Requiring campaign finance reports to include transaction information from each credit card purchase.
- Providing that a candidate may obtain reimbursement for a loan made to his or her campaign if there are sufficient funds in the campaign account to cover the reimbursement and all other obligations.
- Shortening the candidate disclaimers that are circulated prior to an election.
- Clarifying that a nonpartisan candidate must omit any reference to party affiliation in his or her political advertisements.

Except as provided, the bill takes effect on January 1, 2011.

B. Amendments:

None.