

Sarasota County Charter Amendment

Subject to referendum approval, Section 6.2 of Article VI of the Charter shall be amended to add a new subsection 6.2A to read as follows:

6.2A Be it enacted by the people of Sarasota County to amend this section as follows: Effective January 1, 2008, the following additional requirements shall apply to voting in all elections of persons or referenda in Sarasota County to ensure accuracy in elections and voter confidence in election results:

- (1) **Voter Verified Paper Ballot.**
 - (a) No voting system shall be used in Sarasota County that does not provide a voter verified paper ballot. The voter verified paper ballots shall be the true and correct record of the votes cast and shall be the official record for purposes of any audit conducted with respect to any election in which the voting system is used. While votes may be tallied electronically, subject to audit, no electronic record shall be deemed a ballot.
 - (b) Any electronic voting machine shall allow the voter to correct his or her ballot by rejected overvoted ballots at the time of voting when voting in person at the polling place.

- (2) **Mandatory Audits.** In addition to Voting System Audits allowed in F.S. 101.591, the Sarasota County Supervisor of Elections shall provide for mandatory, independent, random audits of the voting system in Sarasota County. These audits shall consist of public observable hand count of the voter verified paper ballots in comparison to the machine counts. The audits shall be conducted on Election Day or within 24 hours after the closing of the polls, in clear public view, by a reputable, independent and nonpartisan auditing firm. These audits shall be conducted for a minimum of 5% of Sarasota County precincts, for 100% of the ballot issues in the selected precincts; and for a minimum of 5% of the total ballots cast in Early Voting periods, 5% of the total absentee ballots, and 100% of any precincts where there are highly unusual results or events. In addition, audits of 5% of Provisional ballots shall be completed by the 3rd day following the elections, and audits of 5% of Military and Overseas (UOCAVA) ballots shall be completed with 24 hours of a primary election and within 10 days following a general election.

The random selection of precincts to be audited shall be made in a physical, non-electronic, public drawing at the Supervisor of Elections Office only AFTER machine tallies from the precincts have been made public. This public drawing shall be made on an entirely random basis using a uniform distribution in which all precincts in the County have an equal chance of being selected. If machine counts are unavailable for any reason, the voter verified paper ballots shall be counted by hand by the independent auditors and recorded as the vote count for that precinct. Immediately upon completion of an audit, the persons conducting the audit shall furnish a copy of the audit to the Supervisor of Elections and the Board of County Commissioners and post the results for public view and copying at the Supervisor of Elections Office. The audit shall be considered a Florida public record pursuant to Florida Statute 119.

- (3) **Certification of Elections Results.** No election shall be certified until the mandatory audits are complete and any cause for concern about the accuracy of results has been resolved. Any discrepancies between machine counts and hand counts greater than 1% or, if less than 1% but sufficient to change the outcome of any measure, shall initiate a comprehensive manual audit of the voter verified paper ballots in all precincts and of all Absentee, Provisional, and Military and Overseas (UOCAVA) ballots. Such comprehensive manual audit shall be completed within 5 days after the election, with the exception of comprehensive audits of Military and Overseas ballots, which shall be completed within 5 days after a primary election, and within 10 days after a general election. Audits shall be completed by a reputable independent and nonpartisan auditing firm as in (2) above. A copy of these audits shall be retained for public view and copying at the Supervisor of Elections Office in addition to being given to the County Commissioners. These audits shall be considered Florida public records pursuant to Florida Statute 119.