

## Notice of Proposed Rule

DEPARTMENT OF STATE

Division of Elections

RULE NO.: RULE TITLE:

1S-2.034 Polling Place Procedures Manual

PURPOSE AND EFFECT: To provide further guidance and procedures for canceling, altering, and handling spoiled and returned ballots.

SUMMARY: Further specifying procedures for canceling, altering, and handling spoiled and returned ballots.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

Upon completion of the SERC checklist, it was determined that this rule amendment will not have a direct or indirect adverse impact on small businesses and will not require legislative ratification.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Upon completion of the SERC checklist, it was determined that this rule amendment will not have a direct or indirect adverse impact on small businesses and will not require legislative ratification.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 20.10(3), 97.012(1), 102.014(5) F.S.

LAW IMPLEMENTED: 97.055, 97.061, 98.461, 100.011, 100.061, 101.021, 101.031, 101.043, 101.045, 101.048, 101.049, 101.051, 101.111, 101.131, 101.23, 101.49, 101.5601, 101.5608, 101.5610, 101.5611, 101.5614, 101.56062, 101.56075, 101.69, 102.012, 102.014, 102.031, 104.20 F.S.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: June 27, 2024, 11:00 a.m.

PLACE: Heritage Hall, R.A. Gray Bldg., 500 S. Bronough St., Tallahassee, FL, 32399 or 1(888)585-9008, (201-297-717).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Jenna McLanahan, [jenna.mclanahan@dos.fl.gov](mailto:jenna.mclanahan@dos.fl.gov). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ashley Davis, [ashley.davis@dos.fl.gov](mailto:ashley.davis@dos.fl.gov).

THE FULL TEXT OF THE PROPOSED RULE IS:

### **1S-2.034 Polling Place Procedures Manual.**

The Department of State, Division of Elections, is required to create a polling place procedures manual to guide election officials and poll workers in the proper implementation of election procedures and laws. Form DS-DE 11 (effective \_\_\_/\_\_\_/2024), entitled "Polling Place Procedures Manual," is hereby incorporated by reference and available at the following link: <http://www.flrules.org/Gateway/reference.asp?No=Ref-16651> <http://www.flrules.org/Gateway/reference.asp?No=Ref-16732>. The manual may also be used to train the election board. The form is also available by download from the Division of Elections' rules webpage: [dos.fl.gov/elections](http://dos.fl.gov/elections) or from the Division of Elections, R.A. Gray Building, Room 316, 500 South Bronough Street, Tallahassee, Florida 32399-0250, by contact at (850)245-6200.

*Rulemaking Authority 20.10(3), 97.012(1), 102.014(5) FS. Law Implemented 97.055, 97.061, 98.461, 100.011, 100.061, 101.021, 101.031, 101.043, 101.045, 101.048, 101.049, 101.051, 101.111, 101.131, 101.23, 101.49, 101.5601, 101.5608, 101.5610,*

*101.5611, 101.5614, 101.56062, 101.56075, 101.69, 102.012, 102.014, 102.031, 104.20 FS. History–New 7-4-02, Amended 1-25-04, 3-16-06, 1-1-08, 8-13-08, 8-25-10, 1-18-12, 6-19-14, 4-23-20, 6-4-24, \_\_\_\_\_.*

NAME OF PERSON ORIGINATING PROPOSED RULE: Maria Matthews

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Cord Byrd

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 03, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 6/4/24