

MEMORANDUM

Agenda Item No. 7(B)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: March 5, 2013

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Ordinance requiring Supervisor
of Elections of Miami-Dade
County to allow registered
electors to pick up and return
absentee ballots on the Sunday
and Monday prior to any
Presidential Election

This item was amended at the Economic Development and Port Miami Committee meeting on February 14, 2013 to provide that in person absentee ballot voting would not be required on any day that early voting is also provided and to eliminate the option of directing the Supervisor of Elections to add additional in person absentee voting hours and sites on an election by election basis.

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan and Co-Sponsor Commissioner Audrey M. Edmonson.



R. A. Cuevas, Jr.
County Attorney

RAC/lmp

Memorandum



Date: March 5, 2013

To: Honorable Chainwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez". The signature is fluid and cursive, with a large, prominent initial 'C'.

Subject: Ordinance Requiring Supervisor of Elections to Allow Registered Electors to Pick Up
and Return Absentee Ballots on the Sunday and Monday Prior to any Presidential
Election

The proposed ordinance requires the Supervisor of Elections to allow registered electors to pick-up or return absentee ballots on the Sunday and Monday immediately preceding the Election Day of a Presidential Election. Implementation of this ordinance will not have a fiscal impact if implemented for one site at the Elections Department Building with a four hour pick-up and drop-off period.

A handwritten signature in black ink, appearing to read "Alina T. Hudak". The signature is cursive and somewhat stylized.

Alina T. Hudak
Deputy Mayor

Fis3413



MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: March 5, 2013

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 7(B)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(B)

3-5-13

ORDINANCE NO. _____

ORDINANCE REQUIRING SUPERVISOR OF ELECTIONS OF MIAMI-DADE COUNTY TO ALLOW REGISTERED ELECTORS TO PICK UP AND RETURN ABSENTEE BALLOTS ON THE SUNDAY AND MONDAY PRIOR TO ANY PRESIDENTIAL ELECTION; CREATING SECTION 12-14.1 OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 12-14.1 of the Code of Miami-Dade County, Florida, is hereby created to read as follows in its entirety:

Sec. 12-14.1. Availability of Absentee Ballots for Presidential Elections.

To the extent otherwise permitted by and consistent with the requirements Florida law, the Miami-Dade County Supervisor of Elections shall afford registered electors the opportunity to pick up and return absentee ballots on the Sunday and Monday immediately preceding the Election Day of a Presidential Election>> for any day during which Early Voting is not offered by the Supervisor of Elections<<¹. The Supervisor of Elections shall designate locations in Miami-Dade County for electors to pick up or return absentee ballots and shall establish the hours available for such purpose. ~~[[The Board of County Commissioners may, by resolution or motion, direct the Supervisor of Elections to provide additional locations or hours as may be needed to provide voting opportunities to County electors.]]~~

Section 2. If any section, subsection, sentence, clause or provision of this ordinance

¹Committee amendments are indicated as follows: Words double stricken through and/or [[double bracketed]] are deleted, words double underlined and/or >>double arrowed<< are added.

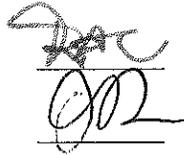
is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

Handwritten signature in black ink, appearing to be "JAC", written over a horizontal line.

Prepared by:

Oren Rosenthal

Prime Sponsor: Barbara J. Jordan
Co-Sponsor: Commissioner Audrey M. Edmonson