

MEMORANDUM

Agenda Item No. 11(A)(26)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: March 7, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution opposing
legislation that would
eliminate the ability of
Florida Supervisors of
Elections to accept telephonic
requests for vote-by-mail
ballots

Resolution No. R-234-23

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Raquel A. Regalado.



Geri Bonzon-Keenan
County Attorney

GBK/ks



MEMORANDUM

(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: March 7, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(26)

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
- ☐ Statement of social equity 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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ 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. 11(A)(26)
3-7-23

RESOLUTION NO. _____ R-234-23

RESOLUTION OPPOSING LEGISLATION THAT WOULD
ELIMINATE THE ABILITY OF FLORIDA SUPERVISORS OF
ELECTIONS TO ACCEPT TELEPHONIC REQUESTS FOR
VOTE-BY-MAIL BALLOTS

WHEREAS, section 101.62, Florida Statutes currently permits Florida Supervisors of Elections to accept requests made in person, by mail, by email, by fax, or by telephone for voters in the State of Florida to receive a vote-by-mail ballot; and

WHEREAS, in accordance with recently enacted provisions of Florida law, all vote-by-mail ballot requests submitted by Florida voters prior to the 2022 general election expired at the end of 2022; and

WHEREAS, as a result, all voters who desire to receive a vote-by-mail ballot in future elections must submit a new request to their Supervisor of Elections; and

WHEREAS, such requests will be valid for all elections through the end of the calendar year of the next regularly scheduled general election, unless the elector only requests a vote-by-mail ballot for a specific election or elections; and

WHEREAS, in the 2012 general election, approximately 43 percent of vote-by-mail ballots were submitted by voters aged 65 and over; and

WHEREAS, in the 2016 general election, almost 45 percent of vote-by-mail ballots were submitted by voters aged 65 and over; and

WHEREAS, in the 2022 general election, over 240,000 people voted by mail in Miami-Dade County; and

WHEREAS, eliminating the ability of Florida Supervisors of Elections to accept requests for vote-by-mail ballots by telephone may disproportionately affect elderly voters who do not possess the same access to technology like email and are unable to travel as easily as younger voters; and

WHEREAS, this Board opposes legislation which would eliminate the ability of Florida Supervisors of Elections to accept telephonic requests for vote-by-mail ballots,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Opposes any legislation filed for consideration during the 2023 session of the Florida Legislature that would eliminate the ability of Florida Supervisors of Elections to accept telephonic requests for vote-by-mail ballots to be mailed to electors in accordance with Florida law.

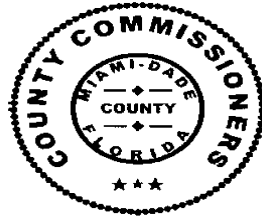
Section 2. Directs the Clerk of the Board to transmit certified copies of this resolution to the Governor, Senate President, House Speaker, and the Chair and Members of the Miami-Dade County State Legislative Delegation.

Section 3. Directs the County's state lobbyists to oppose the legislation set forth in section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2023 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Raquel A. Regalado. It was offered by Commissioner **Anthony Rodriguez** , who moved its adoption. The motion was seconded by Commissioner **Raquel A. Regalado** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman	aye		
Anthony Rodríguez, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	absent
Roberto J. Gonzalez	aye	Keon Hardemon	aye
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Kionne L. McGhee	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 7th day of March, 2023. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

LUIS G. MONTALDO, CLERK AD INTERIM

By: **Basia Pruna**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

VNS

Veronica Sanchez