

Substantial rewording of Rule 1S-2.032 follows. See Florida Administrative Code for present text.

1S-2.032 Uniform Design for Primary and General Election Ballots.

(1) **Purpose.** This rule prescribes a uniform ballot design for primary and general elections for each type of certified voting system.

(2) **Definitions.** For purposes of this rule:

(a) “Audio ballot” means an electronic voting device which audibly reads a ballot and permits the voter to select choices orally.

(b) “Coded text” means the text of a proposed constitutional amendment or revision that has underlined and stricken text to represent additions and deletions, respectively, within the amendment or revision.

(c) “Font size” means the size of the printed characters on the ballot. Font size is measured in millimeters (mm) and points. A point equals 0.353mm.

(d) “General election” refers to a general election as defined in Section 97.021, F.S.

(e) “Hybrid ballot” means an electronic voting device for interacting with the voter which device produces an output ballot that is paper and on which contains the voter’s selections and corresponding barcodes. Unlike a paper ballot specified in this rule, the tabulator reads the barcodes from the hybrid ballot instead of the vote targets or selections contained on the paper.

(f) “Manual marking device” means a roller-ball pen, felt pen, or pencil which leaves an identifiable ink or pencil mark, as applicable, when used on a paper ballot.

(g) “Paper ballot” means an election ballot made of paper to be tabulated by optical scan and for use by a voter to select choices on a vote target by using a manual marking device.

(h) “Primary election” refers to a primary election as defined in Section 97.021, F.S.

(i) “Presidential Preference Primary” refers to a presidential preference primary election in Section 103.101, F.S.

(j) “Visual display ballot” means an electronic display for a voter to select choices as shown on the display, which may be on a touchscreen device or a personal computer display.

(k) “Vote target” means an area on the ballot where the voter indicates his or her vote. The vote target may be an oval, square, rectangle, or broken arrow.

(l) “Universal Primary Contest” refers to a contest in a primary election in which all candidates for an office have the same party affiliation and the winner of that contest will have no opposition in the general election. In a

universal primary contest, all qualified electors may vote in the primary for that office, regardless of party affiliation.

(3) Ballot language.

(a) The official language for a ballot is English.

(b) Ballots shall be translated into other languages when required by law and may be translated into other languages at other times to accommodate the needs of the electorate.

(c) When ballots are translated and different languages appear on the same ballot, the English language on the ballot shall appear first. Ballots requiring a translation into one or more languages may have:

1. English and all translated languages entirely on one ballot:

2. English and each translated language combined on separate ballots; or

3. Each language, to include English, on separate ballots.

(4) Ballot font, alignment and columns.

(a) Font. The minimum and maximum font sizes for the different ballots are:

1. Paper ballots: The minimum font size is 10-point type (3.5mm), except the minimum font size for the ballot title is bold, 12-point type (4.2mm). The maximum font size for a paper ballot is 12-point type (4.2mm).

2. Visual display ballot: The minimum font size is 14-point type (5 mm) and the maximum font size is 24-point type (8.5 mm).

3. All fonts on a ballot shall be the same sans-serif font. San-serif font means a typeface that does not have small projecting features (“serifs”) at the end of characters. Recommended fonts are: Arial, Helvetica, Tahoma or Univers.

4. Each category on a ballot shall have consistent font sizes; for example, if one candidate’s name is in 10 point type, the names of all candidates on that ballot shall be in 10 point type.

5. Unless specified by this rule, the font shall not be in bold type.

6. A ballot shall not contain an ampersand, “&”, in any of its titles or text.

7. The contest titles, candidate names, and ballot title for issues shall be in bold and in upper and lower case font. The ballot summary or, when applicable for a proposed constitutional amendment or revision, the full text which may include coded text and the financial impact statement, shall be in upper and lower case font followed by the choices of Yes and No in bold font.

8. The party affiliation or no party affiliation (NPA) for candidates shall be in all capital letters.

(b) Alignment. Unless otherwise indicated herein, all type on a ballot, including the ballot title, instructions, contest titles and issues, shall be aligned to the left of the page or column, as applicable.

(c) Columns.

1. A paper ballot page shall contain no more than three columns.

2. A visual display ballot shall contain no more than two columns.

3. All candidates for the same race shall appear on the same page and in the same column on a paper ballot or entirely on one screen page of a visual display ballot, except as otherwise specified within this rule.

4. No issue or public measure choices of “Yes” and “No” shall be split between columns or pages.

5. No judicial merit selection and retention question on the ballot shall appear in more than one column, span more than one column, or extend onto another side or page of the ballot. However, each separate retention question relating to the same or different category of judicial retention may be split.

(5) **Ballot Title.** The ballot title shall be printed flush left across the top of the first page of a paper ballot and on the first ballot screen of a visual display ballot. The date of the election within the ballot title shall list the full name of the month, the numeric day, and full numeric year (for example, “November 4, 2014”). The ballot title, in bold upper and lower case letters, shall read for each respective election as follows:

<p><u>Official Ballot for Presidential Preference Primary Election</u></p> <p><u>(date of election)</u></p> <p><u>(name) Party</u></p> <p><u>(name) County, Florida</u></p>
<p><u>Official Ballot for Primary Election</u></p> <p><u>(date of election)</u></p> <p><u>(name) Party</u></p> <p><u>(name) County, Florida</u></p>
<p><u>Official Ballot for General Election</u></p> <p><u>(date of election)</u></p> <p><u>(name) County, Florida</u></p>

(6) **Contest title.** After the instructions, the title of each contest on the ballot shall appear against a lightly shaded background in bold, upper and lower case font. The contest title involving a public office shall appear as prescribed for office titles in Sections 101.151, F.S., e.g., “State Senator.” Additionally, the contest title for a constitutional amendment shall read “No. Constitutional Amendment, Article , Section .”

(7) **Listing of election contests.** Under each ballot title, the ballot shall list the contests in the order specified in Sections 101.151 and 105.041, F.S., and as further specified herein as follows:

(a) **Partisan offices.**

1. Federal office.

2. State office.

3. County office.

4. Municipal office.

5. Special district office. The order of special district offices on a ballot shall be: multi-county, county, municipal, and districts covering a geographical area less than municipal. The special districts within each listing shall be listed alphabetically.

(b) **Nonpartisan offices.**

1. Justice of the Supreme Court (judicial merit selection and retention).

2. Judge of a District Court of Appeal (judicial merit selection and retention).

3. Circuit Judge (election or merit selection and retention).

4. County Judge (election or merit selection and retention).

5. School Board Member.

6. Nonpartisan county office. Unless otherwise provided by county charter, if a county elects other county officers on a nonpartisan basis, the order of those offices shall be the same as the order in s. 101.151, F.S. for partisan offices and shall appear after the contest for school board member.

7. Nonpartisan municipal office.

8. Nonpartisan special district office. The order of special district offices on a ballot shall be: multi-county, county, municipal, and districts covering a geographical area less than municipal. The special districts within each listing shall be listed alphabetically.

(c) Issue or public measure.

1. Statewide constitutional amendment or other statewide public measure.

2. County public measure including local option for merit selection and retention or election for circuit or county judge.

3. Municipal public measure.

4. Special district public measure. Special district public measures shall be listed in the same order as special district offices.

(8) Contest instructions. Immediately below the contest title for public office, the ballot shall direct the voter about his or her choices as follows:

(a) In contests for office in which the voter may make only one choice, including offices with paired or joint candidates, the instruction shall read “[Vote for 1].”

(b) In contests for office in which the voter may make only one choice for paired or joint candidates, the instruction shall read “[Vote for 1 pair].”

(c) In contests for office in which the voter may make more than one choice, the instruction shall read “(Vote for up to [enter number to be elected]).”

(d) When a primary election includes one or more Universal Primary Contests, the phrase “Universal Primary Contest” shall appear in bold beneath the office title of the Universal Primary contest and before the contest instruction.

(9) Contest choices.

(a) Pre-printed nominee or candidate names.

1. The list of names of nominees or candidates shall follow the instructions for contest choices as set forth in paragraph (7).

2. Each nominee or candidate’s name shall be displayed in the format of a given first name followed by a surname as submitted on the candidate oath in Section 99.021, F.S. If applicable and if listed on the candidate oath, the nominee or candidate’s given name may be displayed in a shortened form, to include an initial, be in the form of bona fide nickname that is commonly and customarily associated with the candidate, and the name may contain a suffix such as Sr. or Jr., or II or III. Each name of a nominee or candidate shall be associated with a corresponding vote target.

3. The name of each nominee or candidate shall be in bold, upper and lower case letters.

a. For oval, square, and rectangle vote targets, the name shall appear after the vote target.

b. For a broken arrow vote target, the name shall be flush left in front of the party designation, if applicable, and before the broken arrow.

c. The name of the second candidate or nominee in a paired or joined candidacy shall appear under the name of the principal candidate. Only the principal candidate's name shall have the party designation and vote target associated with it.

(b) Write-in candidates (applicable only in General Elections).

1. In a contest in which one or more write-in candidates have qualified, the phrase "Write-in" shall appear directly after the end of the list of candidate names printed or displayed on the ballot for that contest. A blank line shall be placed after or immediately under "Write-in", and a corresponding vote target shall be associated with the blank line. In a contest with joint candidacies, no second write-in line is required.

2. In a contest in which multiple candidates may be selected and more than one write-in candidate has qualified, the phrase "Write-in" shall be added and a blank line for each number of selections, or for each number of qualified write-in candidates, whichever is less, shall appear on the ballot. The write-in option shall be added directly below the list of candidate names printed on the ballot for that contest and a corresponding vote target shall be associated with each blank line.

(c) Party Affiliation.

1. In a general election, the appropriate three-letter abbreviation of a political party name or no party affiliation (NPA) in capital letters shall be included for each candidate or pair of candidates in a partisan contest. The party abbreviation shall appear on the same line to the right of the candidate's name or the first candidate's name of a paired or joint candidacy.

2. The party abbreviation placed on the ballot shall be the same abbreviation the Division of Elections assigns to the registered political party or as appears on the Division's official certification of candidates for the election. The party abbreviation shall not be enclosed in parentheses.

3. The party abbreviation shall not be included on primary election ballots, unless there is a Universal Primary Contest on one or more ballot styles in the county. In a Universal Primary Contest, the names of all candidates for

all partisan offices, including candidates for the Universal Primary Contest, shall be displayed with an appropriate abbreviation of the party name.

(d) Incumbent designation. When the law permits the ballot to designate the incumbent on the ballot, the word “incumbent” shall appear in lower case letters to the right of the incumbent’s name.

(10) Paper ballots.

(a) Paper stock. Paper ballots shall be on applicable paper stock so they may be properly read by the optical scan voting equipment. The paper ballot’s size shall be a minimum of 8 ½” x 11” to a maximum of 11” x 22”, not including optional ballot stubs that may be included on the ballot.

(b) Paper color. The color of a paper ballot shall be white and the color of all text shall be black, except the addition of colored text may appear in one location on the ballot for identifying the precinct or type of ballot (e.g., early voting, absentee ballot, or election day ballot) shall be permitted.

(c) Ballot layout.

1. Ballot stub. An optional ballot stub of a minimum length of one inch to a maximum length of three inches may be located at the bottom of the paper ballot. The stub should have a control number that may be used for later reconciliation of ballots.

2. Barcode. A paper ballot may contain an optional barcode to identify:

a. The ballot, which barcode may be on the ballot, the ballot stub, or both. This barcode shall only identify the party, precinct, ballot style, or type of ballot. The barcode may not be used in any manner to identify the voter.

b. The voter’s voted choices on the ballot, which barcode may be located in any area of the ballot, except within the area containing the contests. This barcode shall only contain the voter’s selections and may not be used in any manner to identify the voter.

(c) Ballot Instructions.

1. Ballot instructions shall appear flush left in bold font with a minimum size of 10-point type (3.5mm) in the first column below the ballot title. The following instruction shall appear:

a. If the vote target is an oval, square, or rectangle: “Instructions: To vote, fill in the (oval) (square) (rectangle) completely (insert picture of either filled oval, filled square or filled rectangle) next to your choice. Use black roller-ball pen or felt pen. If you make a mistake, ask for a new ballot. Do not cross out or your vote may not count.” At a general election where a write-in candidate has qualified, add an additional instruction to read: “To vote for a

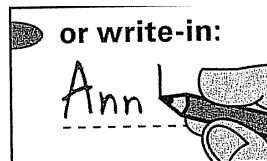
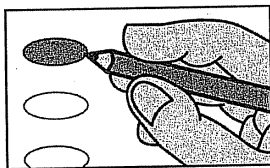
write-in candidate, fill in the (oval)(square) (rectangle) and print the name clearly on the blank line provided for the write-in candidate.”

b. If the vote target is a broken arrow: “Instructions: To vote, connect the head and tail of the arrow pointing to your choice (insert picture of a completed arrow) next to your choice. Use black roller-ball pen or felt pen. If you make a mistake, ask for a new ballot. Do not cross out or your vote may not count.” At a general election where a write-in candidate has qualified, add an additional instruction to read: “To vote for a write-in candidate, complete the arrow and print the name clearly on the blank line provided for the write-in candidate.”

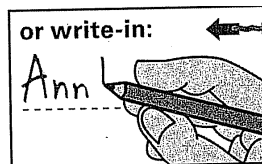
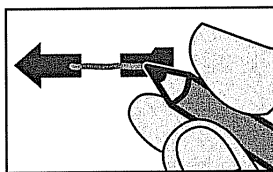
2. The space for marking the vote target shall be specified whether it is to be made to the right or left of a voter’s contest choice to comply with the voting system’s specifications. In contests for retention, constitutional amendments or other public measures, the choices “Yes” and “No” shall appear beneath the ballot question in bold, upper and lower case letters on separate lines.

3. Additional instructions for absentee ballots. The following instructions shall be added to the ballot or alternatively printed on the secrecy sleeve or on a separate sheet as follows:

a. An applicable illustration depending on whether the system uses ovals, squares, rectangles, or broken arrows as vote targets. For example, the following represent depictions for oval and broken arrow vote targets:



and



b. The statement: “IMPORTANT: If you make a mistake on your ballot and believe that you will not have time to ask for and return a new ballot by the deadline, cross through the mistake and follow the ballot instructions for marking your corrected choice. Otherwise, your vote in that contest may not count.”

(e) Vote target. The vote target may be an oval, square, rectangular, or broken arrow icon. The alignment of the vote target shall be flush left side for an oval, square, or rectangle, but flush right side for a broken arrow. The oval, square, rectangular shall be in dark black outline. The broken arrow's head and tail shall be black and the broken area of the arrow shall have a narrow gray or black line between the arrow's head and tail.

(f) Ballot front page. The front page of the paper ballot shall conform to the following requirements:

a. The ballot title shall appear as set forth in paragraph (5).

b. The election contest(s) shall appear as set forth in paragraphs (6), (7), (8), and (9).

(g) Ballot footer. A ballot footer shall appear on the bottom of the front page and the bottom of the reverse page if one or more contests appear on the reverse page of the ballot. The text shall be in bold, upper and lower case text, with a minimum font of 10-point (3.5mm) type, be located on the center of the page or the last column and read: Vote Both Sides of Ballot Page.

(h) Reverse side of ballot front page. The reverse side of the first page of the paper ballot, if a reverse side is required, shall conform to the requirements for the front page of the ballot, except the ballot title and ballot instructions need not be included.

(i) Multiple ballot sheets. A second ballot sheet of paper and any additional ballot sheets of a paper ballot, if applicable, shall conform to the requirements of the reverse side of the first page of a paper ballot.

(j) Contest designation. Each contest on the paper ballot shall be in a box outlined in black type or, in the absence of an outline box, each contest shall have a straight black line above the top of the contest.

(11) Visual display ballots.

(a) Display.

1. The initial or welcome screen shall contain the ballot title set forth in paragraph (5) and may have an icon for the county's seal. The start of the visual introduction or welcome screen can be manual or automatic and may continue on more than one screen.

2. The visual display may have accompanying audio which reads the text on the visual display ballot.

3. The visual display ballot may have color background and color text.

4. The visual display may have contrast and magnification capabilities.

(b) Choice selection. The voter must be able to make selections using a keyboard, number keypad, tactile device, assistive device, mouse, or finger touch.

(c) Ballot instructions. The visual display ballot instructions may appear at any point before the contest choices or may be posted separately and prominently in each voting booth. The instructions on a visual display ballot shall inform the voter how to:

1. Select a language other than English for the ballot and have the remainder of the visual display ballot displayed in the selected language. This instruction is only required if two or more language choices are offered or required in the county for its voting system.

2. Start voting the ballot.

3. Mark a choice and how that choice will be reflected or appear on the screen, to include how to vote for a write-in candidate.

4. Vote for a qualified write-in candidate whose name is not printed on the ballot. This instruction is to be added only in a general election in which one or more write-in candidates have qualified for an office.

5. Change or undo a choice if the voter changes his or her mind on a particular candidate or issue.

6. Proceed to the next ballot page.

7. Go back a screen.

8. Review his or her choices before casting the ballot.

9. Cast the ballot in order for his or her vote to be recorded.

(d) Contest title. Before the listing of the election contests on a visual display ballot, the contest title shall appear as specified in paragraph (6).

(d) Contest order. The visual display ballot shall list the contests in the order specified in paragraph (7).

(f) Contest choices.

a. Below the contest title, the ballot shall direct the voter about the choices in each contest as specified in paragraph (8).

b. Each screen of a visual display ballot may have one or more contests on the screen.

c. Each screen of the visual display ballot shall display all candidates in a contest, but if not all candidates can be displayed at the minimum font size on one screen, the visual display shall indicate that additional candidates are on a following display or on a scroll display.

d. The vote target shall be flush on either the left or right side.

e. The selection of choice may be made at the vote target or anywhere on the line containing the vote target.

f. For any public measures, the text may be displayed on as many screens as necessary to accommodate the text.

Any coding of the text shall be displayed in the same manner as on paper ballots.

(g) Undervoted contest. The visual display ballot shall have a method to indicate to the voter when the voter did not select all allowable vote(s) in a contest and the consequence for not fully selecting votes within a contest.

(h) Final instructions before casting the ballot.

1. The visual display shall indicate to the voter if the voter is about to cast a blank ballot and the consequences of casting a blank ballot.

2. The visual display shall allow the voter to review the ballot and make any desired changes.

3. The visual display shall provide a clear instruction how to cast the ballot and confirm whether the voter desires to cast the ballot.

4. The visual display shall visually display that the ballot was cast and voting is complete.

(12) Hybrid ballot.

(a) Electronic display requirements. The electronic display for a hybrid ballot shall comply with the requirements for a visual display ballot contained in this rule.

(b) Paper output requirements. The paper output ballot from the hybrid ballot need not comply with the requirements for a paper ballot contained in this rule. The paper output may be of any size and format so long as the output can be properly tabulated and contains human readable text for the voter's selections.

(c) Official ballot. When used in reference to hybrid ballots, the official ballot means the paper output from the hybrid ballot on which contains the voter's selections and corresponding barcodes.

(13) Audio ballot.

(a) Audio format.

1. The audio system shall allow the voter to change the volume at any point in the balloting process.

2. An audio voting device may have both a visual display ballot and an audio ballot separately or in combination.

3. A voter voting an absentee ballot may use the voter's own software to produce audio to read a visual display ballot. Software used by the voter to produce audio to read the absentee ballot's visual display shall comply with this rule. The ballot on the electronic display must comply with the requirements of visual display ballot in this rule.

4. Audio can be synthesized voice or recorded human speech, which speech may be a male or female voice.

5. The audio ballot shall have the capability for a voter to use either a headphone or handset to listen to the audio.

6. The audio ballot must produce auditory feedback tones for providing important and necessary information to the voter.

7. All instructions, information, text, and candidate names shall be given without voice inflection so as to favor or disfavor any potential selection

8. The order of election contests on the audio ballot shall be the same as the requirements in paragraph (7).

9. The audio of any displayed coded text shall be heard as if the coded text had been incorporated in the amendment or revision; therefore, the voter shall hear the text in final form as if the amendment or revision received the necessary votes to be adopted.

(b) Audio introduction. The audio system must reset the initial volume to its original setting for each voter. The start of the audio introduction can be manual, automatic, or continual repetition. The default language for the audio ballot is English. The introduction shall repeat itself in all applicable languages until the voter confirms to continue with the ballot in English or makes a change to a different language. The introduction must have instructions regarding how the voter may select an additional language. If the voter chooses another language, the remainder of the audio shall be in the selected language.

(c) The audio ballot must include instructions at the beginning that inform the voter:

1. As to the ballot title, the precinct identification, party identification for a primary election, and the number of contests on the ballot.

2. How to have an instruction repeated.

3. How each contest is indicated on the ballot, which may also include the numbering of each contest to facilitate the voter knowing where within the ballot the contest is located.

4. How to return to a previous contest on the ballot,

5. How to proceed from one contest to another or from one candidate to another.

6. How to make and change a selection in a contest.

7. How to repeat the selections made.

8. How to confirm a choice that has been made.

9. How to enter a write-in candidate's name and vote for the write-candidate.

(d) During the voting session, the audio ballot shall inform the voter regarding:

1. The contest title and optional contest number of the contest, the number of available votes which can be cast in the contest, the number of candidates for the office, the candidates' names and their corresponding party designation, if included on the ballot, and whether a candidate is an incumbent if authorized by s. 101.151, F.S..

2. Any constitutional amendment as specified in the following order:

a. “No. _____ Constitutional Amendment, Article _____, Section _____.”

b. The ballot title for the proposed amendment.

c. The ballot summary for the proposed amendment, or when applicable, the full text of the proposed constitutional amendment or revision, followed by the financial impact statement, if provided.

d. The choices of Yes and No.

3. Any other public measure in the following order: the ballot title, ballot summary, and the choices of Yes and No.

4. When the voter has not made a selection in a contest or has selected less than the allowable number of choices for the contest and the consequences for not fully selecting the available choices within a contest.

5. How the voter can change or undo a selection for a candidate or choice.

6. How the voter can continue to the next contest on the ballot.

7. That the voter has reached the end of the ballot.

8. Review his or her choices before casting the ballot and to make any desired changes.

9. How to cast the ballot.

10. A confirmation that the ballot was cast and that voting has been completed.

(14) Deviation from the rule.

(a) A supervisor of elections may seek approval to deviate from the requirements of this rule for the following reasons:

1. There are more candidates for a contest than will fit in one column or screen.

2. The candidate's name is longer than will allow the party abbreviation to fit to the right of the candidate's name.

3. A candidate's name is too long to fit on one line in the minimum font size.

4. Any other circumstances that dictate deviation.

(b) A supervisor must certify the basis for the request, and submit the request and copy of the proposed ballot for approval to the Division of Elections. Approval must be obtained prior to printing or distributing the ballot.

(c) The Division shall verify the facts and circumstances that justify deviation from the rule prior to giving its approval.

(15) Graphic depiction of sample ballot.

(a) A sample uniform primary and general election ballot adaptable to each type of voting system certified in Florida is depicted in Form DS DE # (eff. /)*[hyperlink to be inserted here to form when rule is adopted]*.

This form is entitled “Compilation of Ballot Image Samples for Certified Voting Systems,” and is hereby incorporated by reference. **BVSC is developing this sample compilation ballot.**

(b) The form in paragraph (a) may be obtained from the Division of Elections, R.A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399-0250, (850) 245-6200, or may be printed directly from the Division of Elections’ website via a link to rules at: www.election.dos.state.fl.us.

(16) **Effective date.** This rule applies to elections held after (future date to be decided upon) _____.

Rulemaking Specific Authority 20.10(3), 97.012(1), 101.151(8), 103.101(6)(5), 105.041(2), FS. Law Implemented 103.021, 101.151(8), 101.161, 105.041, FS. History–New 6-6-02, Amended 9-8-02, 07-13-04, _____.