

STATE OF FLORIDA

OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 17-244 (Emergency Management/Elections – Hurricane Irma)

WHEREAS, on September 4, 2017, I issued Executive Order 17-235, declaring a state of emergency as a result of the threat posed to the State of Florida due to storm conditions forecast as a result of Hurricane Irma; and

WHEREAS, on September 5, 2017, in response to my request, President Donald J. Trump declared a Pre-Landfall Emergency for the State of Florida in preparation for Hurricane Irma; and

WHEREAS, at 9:10 a.m. on September 10, 2017, Hurricane Irma made landfall at Cudjoe Key as a category 4 hurricane, inflicting catastrophic damage to Florida's southernmost communities before traveling north and inflicting severe wind and flood damage to the entire Florida peninsula; and

WHEREAS, on September 10, 2017, in response to my request, President Donald J. Trump issued a Major Disaster Declaration, authorizing federal relief to communities and citizens impacted by Hurricane Irma; and

WHEREAS, in Executive Order 17-236, I postponed and rescheduled the municipal elections in the Cities of Fort Myers and Cape Coral in Lee County from September 12, 2017, until September 26, 2017, as a result of the danger threatened by Hurricane Irma; and

WHEREAS, the Supervisor of Elections for Lee County and the Municipal Clerks for the Cities of Fort Myers and Cape Coral have requested an additional postponement of their respective municipal elections and other applicable deadlines as a result of the emergency circumstances associated with Hurricane Irma;

NOW, THEREFORE, I, RICK SCOTT as Governor of Florida, by virtue of the authority vested in me by Article IV, Section 1(a) of the Florida Constitution and by the Florida Emergency Management

Act, Chapter 252, Florida Statutes, as amended, the Florida Elections Emergency Act, Sections 101.731-101.74, Florida Statutes, and all other applicable laws, promulgate the following Executive Order, to take immediate effect:

Section 1. Based on the foregoing, I declare an existing and continuing possibility of an emergency before and during the scheduled municipal elections. In order to ensure maximum citizen participation of the electoral process and provide a safe and orderly procedure for persons seeking to exercise their right to vote, to minimize area residents' exposure to danger during this emergency, and to protect the integrity of the electoral process, I hereby declare that an election emergency exists in Lee County.

Section 2. The municipal elections referenced above that are scheduled to be held in Lee County on Tuesday, September 26, 2017 are hereby postponed and are rescheduled for Tuesday, October 3, 2017.

Section 3. I direct the Secretary of State to activate the "Comprehensive Emergency Suspension Plan" contained in 1S-9.005, Florida Administrative Code, to assist the affected county in complying with the rule and in determining what other procedures to use to meet any and all logistical difficulties caused by Hurricane Irma that may affect the conduct of its municipal elections.

Section 4. I direct the Supervisor of Elections and/or Municipal Clerks in the affected county to provide the following information to the Secretary of State:

- A. A plan for securing the voting equipment, provisional ballots and ballot boxes at polling locations;
- B. A contingency plan for removing voting equipment, provisional ballots and ballot boxes from polling locations; and

C. As soon as reasonably possible after the storm conditions make it safe, the condition of the polling locations and voting equipment.

Section 5. I direct the Supervisor of Elections and/or Municipal Clerks in the affected county, to the extent they have not already done so, to immediately ensure all voting equipment, provisional ballots, ballot boxes, and all votes that have been cast during early voting and vote-by-mail voting are secured and given full legal effect, and direct the Secretary of State to ensure the same.

Section 6. I authorize the Secretary of State to modify, amend, or suspend any deadline imposed pursuant to Chapters 97 through 106, Florida Statutes, to the extent those deadlines cannot be complied with by any county or candidate due to the emergency declared in Executive Order 17-235. Additionally, I authorize the Secretary of State to waive any statutory requirements for the provision of vote-by-mail ballots to members of the Florida National Guard activated to assist in response to Hurricane Irma.

Section 7. All executive agencies are directed, and all other agencies are requested, to render any aid and assistance needed by the Department of State and the Supervisors of Elections in the affected county to accomplish the purposes of this Executive Order.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, the Capitol, this 15th day of September 2017.



RICK SCOTT, GOVERNOR

ATTEST:



DEPARTMENT OF STATE

FILED
2017 SEP 15 PH 6:00
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA