

STATE OF FLORIDA

**OFFICE OF THE GOVERNOR
EXECUTIVE ORDER NUMBER 17-236
(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, as of 8 p.m. on September 6, 2017, Hurricane Irma is a category 5 hurricane on the Saffir-Simpson Hurricane Wind Scale with maximum sustained winds of 185 mph. Current forecast models predict Hurricane Irma will remain a powerful category 4 or 5 hurricane and head into the Straits of Florida, posing a severe emergency threat to the entire State of Florida; and

WHEREAS, the Cities of Fort Myers and Cape Coral in Lee County; the Village of Virginia Gardens in Miami-Dade County; and the Town of Bronson in Levy County have municipal elections scheduled for Tuesday, September 12, 2017; and

WHEREAS, the storm conditions in one or more of these areas may make it unsafe for voters to travel to polling locations during this period, and may require a number of county and municipal officials and employees who would be involved in conducting election activities to divert their attentions to local emergency management responsibilities; and

WHEREAS, I have consulted with the Secretary of State, who has advised that the Supervisors of Elections and/or Municipal Clerks in the affected counties have requested a suspension or delay of their respective municipal elections and other applicable deadlines affected by 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, Levy, and Miami-Dade Counties.

Section 2. The municipal elections referenced above that are scheduled to be held in Lee, Levy, and Miami-Dade Counties on Tuesday, September 12, 2017 are hereby postponed and are rescheduled for Tuesday, September 26, 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 counties 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 their respective municipal elections.

Section 4. I direct the Supervisors of Elections and/or Municipal Clerks in the affected counties 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 Supervisors of Elections and/or Municipal Clerks in the affected counties, 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 counties 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 6th day of September 2017.



RICK SCOTT, GOVERNOR

ATTEST:



DEPARTMENT OF STATE



FILED
2017 SEP -6 PM 9:07
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA