STATE OF FLORIDA

OFFICE OF THE GOVERNOR
EXECUTIVE ORDER NUMBER 18-283
(Emergency Management—Elections)

WHEREAS, on October 10, 2018, Hurricane Michael made landfall in Bay County as a category 4 hurricane with sustained winds of 155 miles per hour, traveled across North Florida, and exited the state as a category 3 hurricane, disrupting the lives of Floridians throughout the Florida Panhandle; and

WHEREAS, the effects of Hurricane Michael included destruction of and damage to public and private facilities, loss of power to more than 400,000 homes and businesses; disruption in telecommunications capability, damage to public roads and highways, and the evacuation of families from their homes; and

WHEREAS, the effects of Hurricane Michael described above have had a particular impact—continuing to this day—on Bay, Calhoun, Franklin, Gadsden, Gulf, Jackson, Liberty, and Washington Counties (the "Affected Counties"), with reports of severe damage to infrastructure, extended power outages, and telecommunications disruptions; and

WHEREAS, the General Election is scheduled for November 6, 2018, vote-by-mail balloting is already in progress, and the mandatory early voting period is scheduled to begin on Saturday, October 27, 2018; and

WHEREAS, county Supervisors of Elections in the Affected Counties have reported to Florida's Secretary of State that polling locations have sustained damage, that they continue to experience utility and telecommunications disruptions, and/or that they anticipate hardship in providing a sufficient number of adequately trained poll workers at polling locations; and

WHEREAS, ensuring that eligible voters in the Affected Counties have ample opportunities to vote in the General Election is paramount; and

WHEREAS, because of the effects of Hurricane Michael in the Affected Counties, the strict application of some provisions of the Florida Election Code may prevent, hinder, or delay necessary action in coping with the emergency and may preclude local Supervisors of Elections from providing voters in the Affected Counties with the same opportunities to cast ballots as voters outside the Affected Counties;

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, by the Florida Emergency Management Act, as amended, by the Elections Emergency Act, and all other applicable laws, do hereby promulgate the following Executive Order, to take immediate effect:

Section 1 (Early Voting):

Because of the foregoing emergency conditions, I hereby suspend the application of the following limited provisions of Section 101.657, Florida Statutes, in the Affected Counties and establish the following limited exceptions related to early voting:

Each Supervisor of Elections in an Affected County who, as a result of the destruction caused by Hurricane Michael, determines that additional early voting opportunities are necessary to provide the voters in his or her county an adequate opportunity to cast ballots, shall have the authority to:

a. Designate one or more additional or alternative early voting sites, notwithstanding the deadlines and facility eligibility restrictions set forth in Section 101.657(1)(a) and (b), Florida Statutes, provided the early voting sites are geographically located so as to provide all voters in the Affected County an equal opportunity to cast a ballot, insofar as is practicable; and

b. Conduct early voting in the Affected Counties beginning on the 15th day before the General Election and ending on the day of the General Election, at the discretion of the Supervisor of Elections, notwithstanding the provisions of Section 101.657(1)(d), Florida Statutes.

Section 2 (Vote-by Mail Ballots):

Because of the foregoing emergency conditions, I hereby suspend the application of the following limited provisions of section 101.62, Florida Statutes, in the Affected Counties and establish the following limited exceptions relating to vote-by-mail ballots:

a. Notwithstanding the provisions of Section 101.62(1)(b), Florida Statutes, each Supervisor of Elections in an Affected County shall have the authority to accept a written or telephonic request for a vote-by-mail ballot to be mailed to an address other than the elector's address on file in the Florida Voter Registration System in the same manner as is authorized for absent uniformed service voters or overseas voters seeking a vote-by-mail ballot; and

b. Notwithstanding the provisions of Section 101.62(4)(c)1., Florida Statutes, each Supervisor of Elections in an Affected County shall have the authority to send vote-by-mail ballots by forwardable mail to allow electors to accept delivery at an alternative address provided by the elector to the United States Postal Service; and

c. Notwithstanding the provisions of Section 101.62(4)(c)5., Florida Statutes, each Supervisor of Elections in an Affected County shall have the authority to deliver a vote-by-mail ballot to an elector or an elector's immediate family member on the day of the election without requiring the execution of an affidavit affirming facts constituting an emergency.

Section 3 (Relocation or Consolidation of Polling Places):

Because of the foregoing emergency conditions, I hereby suspend the application of the following limited provisions of Section 101.001, Florida Statutes, in the Affected Counties and establish the following limited exceptions relating to polling places:

Notwithstanding the provisions of section 101.001, Florida Statutes, each Supervisor of Elections in an Affected County who, as a result of the destruction caused by Hurricane Michael, determines that it is necessary to relocate or consolidate any polling place, shall have the authority to relocate or consolidate polling places within the Affected County, including relocation or consolidation of polling places with early voting sites.

Section 4 (Poll Watcher Designations):

Because of the foregoing emergency conditions, I hereby suspend the application of the following limited provisions of section 101.131(2), Florida Statutes, in the Affected Counties and establish the following limited exceptions relating to poll watchers:

Notwithstanding the provisions of section 101.131(2), Florida Statutes, any party, political committee, or candidate requesting to have poll watchers shall designate poll watchers for each polling location on a form prescribed by the Division of Elections before noon of the second Friday preceding the General Election.

Section 5 (Election Coordination):

I hereby direct the Secretary of State, as Chief Election Officer, to coordinate efforts between Supervisors of Elections in the Affected Counties and Supervisors of Elections outside the Affected Counties to ensure voting opportunities for those affected by Hurricane Michael, including efforts to ensure the delivery of vote-by-mail ballots to law enforcement, military, first responders, utility lineworkers, and volunteers assisting with recovery efforts; efforts to ensure the delivery of vote-by-mail ballots to residents of nursing homes and hospital patients in the Affected Counties

who were evacuated to facilities outside their counties of residence; and all other appropriate actions consistent with the Florida Election Code and this Executive Order.

All executive agencies are directed, and all other state agencies are requested, to render such aid and assistance as needed by the Supervisors of Elections in the Affected Counties to the end that the purposes of this Executive Order may be accomplished.

Section 6 (Notice to the Public and the Division of Elections):

Each Supervisor of Elections in an Affected County who exercises authority under this Executive Order shall immediately certify that fact to the Director of the Division of Elections of the Florida Department of State and shall provide notice to the public regarding any changes in voting locations or procedures in a manner designed to ensure widespread dissemination of voting information to members of the public in the Affected Counties, including through print and broadcast media, website postings, and posted signage at polling locations.

The Secretary of State is directed to notify me of any Supervisors of Elections in the Affected Counties who avail themselves of the limited exceptions contained in 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 18th day of October, 2018.

Governor

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DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

ATTEST:

SECRETARY OF STATE