

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, STRONGLY OPPOSING SENATE BILL 90, WHICH SEEKS TO CANCEL EXISTING MAIL BALLOT REQUESTS FOR MILLIONS OF VOTERS AROUND THE STATE AND LIMIT VOTE-BY-MAIL APPLICATIONS TO ONE ELECTION CYCLE; AND DIRECTING THE CITY CLERK TO SEND A COPY OF THIS RESOLUTION TO THE SPEAKER OF THE FLORIDA HOUSE OF REPRESENTATIVES, AND THE PRESIDENT OF THE FLORIDA SENATE.

WHEREAS, Section 101.62, Florida Statutes, currently permits voters in the State of Florida to request a vote-by-mail ballot for up to two regularly scheduled general elections, allowing a single request to entitle the voter to receive a vote-by-mail ballot for both local and state elections for up to four years; and

WHEREAS, after a record 4.8 million Floridians voted by mail in November 2020, the Senate Ethics and Elections Committee approved Senate Bill 90 ("SB 90") to limit vote-by-mail applications to one election cycle and require everyone who signed up for mail ballots in 2020 to reapply to get them in 2022; and

WHEREAS, SB 90 explicitly provides that voters who have already requested a vote-by-mail ballot prior to the July 1, 2021 effective date would have their vote-by-mail ballot request cancelled and must affirmatively resubmit a request to receive a vote-by-mail ballot for any local, state or federal election after July 1, 2021; and

WHEREAS, if enacted, SB 90 would cancel existing mail ballot requests for millions of voters around the state and will create havoc in upcoming local elections; and

WHEREAS, in Miami-Dade County alone, more than 404,000 voters scheduled to receive mail ballots over the next two years would be wiped from the list, according to Miami-Dade County Supervisor of Elections Christina White; and

WHEREAS, Miami-Dade voters who would be most immediately impacted by SB 90 are the 107,000 total voters in the cities of Miami Beach, Virginia Gardens, Homestead, Hialeah, and Miami, who have already requested a mail ballots for municipal elections that fall between September and November; and

WHEREAS, the City of Miami Beach will conduct municipal elections on November 2, 2021, and 15,719 current voters who properly and timely requested a vote-by-mail ballot in accordance with Florida law will have their vote-by-mail ballot requests cancelled; and

WHEREAS, these voters relied in good-faith on the existing provisions of Florida's elections laws and currently believe that the Miami-Dade County Supervisor of Elections will mail them a vote-by-mail ballot for their municipal elections; and

WHEREAS, the change to the mail-in ballot dates was opposed by Florida's non-partisan elections supervisors, who last week warned lawmakers about tinkering with Florida's election laws after the state conducted the first election in years that wasn't marred by problems; and

WHEREAS, moreover, SB 90 was also opposed by the organization that represents county supervisors of elections, since the cost of alerting voters of the changes will be shouldered by individual counties and not by the state, in times where supervisors of elections already face budget constrictions and taxing constraints; and

WHEREAS, SB 90 would add another step to the voting process, and would require a tremendous amount of outreach and education, in order to avoid inevitable voter disenfranchisement; and

WHEREAS, as such, the Mayor and City Commission declare their strong opposition to SB 90 and any other similar legislation.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby strongly oppose Senate Bill 90, which seeks to cancel existing mail ballot requests for millions of voters around the state and limit vote-by-mail applications to one election cycle; and direct the City Clerk to transmit a copy of this Resolution to the Speaker of the Florida House of Representatives, and the President of the Florida Senate.

PASSED AND ADOPTED this ___ day of _____, 2021.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Commissioner Micky Steinberg)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

3-9-21

Date