



Frequently Asked Questions - Recount Procedures for General Election (rev. 9.2018)

WHAT IS THE APPLICABLE LAW FOR RECOUNTS?

- Sections [102.141\(7\)](#) and [102.166](#), Fla. Stat. (2013), and [Rule 1S-2.031](#), Fla. Admin. Code.

WHAT DOES A RECOUNT CONSIST OF? (s. 102.141(7), F.S.; AND s. 102.166, F.S.)

- A recount may consist only of a machine recount or both a machine and manual recount.
- The **Machine Recount** means **all ballots are retabulated** (“re-fed”) through the machine. Ballots with overvotes and undervotes in the affected race(s) are subsequently “set-aside” in case a manual recount is triggered.
- The **Manual Recount** is solely a **hand recount of overvotes and undervotes in the affected race** “set-aside” from the machine recount.
 - Overvote = where the voter designated more choices than allowed in the recounted race(s).
 - Undervote = where the voter made no choice or less than number of allowable choices in the recounted race(s).
 - The canvassing board designates **counting teams** to manually review the ballots and determine the voters’ intent in the recounted race(s). If the counting team is unable to decide or if a representative files an objection to the team’s decision, the canvassing board decides the matter by majority vote.

WHAT TRIGGERS A RECOUNT?

- A **Machine Recount** is triggered if the **1st set of unofficial returns** indicates that by a margin of $\leq \frac{1}{2}$ of 1% of the total votes cast for the affected contest, a candidate for office was defeated or eliminated, a judicial candidate for retention was retained or not retained, or a public measure (e.g., constitutional amendment) was approved or rejected.
 - **Exception to conducting a machine recount:** A candidate(s) defeated or eliminated by such contention may ask that the recount not be conducted.
 - **Results:** The results of the machine recount are included in the 2nd set of unofficial returns.
- A **Manual Recount** is triggered if the **2nd set of unofficial returns** indicates that by a margin of $\leq \frac{1}{4}$ of 1% of the total votes cast for the affected contest, a candidate for office was defeated or eliminated, a judicial candidate for retention was retained or not retained, or a public measure (e.g., constitutional amendment) was approved or rejected.
 - **Exceptions to conducting a manual recount:**
 - If a candidate(s) defeated or eliminated by such contention asks that no recount be held; OR
 - If the number of overvotes and undervotes is less than the number of votes needed to change the elections’ outcome.
 - **Results:** The results of the manual recount are included in the official returns.

WHO ORDERS A RECOUNT?

- Once statutory thresholds are met, an order must be entered before a recount can begin.
 - The Secretary of State orders any recount, once triggered, for federal, state, or multicounty or district contest.
 - For all other contests on the ballot, the county canvassing board orders the recount.
- No one, not even a candidate, political party, or political committee can request a recount.

WHO CONDUCTS A RECOUNT?

- The local canvassing board(s) with the assistance of staff from the Supervisor(s) of Elections’ office conducts recounts.

WHAT NOTICE IS REQUIRED?

- **Public notice of a recount must be provided** as soon as possible given the circumstances and limited time schedule.
- Machine and manual recounts are **open to the public**.
- Before the start of a machine recount, a **public test of the tabulating equipment** must occur.
- Notice must be specifically provided to affected candidates involved in the race(s) to be recounted.
 - **Candidate/political party representatives.** Each candidate in the affected race may designate one representative per counting team, plus one representative for the canvassing board to observe the recount. If it is a partisan race, each political party involved in the recount is entitled to one representative.

WHEN ARE ELECTIONS RETURNS FOR 2018 GENERAL ELECTION DUE?

- The **1st set of Unofficial Returns** is due no later than Noon, Saturday, November 10, 2018. (s. 102.141(5), F.S.)
- The **2nd set of Unofficial Returns** is due no later than 3 PM, Thursday, November 15, 2018. (s. 102.141(7)(c), F.S.)
- **The Official returns** are due no later than Noon, Sunday, November 18, 2018. (s. 102.112(2), F.S.)
- The **Elections Canvassing Commission** certifies the Official Returns, 9 AM, Tuesday, November 20, 2018. (s. 102.111, F.S.)