

HB 481

2014

1 A bill to be entitled

2 An act relating to public records; amending s.
3 97.0585, F.S.; limiting applicability of public
4 records exemptions related to voter registration
5 applicants and voters to information obtained for the
6 purpose of voter registration; providing an exemption
7 from public records requirements for the date of birth
8 of voter registration applicants and voters; providing
9 for future legislative review and repeal of the
10 exemption; providing a statement of public necessity;
11 providing an effective date.

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13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Section 97.0585, Florida Statutes, is amended to
16 read:

17 97.0585 Public records exemption; information regarding
18 voters and voter registration; confidentiality.-

19 (1) The following information held by an agency as defined
20 in s. 119.011, and obtained for the purpose of voter
21 registration, is confidential and exempt from s. 119.07(1) and
22 s. 24(a), Art. I of the State Constitution and may be used only
23 for purposes of voter registration:

24 (a) All declinations to register to vote made pursuant to
25 ss. 97.057 and 97.058.

26 (b) Information relating to the place where a person

27 registered to vote or where a person updated a voter
 28 registration.

29 (c) The social security number, driver's license number,
 30 and Florida identification number of a voter registration
 31 applicant or voter.

32 (d) The date of birth of a voter registration applicant or
 33 voter.

34 (2) The signature of a voter registration applicant or a
 35 voter is exempt from the copying requirements of s. 119.07(1)
 36 and s. 24(a), Art. I of the State Constitution.

37 (3) The names, addresses, and telephone numbers of persons
 38 who are victims of stalking or aggravated stalking are exempt
 39 from s. 119.07(1) and s. 24(a), Art. I of the State Constitution
 40 in the same manner that the names, addresses, and telephone
 41 numbers of participants in the Address Confidentiality Program
 42 for Victims of Domestic Violence which are held by the Attorney
 43 General under s. 741.465 are exempt from disclosure, provided
 44 that the victim files a sworn statement of stalking with the
 45 Office of the Attorney General and otherwise complies with the
 46 procedures in ss. 741.401-741.409.

47 (4) This section applies to information held by an agency
 48 before, on, or after the effective date of this exemption.

49 (5) (a) Subsection (3) is subject to the Open Government
 50 Sunset Review Act in accordance with s. 119.15 and shall stand
 51 repealed on October 2, 2015, unless reviewed and saved from
 52 repeal through reenactment by the Legislature.

53 (b) Paragraph (1)(d) is subject to the Open Government
54 Sunset Review Act in accordance with s. 119.15 and shall stand
55 repealed on October 2, 2019, unless reviewed and saved from
56 repeal through reenactment by the Legislature.

57 Section 2. The Legislature finds that it is a public
58 necessity that the date of birth of a voter registration
59 applicant or voter that is held by an agency and obtained for
60 the purpose of voter registration be made confidential and
61 exempt from s. 119.07(1) and s. 24(a), Article I of the State
62 Constitution. An individual's date of birth is personal,
63 sensitive information that must be protected and could be
64 misused by a dishonest person if placed in the public domain
65 with the applicant or voter's name. By matching a name and date
66 of birth, a dishonest person could commit identity theft,
67 causing financial damage to the voter registration applicant or
68 voter and destroying his or her credit. The potential for harm
69 that results from placing a person's date of birth into the
70 public domain, accompanied by the person's name, far exceeds any
71 perceived public good or access that could result from keeping
72 the date of birth information private.

73 Section 3. This act shall take effect July 1, 2014.