

By the Committee on Appropriations; and Senators Hutson and Baxley

576-01823-18

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1 A bill to be entitled  
2 An act relating to voter registration list  
3 maintenance; amending s. 98.075, F.S.; authorizing the  
4 Department of State to become a member of a  
5 nongovernmental entity to verify voter registration  
6 information; establishing requirements for such  
7 memberships; requiring the Department of Highway  
8 Safety and Motor Vehicles to provide specified  
9 information to the Department of State; establishing  
10 reporting requirements; providing an effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

13  
14 Section 1. Subsection (2) of section 98.075, Florida  
15 Statutes, is amended to read:

16 98.075 Registration records maintenance activities;  
17 ineligibility determinations.—

18 (2) DUPLICATE REGISTRATION.—

19 (a) The department shall identify those voters who are  
20 registered more than once within the state or those applicants  
21 whose registration applications within the state would result in  
22 duplicate registrations. The most recent application shall be  
23 deemed an update to the voter registration record.

24 (b)1. The department may become a member of a  
25 nongovernmental entity whose membership is composed solely of  
26 election officials of state governments and the District of  
27 Columbia if the sole purpose of the membership is to share and  
28 exchange information in order to verify voter registration  
29 information. If the department intends to become a member of

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30 such a nongovernmental entity, the agreement to join the entity  
31 must require that the Secretary of State, or his or her  
32 designee, serve as a full member with voting rights on the  
33 nongovernmental entity's board of directors within 12 months  
34 after joining the entity.

35 2. The department may share confidential and exempt  
36 information after becoming a member of a nongovernmental entity  
37 as provided in subparagraph 1. if:

38 a. Each member of the nongovernmental entity agrees to  
39 maintain the confidentiality of such information as required by  
40 the laws of the jurisdiction providing the information; or

41 b. The bylaws of the nongovernmental entity require member  
42 jurisdictions and the entity to maintain the confidentiality of  
43 information as required by the laws of the jurisdiction  
44 providing the information.

45 3. The department may only become a member of a  
46 nongovernmental entity as provided in subparagraph 1. if the  
47 entity is controlled and operated by the participating  
48 jurisdictions. The entity may not be operated or controlled by  
49 the Federal Government or any other entity acting on behalf of  
50 the Federal Government. The department must be able to withdraw  
51 at any time from any such membership entered into.

52 4. If the department becomes a member of a nongovernmental  
53 entity as provided in subparagraph 1., the Department of Highway  
54 Safety and Motor Vehicles must, pursuant to a written agreement  
55 with the department, provide driver license or identification  
56 card information to the department for the purpose of sharing  
57 and exchanging voter registration information with the  
58 nongovernmental entity.

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59       5. If the department becomes a member of a nongovernmental  
60 entity as provided in subparagraph 1., the department must  
61 submit a report to the Governor, the President of the Senate,  
62 and the Speaker of the House of Representatives by December 1 of  
63 each year. The report must describe the terms of the  
64 nongovernmental entity membership and provide information on the  
65 total number of voters removed from the voter registration  
66 system as a result of the membership and the reasons for their  
67 removal.

68       Section 2. This act shall take effect January 1, 2019.