

By Senator Clemens

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201864__

1 A bill to be entitled
2 An act relating to voter registration; amending s.
3 97.057, F.S.; revising procedures governing voter
4 registration administered by the Department of Highway
5 Safety and Motor Vehicles; providing that driver
6 license or identification card applications, driver
7 license or identification card renewal applications,
8 and changes of address for existing driver licenses or
9 identification cards submitted to the department serve
10 as voter registration applications; specifying that an
11 applicant must consent to the use of his or her
12 signature for voter registration purposes; requiring
13 specified applications to include a voter registration
14 component; specifying required content for the voter
15 registration component; providing for paper-based
16 applications; requiring the supervisor of elections to
17 provide a notification of registration to each
18 applicant; providing that an applicant is registered,
19 or has his or her voter registration record updated,
20 if he or she fails to respond to the notification
21 within a specified timeframe; requiring the supervisor
22 to forward declinations to the statewide voter
23 registration system; amending s. 98.045, F.S.;
24 conforming a cross-reference; providing an effective
25 date.

26
27 WHEREAS, voter registration is one of the biggest barriers
28 to full participation in our democracy, and

29 WHEREAS, Congress enacted the National Voter Registration

31-00125-18

201864__

30 Act of 1993, commonly known as the "Motor Voter Act," with
31 findings recognizing that the right of citizens to vote is a
32 fundamental right and that federal, state, and local governments
33 have the duty to promote the exercise of this right, and

34 WHEREAS, the Legislature intends to provide residents of
35 this state with enhanced access to participate in democracy
36 through the exercise of their fundamental right to vote by
37 streamlining and modernizing voter registration procedures used
38 by the Department of Highway Safety and Motor Vehicles, NOW,
39 THEREFORE,

40

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

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43 Section 1. Subsections (1) through (5) of section 97.057,
44 Florida Statutes, are amended, new subsections (6) and (7) are
45 added to that section, and present subsections (6) through (12)
46 of that section are renumbered as subsections (8) through (14),
47 respectively, to read:

48 97.057 Voter registration by the Department of Highway
49 Safety and Motor Vehicles.—

50 (Substantial rewording of subsections. See
51 s. 97.057(1)-(5), F.S., for present text.)

52 (1) Each of the following serves as an application to
53 register to vote or to update a voter registration record when
54 submitted to the Department of Highway Safety and Motor
55 Vehicles:

56 (a) An application for a driver license, including a
57 renewal application or a change of address for an existing
58 driver license.

31-00125-18

201864__

59 (b) An application for an identification card issued
60 pursuant to chapter 322, including a renewal application or a
61 change of address for an existing identification card.

62
63 For voter registration purposes, an applicant must consent to
64 the use of the signature from his or her driver license or
65 identification card application unless the applicant declines to
66 register to vote or declines to update his or her voter
67 registration record.

68 (2) An application for a driver license or an
69 identification card must include a voter registration component.
70 The voter registration component must be approved by the
71 Department of State. The voter registration component of a
72 driver license or identification card application must contain:

73 (a) The minimum amount of information necessary to prevent
74 duplicate voter registrations and preserve the ability of the
75 department and supervisors of elections to assess the
76 eligibility of the applicant and to administer voter
77 registration and other provisions of the Florida Election Code.

78 (b) A statement setting forth voting eligibility
79 requirements.

80 (c) An explanation that the applicant has consented, for
81 voter registration purposes, to the use of his or her signature
82 from the applicant's driver license or identification card
83 application. By consenting to the use of his or her signature,
84 the applicant is deemed to have subscribed to the oath required
85 by s. 3, Art. VI of the State Constitution and s. 97.051 and to
86 have sworn and affirmed that the voter registration information
87 contained in the application is true under penalty for false

31-00125-18

201864__

88 swearing pursuant to s. 104.011.

89 (d) An option that allows the applicant to decline to
90 register to vote or to decline to update his or her voter
91 registration record. The Department of Highway Safety and Motor
92 Vehicles shall note any such declination in its records and
93 forward the declination to the statewide voter registration
94 system.

95 (3) The Department of Highway Safety and Motor Vehicles
96 shall develop a voter registration component for paper-based
97 renewal applications which meets the requirements in subsection
98 (2). The voter registration component must be approved by the
99 Department of State.

100 (4) The Department of Highway Safety and Motor Vehicles
101 shall electronically transmit the voter registration component
102 of an applicant's driver license or identification card
103 application to the statewide voter registration system within 24
104 hours after receipt. Upon receipt of the voter registration
105 component, the Department of State shall provide the information
106 to the supervisor of the county in which the applicant has been
107 registered as an elector. For completed paper-based
108 applications, the Department of Highway Safety and Motor
109 Vehicles shall forward the voter registration component to the
110 supervisor of the county where the office that processes or
111 receives that application is located within 5 days after
112 receipt.

113 (5) Following receipt of voter registration information,
114 the supervisor shall notify each applicant of the process to:

115 (a) Decline being registered as an elector or decline to
116 update his or her voter registration record.

31-00125-18

201864__

117 (b) Designate a party affiliation if the applicant is not
118 currently registered to vote in this state.

119 (6) If an applicant who is notified under subsection (5)
120 does not decline to be registered as an elector or does not
121 decline to update his or her voter registration record within 21
122 calendar days after the supervisor issues the notification, the
123 applicant's voter registration component of his or her
124 application constitutes a completed voter registration
125 application for purposes of this chapter. The applicant shall be
126 registered to vote if the supervisor determines that the
127 applicant is eligible to vote under s. 97.041 and the applicant
128 is not already registered to vote. An applicant who does not
129 respond to the notification to designate a party affiliation
130 shall be registered without party affiliation as provided under
131 s. 97.053(5) (b).

132 (7) If an applicant declines to register to vote or
133 declines to update his or her voter registration record after
134 receiving a notification issued pursuant to subsection (5), the
135 supervisor shall note such declination in his or her records and
136 forward the declination to the statewide voter registration
137 system. However, an applicant's declination may not be used for
138 any purpose other than voter registration.

139 Section 2. Paragraph (b) of subsection (4) of section
140 98.045, Florida Statutes, is amended to read:

141 98.045 Administration of voter registration.—

142 (4) STATEWIDE ELECTRONIC DATABASE OF VALID RESIDENTIAL
143 STREET ADDRESSES.—

144 (b) The department shall make the statewide database of
145 valid street addresses available to the Department of Highway

31-00125-18

201864__

146 Safety and Motor Vehicles as provided in s. 97.057(12) ~~s.~~
147 ~~97.057(10)~~. The Department of Highway Safety and Motor Vehicles
148 shall use the database for purposes of validating the legal
149 residential addresses provided in voter registration
150 applications received by the Department of Highway Safety and
151 Motor Vehicles.

152 Section 3. This act shall take effect January 1, 2019.