

THE FLORIDA SENATE
2015 SUMMARY OF LEGISLATION PASSED
Committee on Ethics and Elections

SB 184 — Federal Write-In Absentee Ballot

by Senators Evers and Gaetz

The bill eliminates the restriction that a Federal Write-In Absentee Ballot (FWAB) can only be used for state and local elections involving two or more candidates. This allows absent uniformed services and overseas voters to use an FWAB as a “back-up” ballot for *all* federal, state, and local elections — including judicial retention elections and ballot questions.

The bill also delays the canvassing of an FWAB until 10 days after the presidential preference primary or general election. This will allow the voter’s official absentee ballot to be canvassed (in lieu of an FWAB) if it is received during that 10-day window.

If approved by the Governor, these provisions take effect July 1, 2015.

Vote: Senate 37-0; House 118-0

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2015 SUMMARY OF LEGISLATION PASSED
Committee on Ethics and Elections

CS/CS/SB 228 — Online Voter Registration

by Appropriations Committee; Ethics and Elections Committee; and Senators Clemens and Richter

The bill directs the Division of Elections in the Department of State to develop an operational, online voter registration application system by October 1, 2017. The Division of Elections must develop security measures to prevent unauthorized tampering with a voter's registration information, including the use of a unique identifier for each applicant. The online voter registration application system must comply with the Agency for State Technology's information technology security provisions. The Division of Elections is required to conduct a comprehensive risk assessment before making the system available to the public and every two years thereafter. The risk assessment must comply with the risk assessment methodology developed by the Agency for State Technology. The system must also comply with certain federal laws to ensure equal access to voters with disabilities.

The online voter registration application system must be designed to submit a voter registration application and update voter registration information and obtain information sufficient to establish an applicant's eligibility to vote. Information sufficient to establish an applicant's eligibility to vote includes the information required for the statewide voter registration application pursuant to s. 97.052, F.S. The system must be able to compare an applicant's driver license number and date of birth with Department of Highway Safety and Motor Vehicles ("DHSMV") records. If the information provided does not match DHSMV records, the system must allow the person to print an application to mail to the Supervisor of Elections. The system must also be able to generate an immediate electronic confirmation that the Supervisor of Elections has received the application and provide instructions on how to check the status of the application. The bill provides an appropriation of \$1.8 million in nonrecurring funds from the Federal Grants Trust Fund for the development and implementation of the online voter registration application system.

The Division of Elections is required to submit a report to the President of the Senate and the Speaker of the House of Representatives regarding the implementation of online voter registration applications no later than January 1, 2016.

If approved by the Governor, these provisions take effect July 1, 2015.

Vote: Senate 37-3; House 109-9

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SB 984 — Exemption from Legislative Lobbying Requirements

by Senator Braynon

The bill clarifies that the use of a public facility or public property provided from a governmental entity to a legislator for a public purpose is not an expenditure for purposes of the “legislative expenditure ban” in s. 11.045, F.S., regardless of whether the governmental entity is a principal. Unlike the current Rules of the Florida Senate and the Administrative Policy Manual of the Florida House of Representatives, this statutory exception does not include any requirement for approval by the presiding officers prior to the expenditure being made between the governmental entity and the legislator.

If approved by the Governor, these provisions take effect July 1, 2015.

Vote: Senate 38-0; House 119-0

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CS/SB 7034 — OGSR/Stalking Victims Identifying Information

by Governmental Oversight and Accountability Committee and Ethics and Elections Committee

The bill is the result of an Open Government Sunset Review conducted by the Ethics and Elections Committee. It continues the “voter stalking exemption” that the Legislature adopted in 2010, exempting from public records disclosure the names, addresses, and telephone numbers of stalking victims who participate in the Attorney General’s Address Confidentiality Program for Victims of Domestic Violence.

If approved by the Governor, these provisions take effect October 1, 2015.

Vote: Senate 37-0; House 118-0

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HB 7035 — Presidential Preference Primary Date

by Rules, Calendar and Ethics Committee and Rep. Workman (SB 7036 by Ethics and Elections Committee)

The bill (Chapter 2015-5, L.O.F.) sets the date for the Florida presidential preference primary (“PPP”) on the 3rd Tuesday in March of each presidential election year, which has the immediate effect of moving the PPP in 2016 from March 1 to March 15.

These provisions became law upon approval by the Governor on March 19, 2015.

Vote: Senate 39-0; House 114-0