

STORAGE NAME: h1025.er

DATE: March 7, 1999

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
ELECTION REFORM
ANALYSIS**

BILL #: HB 1025

RELATING TO: Voter Registration

SPONSOR(S): Representative(s) Rojas and Barreiro

COMPANION BILL(S): SB 1276(i)

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) ELECTION REFORM
 - (2) REAL PROPERTY & PROBATE
 - (3) FINANCE AND TAXATION
 - (4)
 - (5)
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I. SUMMARY:

HB 1025 revises the uniform statewide voter registration application to eliminate both the solicitation of information relating to the address of property granted a homestead exemption, if any, and the notice to the applicant relating to the consequences of registering to vote in a precinct other than that in which the homestead property granted such an exemption is located. This bill also eliminates the requirement that a supervisor of elections forward the names and homestead addresses of such persons to the local property appraiser, and the corresponding requirement that the property appraiser examine such information to determine whether to initiate procedures to terminate the homestead exemption and assess back taxes.

This bill does not appear to have a significant fiscal impact on state or local governments.

HB 1025 has an effective date of July 1, 1999.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

Chapter 98-129, Laws of Florida, amended the Uniform Statewide Voter Registration Application to elicit the address of property for which an applicant has been granted a homestead exemption, if any, and to provide notice to such applicant that any person who has been granted a homestead exemption in the State of Florida who registers to vote in a precinct other than the one in which the homestead property is located, shall have that information forwarded to the local property appraiser for review, which could result in the homestead exemption being terminated and the assessment of back taxes. [Section 97.052(2)(3), F.S., 1998 Supplement].

In addition, the supervisors of elections and local property appraisers were given new responsibilities to conform. Under Chapter 98-129, Laws of Florida, the supervisors of elections are responsible for forwarding the name and address of any person registering to vote at an address other than that at which the person claims a homestead exemption to the appropriate property appraiser. In turn, the property appraiser is directed to examine such referrals and to initiate procedures to terminate the homestead exemption and assess back taxes, if appropriate under the law. [See, section 98.015(11), F.S., 1998 Supplement and section 196.141(2), F.S., 1998 Supplement].

These provisions are effective July 1, 1999.

B. EFFECT OF PROPOSED CHANGES:

HB 1025 seeks to revise the Uniform Statewide Voter Registration Application to eliminate both the solicitation of information relating to the address of any property granted a homestead exemption, and the notice to the applicant relating to the consequences of registering to vote in a precinct other than that in which the homestead property is located. It also seeks to eliminate the requirement that the local supervisor of elections must forward the name and address of any applicant registering to vote at an address other than that at which they claim a homestead exemption, and the corresponding requirement that the property appraiser examine such forwarded information to determine whether to initiate termination proceedings and assess back taxes.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

No.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

Yes. Supervisors of Elections and Property Appraisers would not be required to elicit, forward or review information regarding a voter's homestead exemption.

(3) any entitlement to a government service or benefit?

No.

b. If an agency or program is eliminated or reduced:

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

Not applicable.

(2) what is the cost of such responsibility at the new level/agency?

Not applicable.

(3) how is the new agency accountable to the people governed?

Not applicable.

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

No.

b. Does the bill require or authorize an increase in any fees?

No.

c. Does the bill reduce total taxes, both rates and revenues?

No.

d. Does the bill reduce total fees, both rates and revenues?

No.

e. Does the bill authorize any fee or tax increase by any local government?

No.

3. Personal Responsibility:

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

No.

b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

Not applicable.

4. Individual Freedom:

a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

Not applicable.

b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

Not applicable.

5. Family Empowerment:

a. If the bill purports to provide services to families or children:

(1) Who evaluates the family's needs?

Not applicable.

(2) Who makes the decisions?

Not applicable.

(3) Are private alternatives permitted?

Not applicable.

(4) Are families required to participate in a program?

Not applicable.

(5) Are families penalized for not participating in a program?

Not applicable.

b. Does the bill directly affect the legal rights and obligations between family members?

No.

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

(1) parents and guardians?

Not applicable.

(2) service providers?

Not applicable.

(3) government employees/agencies?

Not applicable.

D. STATUTE(S) AFFECTED:

Amending section 97.052(2) and (3), F.S., 1998 Supplement; repealing section 98.015(11), F.S., 1998 Supplement; amending section 196.141, F.S., 1998 Supplement.

E. SECTION-BY-SECTION ANALYSIS:

This section need be completed only in the discretion of the Committee.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

Undetermined at this time. The Division of Elections will be revising the voter registration forms for distribution *prior* to July 1, 1999 due to other legislative changes made during the 1998 legislative session.

2. Recurring Effects:

Not applicable.

3. Long Run Effects Other Than Normal Growth:

Not applicable.

4. Total Revenues and Expenditures:

Not applicable.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

Undetermined at this time.

2. Recurring Effects:

Not applicable.

3. Long Run Effects Other Than Normal Growth:

Not applicable.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

Not applicable.

2. Direct Private Sector Benefits:

Not applicable.

3. Effects on Competition, Private Enterprise and Employment Markets:

Not applicable.

D. FISCAL COMMENTS:

None.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

Election laws are exempt from the requirements of Article VII, Section 18, Florida Constitution.

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B. REDUCTION OF REVENUE RAISING AUTHORITY:

Not applicable.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

Not applicable.

V. COMMENTS:

None.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

COMMITTEE ON ELECTION REFORM:

Prepared by:

Staff Director:

Dawn Roberts

Dawn Roberts