

By Senator Gutman

34-1108-99

See HB

1                                   A bill to be entitled  
2           An act relating to voter registration; amending  
3           s. 97.052, F.S.; eliminating information and  
4           notice requirements relating to homestead  
5           exemption from the uniform statewide voter  
6           registration application; repealing s.  
7           98.015(11), F.S.; eliminating the requirement  
8           that a supervisor of elections must forward to  
9           the property appraiser the names and homestead  
10          addresses of persons registering to vote at an  
11          address other than that at which they claim a  
12          homestead exemption; amending s. 196.141, F.S.;  
13          eliminating the requirement that the property  
14          appraiser examine such forwarded information to  
15          determine whether to initiate procedures to  
16          terminate a person's homestead exemption and  
17          assess back taxes; providing an effective date.

18  
19 Be It Enacted by the Legislature of the State of Florida:

20  
21           Section 1. Subsections (2) and (3) of section 97.052,  
22 Florida Statutes, 1998 Supplement, as amended by chapter  
23 98-129, Laws of Florida, are amended to read:

24           97.052 Uniform statewide voter registration  
25 application.--

26           (2) The uniform statewide voter registration  
27 application must be designed to elicit the following  
28 information from the applicant:

- 29           (a) Full name.
- 30           (b) Date of birth.
- 31           (c) Address of legal residence.

- 1           (d) Mailing address, if different.
- 2           (e) County of legal residence.
- 3           ~~(f) Address of property for which the applicant has~~  
4 ~~been granted a homestead exemption, if any.~~
- 5           (f)~~(g)~~ Race or ethnicity that best describes the  
6 applicant:
- 7           1. American Indian or Alaskan Native.
- 8           2. Asian or Pacific Islander.
- 9           3. Black, not Hispanic.
- 10          4. White, not Hispanic.
- 11          5. Hispanic.
- 12          (g)~~(h)~~ Sex.
- 13          (h)~~(i)~~ Party affiliation.
- 14          (i)~~(j)~~ Whether the applicant needs assistance in  
15 voting.
- 16          (j)~~(k)~~ Name and address where last registered.
- 17          (k)~~(l)~~ Last four digits of the applicant's social  
18 security number.
- 19          (l)~~(m)~~ Florida driver's license number or the  
20 identification number from a Florida identification card  
21 issued under s. 322.051.
- 22          (m)~~(n)~~ Telephone number (optional).
- 23          (n)~~(o)~~ Signature of applicant under penalty for false  
24 swearing pursuant to s. 104.011, by which the person  
25 subscribes to the oath required by s. 3, Art. VI of the State  
26 Constitution and s. 97.051, and swears or affirms that the  
27 information contained in the registration application is true.
- 28          (o)~~(p)~~ Whether the application is being used for  
29 initial registration, to update a voter registration record,  
30 or to request a replacement registration identification card.
- 31

1           (p)~~(q)~~ Whether the applicant is a citizen of the  
2 United States.

3           (q)~~(r)~~ That the applicant has not been convicted of a  
4 felony or, if convicted, has had his or her civil rights  
5 restored.

6           (r)~~(s)~~ That the applicant has not been adjudicated  
7 mentally incapacitated with respect to voting or, if so  
8 adjudicated, has had his or her right to vote restored.

9  
10 The registration form must be in plain language and designed  
11 so that convicted felons whose civil rights have been restored  
12 and persons who have been adjudicated mentally incapacitated  
13 and have had their voting rights restored are not required to  
14 reveal their prior conviction or adjudication.

15           (3) The uniform statewide voter registration  
16 application must also contain:

17           (a) The oath required by s. 3, Art. VI of the State  
18 Constitution and s. 97.051.

19           (b) A statement specifying each eligibility  
20 requirement under s. 97.041.

21           (c) The penalties provided in s. 104.011 for false  
22 swearing in connection with voter registration.

23           (d) A statement that, if an applicant declines to  
24 register to vote, the fact that the applicant has declined to  
25 register will remain confidential and may be used only for  
26 voter registration purposes.

27           (e) A statement that informs the applicant who chooses  
28 to register to vote or update a voter registration record that  
29 the office at which the applicant submits a voter registration  
30 application or updates a voter registration record will remain  
31

1 confidential and may be used only for voter registration  
2 purposes.

3 ~~(f) A statement that informs the applicant that any~~  
4 ~~person who has been granted a homestead exemption in this~~  
5 ~~state, and who registers to vote in any precinct other than~~  
6 ~~the one in which the property for which the homestead~~  
7 ~~exemption has been granted, shall have that information~~  
8 ~~forwarded to the property appraiser where such property is~~  
9 ~~located, which may result in the person's homestead exemption~~  
10 ~~being terminated and the person being subject to assessment of~~  
11 ~~back taxes under s. 193.092, unless the homestead granted the~~  
12 ~~exemption is being maintained as the permanent residence of a~~  
13 ~~legal or natural dependent of the owner and the owner resides~~  
14 ~~elsewhere.~~

15 Section 2. Subsection (11) of section 98.015, Florida  
16 Statutes, 1998 Supplement, is repealed:

17 98.015 Supervisor of elections; election, tenure of  
18 office, compensation, custody of books, office hours,  
19 successor, seal; appointment of deputy supervisors; duties.--

20 ~~(11) Each supervisor of elections shall forward to the~~  
21 ~~property appraiser for the county in which the homestead is~~  
22 ~~claimed the name of the person and the address of the~~  
23 ~~homestead of each person who registers to vote at an address~~  
24 ~~other than that at which the person claims a homestead~~  
25 ~~exemption, as disclosed on the uniform statewide voter~~  
26 ~~registration application pursuant to s. 97.052.~~

27 Section 3. Section 196.141, Florida Statutes, 1998  
28 Supplement, is amended to read:

29 196.141 Homestead exemptions; duty of property  
30 appraiser.--

31

1           (1) The property appraiser shall examine each claim  
2 for exemption filed with or referred to him or her and shall  
3 allow the same, if found to be in accordance with law, by  
4 marking the same approved and by making the proper deductions  
5 on the tax books.

6           ~~(2) The property appraiser shall examine each~~  
7 ~~referral, of a person registering to vote at an address~~  
8 ~~different from the one where the person has filed for a~~  
9 ~~homestead exemption, which has been provided by a supervisor~~  
10 ~~of elections pursuant to s. 98.015. The property appraiser~~  
11 ~~shall initiate procedures to terminate a person's homestead~~  
12 ~~exemption and assess back taxes, if appropriate, if the person~~  
13 ~~claiming such exemption is not entitled to the exemption under~~  
14 ~~law.~~

15           Section 4. This act shall take effect July 1, 1999.

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18           HOUSE SUMMARY

19  
20           Revises the uniform statewide voter registration  
21 application to eliminate both the solicitation of  
22 information relating to address of property granted a  
23 homestead exemption, if any, and the notice to the  
24 applicant relating to the consequences of registering to  
25 vote in a precinct other than that in which the homestead  
26 property that has been granted such exemption is located.  
27 Eliminates the requirement that a supervisor of elections  
28 must forward to the property appraiser the names and  
29 homestead addresses of persons registering to vote at an  
30 address other than that at which they claim a homestead  
31 exemption and the corresponding requirement that the  
property appraiser examine such forwarded information to  
determine whether to initiate procedures to terminate a  
person's homestead exemption and assess back taxes.