

By Senator Sebesta

20-432A-02

1 A bill to be entitled
2 An act relating to voter registration; amending
3 s. 97.052, F.S.; authorizing the voter
4 registration application to be reproduced;
5 amending s. 97.057, F.S.; requiring the
6 Department of Highway Safety and Motor Vehicles
7 to forward unsigned voter registration
8 applications to the supervisors of elections;
9 amending s. 97.071, F.S.; removing the
10 requirement that the supervisor of election's
11 name appear on voter identification cards;
12 amending s. 97.1031, F.S.; providing for
13 electors to change their address on the voter
14 registration rolls by telephonic or electronic
15 means; amending s. 98.0977, F.S.; providing for
16 the removal from the registration rolls of the
17 names of persons convicted of a felony or
18 adjudicated mentally incompetent; providing for
19 a hearing; providing an effective date.

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

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23 Section 1. Subsection (1) of section 97.052, Florida
24 Statutes, is amended to read:

25 97.052 Uniform statewide voter registration
26 application.--

27 (1) The department shall prescribe a uniform statewide
28 voter registration application for use in this state.

29 (a) The uniform statewide voter registration
30 application must be accepted for any one or more of the
31 following purposes:

- 1 1. Initial registration.
- 2 2. Change of address.
- 3 3. Change of party affiliation.
- 4 4. Change of name.
- 5 5. Replacement of voter registration identification
- 6 card.

7 (b) The department is responsible for printing the
8 uniform statewide voter registration application and the voter
9 registration application form prescribed by the Federal
10 Election Commission pursuant to the National Voter
11 Registration Act of 1993. The applications and forms must be
12 distributed, upon request, to the following:

- 13 1. Individuals seeking to register to vote.
- 14 2. Individuals or groups conducting voter registration
- 15 programs. A charge of 1 cent per application shall be assessed
- 16 on requests for 10,000 or more applications.
- 17 3. The Department of Highway Safety and Motor
- 18 Vehicles.
- 19 4. Voter registration agencies.
- 20 5. Armed forces recruitment offices.
- 21 6. Qualifying educational institutions.
- 22 7. Supervisors, who must make the applications and
- 23 forms available in the following manner:
 - 24 a. By distributing the applications and forms in their
 - 25 offices to any individual or group.
 - 26 b. By distributing the applications and forms at other
 - 27 locations designated by each supervisor.
 - 28 c. By mailing the applications and forms to applicants
 - 29 upon the request of the applicant.

30 (c) The uniform statewide voter registration
31 application may ~~not~~ be reproduced by any private individual or

1 group. However, such reproductions must be in the same format
2 as the uniform statewide application.

3 Section 2. Subsection (2) of section 97.057, Florida
4 Statutes, is amended to read:

5 97.057 Voter registration by the Department of Highway
6 Safety and Motor Vehicles.--

7 (2) The Department of Highway Safety and Motor
8 Vehicles shall:

9 (a) Notify each individual, orally or in writing,
10 that:

11 1. Information gathered for the completion of a
12 driver's license or identification card application, renewal,
13 or change of address can be automatically transferred to a
14 voter registration application;

15 2. If additional information and a signature are
16 provided, the voter registration application will be completed
17 and sent to the proper election authority;

18 3. Information provided can also be used to update a
19 voter registration record;

20 4. All declinations will remain confidential and may
21 be used only for voter registration purposes; and

22 5. The particular driver license office in which the
23 person applies to register to vote or updates a voter
24 registration record will remain confidential and may be used
25 only for voter registration purposes.

26 (b) Require a driver's license examiner to inquire
27 orally, or inquire in writing if the applicant is hearing
28 impaired, and whether the applicant wishes to register to vote
29 or update a voter registration record during the completion of
30 a driver's license or identification card application,
31 renewal, or change of address.

1 1. If the applicant chooses to register to vote or to
2 update a voter registration record:

3 a. All applicable information received by the
4 Department of Highway Safety and Motor Vehicles in the course
5 of filling out the forms necessary under subsection (1) must
6 be transferred to a voter registration application;

7 b. The additional necessary information must be
8 obtained by the driver's license examiner and must not
9 duplicate any information already obtained while completing
10 the forms required under subsection (1); and

11 c. A voter registration application with all of the
12 applicant's voter registration information must be presented
13 to the applicant to sign.

14 2. If the applicant declines to register to vote,
15 update the applicant's voter registration record, or change
16 the applicant's address by either orally declining or by
17 failing to sign the voter registration application, the
18 Department of Highway Safety and Motor Vehicles must keep the
19 declination for 2 years. The department shall forward any
20 unsigned voter registration application to the appropriate
21 supervisor of elections within 5 days after receipt.

22 Section 3. Subsection (1) of section 97.071, Florida
23 Statutes, is amended to read:

24 97.071 Registration identification card.--

25 (1) A registration identification card must be
26 furnished to all voters registering under the permanent single
27 registration system and must contain:

28 (a) Voter's registration number.

29 (b) Date of registration.

30 (c) Full name.

31 (d) Party affiliation.

- 1 (e) Date of birth.
2 (f) Race or ethnicity, if provided by the applicant.
3 (g) Sex, if provided by the applicant.
4 (h) Address of legal residence.
5 (i) Precinct number.
6 (j) Name ~~Signature~~ of supervisor.
7 (k) Place for voter's signature.
8 (l) Other information deemed necessary by the
9 department.

10 Section 4. Subsection (1) of section 97.1031, Florida
11 Statutes, is amended to read:

12 97.1031 Notice of change of residence within the same
13 county, change of name, or change of party.--

14 (1) When an elector moves from the address named on
15 that person's voter registration record to another address
16 within the same county, the elector must notify ~~provide a~~
17 ~~signed, written notification of such move to~~ the supervisor
18 and obtain a registration identification card reflecting the
19 new address of legal residence. Notification may be made by a
20 signed, written notice, or by telephonic or electronic means,
21 in which case the elector's birthdate must be included.

22 Section 5. Subsection (3) of section 98.0977, is
23 amended to read:

24 98.0977 Statewide voter registration database;
25 development and maintenance.--

26 (3)(a) In administering the database, each supervisor
27 of elections shall compare registration information provided
28 by a voter with information held by the Department of Law
29 Enforcement, the Board of Executive Clemency, the Office of
30 Vital Statistics, and other relevant sources.

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1 (b) The supervisor of elections shall remove from the
2 registration rolls the name of any deceased person.

3 (c) Information on the statewide voter registration
4 database which indicates that a voter in one county has
5 subsequently registered to vote in another shall be considered
6 a written request to have the voter's name removed from the
7 registration rolls of the first county, and the supervisor
8 shall remove that voter's name from the rolls.

9 (d) If the supervisor of elections finds information
10 that suggests that a voter has been convicted of a felony and
11 has not had his or her civil rights restored or has been
12 adjudicated mentally incompetent and has not had his or her
13 right to vote restored is ineligible to register to vote, the
14 supervisor of elections shall notify the voter by certified
15 United States mail. The notification shall contain a
16 statement concerning as to the reason for the voter's
17 potential ineligibility to register to vote and shall request
18 information from the voter on forms provided by the supervisor
19 of elections in order to make a final determination on the
20 voter's eligibility.

21 e. As an alternative, the voter may attend a hearing
22 at a time and place specified in the notice. If there is
23 evidence that the notice was not received, notice must be
24 given once by publication in a newspaper of general
25 circulation in the county. The notice must plainly state that
26 the voter is potentially ineligible to be registered to vote
27 and must state a time and place for the person to appear to
28 show cause why his or her name should not be removed from the
29 voter registration rolls.After reviewing the information
30 ~~requested by the supervisor of elections and provided by the~~
31 ~~voter, if the supervisor of elections determines that the~~

1 voter is not eligible to vote under the laws of this state,
2 the supervisor ~~of elections~~ shall notify the voter by
3 certified United States mail that he or she has been found
4 ineligible to register to vote in this state, shall state the
5 reason for the ineligibility, and shall inform the voter that
6 he or she has been ~~will be~~ removed from the voter registration
7 rolls. The supervisor shall remove from the voter registration
8 rolls the name of any voter who fails to respond within 30
9 days to the notice sent by certified mail or to attend the
10 hearing.

11 1. Upon hearing all evidence, the supervisor must
12 determine whether there is sufficient evidence to strike the
13 person's name from the registration books. If the supervisor
14 determines that there is sufficient evidence, he or she must
15 strike the name.

16 2. Appeal may be taken to the circuit court in the
17 county where the person was registered. Notice of appeal must
18 be filed within the time and in the manner provided by the
19 Florida Rules of Appellate Procedure and acts as supersedeas.
20 Trial in the circuit court is de novo and governed by the
21 rules of that court. Unless the person shows that his or her
22 name was erroneously or illegally stricken from the
23 registration books or that he or she is indigent, the person
24 must bear the costs of the trial in the circuit court.
25 Otherwise, the cost of the appeal must be paid by the board of
26 county commissioners.

27 Section 6. This act shall take effect upon becoming a
28 law.

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SENATE SUMMARY

Revises provisions relating to voter registration. (See bill for details.)