

1 A bill to be entitled
2 An act relating to voter registration; amending
3 s. 97.052, F.S.; authorizing private
4 individuals and groups to reproduce voter
5 registration applications under certain
6 conditions; amending s. 97.057, F.S.; requiring
7 the Department of Highway Safety and Motor
8 Vehicles to forward copies of unsigned voter
9 registration applications within a specified
10 period to the appropriate supervisors of
11 elections; amending s. 97.058, F.S.; requiring
12 voter registration agencies to forward copies
13 of incompletd voter registration applications
14 within a specified period to the appropriate
15 supervisors of elections; amending s. 97.071,
16 F.S.; requiring voter registration
17 identification cards to have the name, rather
18 than the signature, of the supervisor of
19 elections; amending s. 97.1031, F.S.; revising
20 notice requirements for change of residence
21 within the same county; amending s. 98.0977,
22 F.S.; revising duties of the supervisor of
23 elections relating to maintenance of the voter
24 registration rolls; providing for a hearing, as
25 an alternative to notice, to determine the
26 eligibility of voters convicted of a felony or
27 adjudicated mentally incapacitated with respect
28 to voting; requiring removal of a person's name
29 from the registration books upon a
30 determination of sufficient evidence; providing
31 for appeal and for payment of the costs

1 thereof; amending s. 97.052, F.S.; modifying
2 information requested on the voter registration
3 application; creating s. 98.077, F.S.;
4 providing for update of voter signatures;
5 providing for publication of notice of
6 procedures for doing so at least once each
7 general election year; providing an effective
8 date.

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

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12 Section 1. Paragraph (c) of subsection (1) of section
13 97.052, Florida Statutes, is amended to read:

14 97.052 Uniform statewide voter registration
15 application.--

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

18 (c) The uniform statewide voter registration
19 application may ~~not~~ be reproduced by any private individual or
20 group, provided the reproduced application is in the same
21 format as the application prescribed under this section.

22 Section 2. Paragraph (b) of subsection (2) of section
23 97.057, Florida Statutes, is amended to read:

24 97.057 Voter registration by the Department of Highway
25 Safety and Motor Vehicles.--

26 (2) The Department of Highway Safety and Motor
27 Vehicles shall:

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

1 a driver's license or identification card application,
2 renewal, or change of address.

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

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

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

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

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

24 Section 3. Subsection (7) of of section 97.058,
25 Florida Statutes, is amended to read:

26 97.058 Voter registration agencies.--

27 (7) A voter registration agency must retain
28 declinations for a period of 2 years, during which time the
29 declinations are not considered a record of the client
30 pursuant to the laws governing the agency's records. However,
31 a voter registration agency must forward a copy of each

1 incompleted voter registration application within 5 days after
2 receipt to the appropriate supervisor of elections.

3 Section 4. Paragraph (j) of subsection (1) of section
4 97.071, Florida Statutes, is amended to read:

5 97.071 Registration identification card.--

6 (1) A registration identification card must be
7 furnished to all voters registering under the permanent single
8 registration system and must contain:

9 (j) Name ~~Signature~~ of supervisor.

10 Section 5. 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 provide ~~a signed,~~
17 ~~written~~ notification of such move to the supervisor of
18 elections of that county. The elector may provide the
19 supervisor a signed, written notice or may notify the
20 supervisor by telephone or electronic means. However,
21 notification of such move other than by signed, written notice
22 must include the elector's date of birth.~~and obtain A~~
23 registration identification card reflecting the new address of
24 legal residence shall be issued to the elector as provided in
25 subsection (4).

26 Section 6. Subsection (3) of section 98.0977, Florida
27 Statutes, is amended to read:

28 98.0977 Statewide voter registration database;
29 development and maintenance.--

30 (3)(a) In administering the database, each supervisor
31 of elections shall compare registration information provided

1 by a voter with information held by the Department of Law
 2 Enforcement, the Board of Executive Clemency, the Office of
 3 Vital Statistics, and other relevant sources.

4 (b) The supervisor of elections shall remove from the
 5 voter registration rolls the name of any person who is listed
 6 in the database as deceased.

7 (c) Information in the database indicating that a
 8 person registered to vote in a given county has subsequently
 9 registered to vote in another jurisdiction shall be considered
 10 as a written request from that voter to have his or her name
 11 removed from the voter registration rolls of that county, and
 12 the supervisor of elections of that county shall remove that
 13 voter's name from the county's voter registration rolls.

14 (d) When ~~if~~ the supervisor of elections finds
 15 information through the database that suggests that a voter
 16 has been convicted of a felony and has not had his or her
 17 civil rights restored or has been adjudicated mentally
 18 incompetent and his or her mental capacity with respect to
 19 voting has not been restored ~~is ineligible to register to~~
 20 ~~vote,~~ the supervisor of elections shall notify the voter by
 21 certified United States mail. The notification shall contain
 22 a statement as to the reason for the voter's potential
 23 ineligibility to be registered ~~register~~ to vote and shall
 24 request information from the voter on forms provided by the
 25 supervisor of elections ~~in order to make a final determination~~
 26 ~~on the voter's eligibility.~~ As an alternative, the voter may
 27 attend a hearing at a time and place specified in the notice.
 28 If there is evidence that the notice was not received, notice
 29 must be given once by publication in a newspaper of general
 30 circulation in the county. The notice must plainly state that
 31 the voter is potentially ineligible to be registered to vote

1 and must state a time and place for the person to appear
2 before the supervisor of elections to show cause why his or
3 her name should not be removed from the voter registration
4 rolls. After reviewing the information ~~requested by the~~
5 ~~supervisor of elections~~ and provided by the voter, if the
6 supervisor of elections determines that the voter is not
7 eligible to vote under the laws of this state, the supervisor
8 of elections shall notify the voter by certified United States
9 mail that he or she has been found ineligible to be registered
10 ~~register~~ to vote in this state, shall state the reason for the
11 ineligibility, and shall inform the voter that he or she has
12 been will be removed from the voter registration rolls. The
13 supervisor of elections shall remove from the voter
14 registration rolls the name of any voter who fails either to
15 respond within 30 days to the notice sent by certified mail or
16 to attend the hearing.

17 (e) Upon hearing all evidence in a hearing, the
18 supervisor of elections must determine whether there is
19 sufficient evidence to strike the person's name from the
20 registration books. If the supervisor determines that there
21 is sufficient evidence, he or she must strike the name.

22 (f) Appeal may be taken to the circuit court in and
23 for the county where the person was registered. Notice of
24 appeal must be filed within the time and in the manner
25 provided by the Florida Rules of Appellate Procedure and acts
26 as supersedeas. Trial in the circuit court is de novo and
27 governed by the rules of that court. Unless the person can
28 show that his or her name was erroneously or illegally
29 stricken from the registration books or that he or she is
30 indigent, the person must bear the costs of the trial in the

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1 circuit court. Otherwise, the cost of the appeal must be paid
2 by the board of county commissioners.

3 Section 7. Subsection (2) of section 97.052, Florida
4 Statutes, is amended to read:

5 97.052 Uniform statewide voter registration
6 application.--

7 (2) The uniform statewide voter registration
8 application must be designed to elicit the following
9 information from the applicant:

- 10 (a) Full name.
11 (b) Date of birth.
12 (c) Address of legal residence.
13 (d) Mailing address, if different.
14 (e) County of legal residence.
15 (f) Address of property for which the applicant has
16 been granted a homestead exemption, if any.
17 (g) Race or ethnicity that best describes the
18 applicant:
19 1. American Indian or Alaskan Native.
20 2. Asian or Pacific Islander.
21 3. Black, not Hispanic.
22 4. White, not Hispanic.
23 5. Hispanic.
24 (h) State or country of birth.
25 (i)~~(h)~~ Sex.
26 (j)~~(i)~~ Party affiliation.
27 (k)~~(j)~~ Whether the applicant needs assistance in
28 voting.
29 (l)~~(k)~~ Name and address where last registered.
30 (m)~~(l)~~ Last four digits of the applicant's social
31 security number.

1 ~~(n)(m)~~ Florida driver's license number or the
2 identification number from a Florida identification card
3 issued under s. 322.051.

4 ~~(o)(n)~~ Telephone number (optional).

5 ~~(p)(o)~~ Signature of applicant under penalty for false
6 swearing pursuant to s. 104.011, by which the person
7 subscribes to the oath required by s. 3, Art. VI of the State
8 Constitution and s. 97.051, and swears or affirms that the
9 information contained in the registration application is true.

10 ~~(q)(p)~~ Whether the application is being used for
11 initial registration, to update a voter registration record,
12 or to request a replacement registration identification card.

13 ~~(r)(q)~~ Whether the applicant is a citizen of the
14 United States.

15 ~~(s)(r)~~ That the applicant has not been convicted of a
16 felony or, if convicted, has had his or her civil rights
17 restored.

18 ~~(t)(s)~~ That the applicant has not been adjudicated
19 mentally incapacitated with respect to voting or, if so
20 adjudicated, has had his or her right to vote restored.

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22 The registration form must be in plain language and designed
23 so that convicted felons whose civil rights have been restored
24 and persons who have been adjudicated mentally incapacitated
25 and have had their voting rights restored are not required to
26 reveal their prior conviction or adjudication.

27 Section 8. Section 98.077, Florida Statutes, is
28 created to read:

29 98.077 Update of voter signature.--The supervisor of
30 elections shall provide to each registered voter of the county
31 the opportunity to update his or her signature on file at the

1 supervisor's office by providing notification of the ability
2 to do so in any correspondence, other than postcard
3 notifications, sent to the voter. The notice shall advise
4 when, where, and how to update the signature and shall provide
5 the voter information on how to obtain a form from the
6 supervisor that can be returned to update the signature. In
7 addition, at least once during each general election year, the
8 supervisor shall publish in a newspaper of general circulation
9 or other newspaper in the county deemed appropriate by the
10 supervisor a notice specifying when, where, or how a voter can
11 update his or her signature that is on file or or how a voter
12 can obtain a form from the supervisor to do so.

13 Section 9. This act shall take effect upon becoming a
14 law.

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