

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. DOES THE BILL:

- | | | | |
|--------------------------------------|------------------------------|-----------------------------|---|
| 1. Reduce government? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. Lower taxes? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. EFFECT OF PROPOSED CHANGES:

Current Law

Section 97.012(6), F.S., makes the Secretary of State, as chief election officer of Florida, responsible for providing voter education assistance to the public.

Section 98.255, F.S., requires the Department of State to promulgate rules prescribing minimum standards for voter education. The standards are in Rule 1S-2.033, Florida Administrative Code. These standards must address the following subjects:

- Voter registration;
- Balloting procedures, absentee and polling place;
- Voter rights and responsibilities;
- Distribution of sample ballots; and
- Public service announcements.

Section 98.255(2) requires each county supervisor of elections to implement these voter education standards and to conduct additional nonpartisan education efforts as necessary to ensure that voters have a working knowledge of the voting process.

There is no provision in the Florida School Code that requires voter education for students.

Rule 1S-2.033(3), Florida Administrative Code, requires each supervisor of elections to conduct a high school voter registration/outreach in each public high school in the county at least once a year. The program is to be developed in cooperation with the local school board and be designed for maximum effectiveness in reaching and educating high school students.

According to the statutorily-required voter education report prepared by the Department of State dated January 31, 2003, supervisors of elections in most counties are conducting voter registration/outreach in each public high school in each county and on each college campus at least once a year. These efforts included voter registration drives for 17 year-olds as well as information sessions. According to the report, 47 counties reported doing voter education/outreach for students.

HB 1297

The bill requires each district school board and each county supervisor of elections to cooperate to provide voter education to high-school students in grade 12. The voter education will be in the form of a mandatory presentation for public high schools and may be offered on a voluntary basis for nonpublic

high schools. The bill requires the supervisor of elections to put on the presentation for public high schools, and on request, to nonpublic high schools.

The bill requires specific education concerning:

- How to register to vote and preregister;
- The operation of voting machines;
- How, when and where to vote; and
- The importance of voting.

The bill requires the voter education program to provide students with the opportunity, with sufficient information, and sufficient time to complete and hand in to the supervisor of elections applications for voter registration.

The bill requires the voter education program to be conducted during school hours each term of the school year in order to reach a maximum number of students in the most effective and efficient manner.

It also prohibits a student from being excluded from the program due to an irregular class schedule, and requires students enrolled in magnet programs to be provided with voter education.

The bill will be effective on July 1, 2003.

The bill will add to current law by requiring specific voter education and voter registration for 12th grade students in each public and nonpublic high school (upon invitation in the latter case) in each term of the school year. It also requires students to attend such programs and requires the programs to be offered in magnet programs. Otherwise, the bill mirrors current voter education law.

C. SECTION DIRECTORY:

Section 1. Requires voter education to high school students in grade 12.

Section 2. Effectiveness date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues: None.

2. Expenditures: None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues: None.

2. Expenditures: Not estimated.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR: None.

D. FISCAL COMMENTS:

To the extent that the bill will requires supervisors of elections to expend funds for voter education presentations offered each term of each school year, it may have an impact on local government expenditures. However, given that the supervisors of elections are currently required to offer voter education programs, the bill may not have a significant fiscal impact on expenditures.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision: The bill does not affect any city or county.

2. Other: None.

B. RULE-MAKING AUTHORITY: None.

C. DRAFTING ISSUES OR OTHER COMMENTS: The bill requires that voter education presentations be made in each term of the school year at public high schools and at nonpublic high schools upon request. This requirement appears to require that the presentations will be made in the fall and spring terms of each 9 month school year. Under current law, local supervisors of elections are required to conduct voter education in high schools at least once per school year. The bill would double that requirement.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

The Subcommittee on Education Pre-K through 12 recommended 5 amendments for the bill. This analysis is drawn to the bill as amended. The amendments provided the following:

- Made technical corrections.
- Clarified that the education must be in the operating of electronic voting machines.
- Added a requirement for education on voting by absentee ballot; how to work at a poll on election day; and how to sign up and run for elected office.
- Added a requirement that the presentations be made according to local school board policy.
- Added a requirement that the supervisor of elections provide voting equipment at each presentation.