

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 1440

SPONSOR: Senator Sebesta

SUBJECT: Voter Education/High School Seniors

DATE: April 13, 2004

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>deMarsh-Mathues</u>	<u>O'Farrell</u>	<u>ED</u>	<u>Favorable</u>
2.	<u>Fox</u>	<u>Rubinas</u>	<u>EE</u>	<u>Favorable</u>
3.	<u>Armstrong</u>	<u>Newman</u>	<u>AED</u>	<u>Favorable</u>
4.	_____	_____	<u>AP</u>	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

## I. Summary:

The bill requires district school boards and county supervisors of elections to cooperate in conducting voter education for high school students in grade 12. The education is mandatory for public high schools and voluntary for private high schools. The supervisors of elections must conduct the program. The bill specifies the contents and requirements for the program.

The bill codifies a part of current administrative rule for voter education for public high school students.

This bill creates two undesignated sections of the Florida Statutes.

The effective date of the bill is July 1, 2004.

## II. Present Situation:

### Voting

Over 9.33 million people were registered to vote in Florida on February 9, 2004, the last date to register for the 2004 Presidential Preference Primary election.

The most recent age-specific voting data available is from the 2000 general election cycle. That data indicates that nationally, people aged 18-24 had the lowest rate of registering and voting than any other group. Only 45.4 percent of those eligible were registered, and, of those, only 32.3 percent voted:

<b>Age group</b>	<b>Registered</b>	<b>Voted in 2000</b>
18-24	45.4 percent	32.3 percent
25-44	59.6 percent	49.8 percent
45-64	71.2 percent	64.1 percent
65+	76.1 percent	67.6 percent

Source: U.S. Census Bureau, *Voting and Registration in the Election of November 2000*, February 2002.

Since the passage of the Florida Voter's Registration Act in 1994, registration numbers have increased substantially. The legislation implemented the National Voter Registration Act of 1993, called the "*Motor Voter*" law, because it allows people to register to vote at the same time they apply for a driver's license. The Motor Voter law was targeted at increasing voter turnout by increasing voter registration, premised upon the belief that simplifying and expanding opportunities for voter registration would *in fact* translate into greater turnout at the polls. To date, *Motor Voter* has succeeded in dramatically increasing the number of registered voters, but has failed to increase voter turnout.

A person must be 18 to register to vote in Florida, but pre-registration is allowed at age 17.<sup>1</sup> A person who is otherwise qualified may pre-register on or after that person's 17th birthday and may vote in any election occurring on or after his or her 18th birthday.

### **Voter Education Efforts**

The Secretary of State is responsible for providing technical assistance to the supervisors of elections on voter education and providing voter education assistance to the public. As a part of its election reform package, the 2001 Legislature made revisions to the voter education provisions.<sup>2</sup> Current law now requires the adoption of administrative rules by the Department of State that prescribe minimum standards for nonpartisan voter education. The standards must include the following subjects:

- voter registration;
- balloting procedures, absentee and polling place;
- voter rights and responsibilities;
- distribution of sample ballots; and
- public service announcements.

County supervisors are charged with the responsibility for implementing the minimum voter education standards and conducting additional nonpartisan education efforts to ensure that voters have a working knowledge of the voting process. Existing administrative rules require the supervisors to conduct a high school voter registration/education program at least once a year in each public high school in the county.<sup>3</sup> The program must be developed in cooperation with the

<sup>1</sup> Section 97.041(1)(b), F.S.

<sup>2</sup> Ch. 01-40, s. 59, at 163, Laws of Fla. (codified at s. 98.255, F.S.)

<sup>3</sup> Rule 1S-2.033(3), F.A.C.

local school board. County efforts to implement this requirement are detailed in the recent report by the Department of State.<sup>4</sup>

Current law<sup>5</sup> sets forth the required courses of study for high school graduation and appropriate instruction designed to ensure that students meet State Board of Education standards in specific subject areas. While these provisions contain requirements for social studies, American government, and Florida government, they do not specifically require voter education.

### III. Effect of Proposed Changes:

**Section 1.** The bill requires district school boards and county supervisors of elections to cooperate in conducting voter education for high-school students who are in grade 12. The voter education must be in the form of a mandatory presentation to public high school students and a voluntary presentation to private high school students.

Supervisors of elections must conduct the presentation at public high schools and, upon request, at private high schools. The content must include the following:

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

The voter education program must:

- Provide students with the opportunity and sufficient time and information to submit voter registration applications to the supervisor of elections;
- Be conducted during school hours each term of the school year; and
- Be provided to students enrolled in a magnet program.

The bill prohibits the exclusion of a student from the program due to his or her irregular class schedule.

**Section 2.** The effective date of the bill is July 1, 2004.

### IV. Constitutional Issues:

#### A. Municipality/County Mandates Restrictions:

None.

#### B. Public Records/Open Meetings Issues:

None.

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<sup>4</sup> Florida Department of State, Division of Elections, *Report on Voter Education Programs During the 2002 Election Cycle, Pursuant to s. 98.255(3), F.S.*, January 31, 2003.

<sup>5</sup> Sections 1003.42 and 1003.43, F.S.

C. Trust Funds Restrictions:

None.

**V. Economic Impact and Fiscal Note:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The program is voluntary for private school students.

C. Government Sector Impact:

This effort is already in place; the bill codifies a part of current administrative rule for voter education for public high school students. Any additional cost would be nominal and could be absorbed within existing budgets.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

None.