

1 A bill to be entitled
 2 An act relating to public records; amending s. 97.0585,
 3 F.S.; providing an exemption from public records
 4 requirements for the signature and social security number
 5 of a voter registration applicant and for absentee ballot
 6 request information collected, including the date a
 7 request for an absentee ballot was made, the date the
 8 absentee ballot was delivered or mailed, the date the
 9 ballot was received by the supervisor of elections, and
 10 other information regarding the request deemed necessary
 11 by the supervisor of elections; specifying persons and
 12 entities for whom such absentee ballot request information
 13 may be reproduced or to whom such information may be made
 14 available; removing the exemption from public records
 15 requirements for the telephone number of a voter for
 16 purposes of copying; providing for review and repeal;
 17 providing a statement of public necessity; providing an
 18 effective date.

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

21
 22 Section 1. Section 97.0585, Florida Statutes, is amended
 23 to read:

24 97.0585 Public records exemption; voter registration
 25 information; absentee ballot request information ~~Declarations to~~
 26 ~~register; place of registration and registration information;~~
 27 ~~confidentiality.--~~

28 (1) The following voter information and registration
 29 information are confidential and exempt from the provisions of
 30 s. 119.07(1) and s. 24(a), Art. I of the State Constitution and
 31 may be used only for voter registration purposes:

32 ~~(a)(1)~~ All declinations to register to vote made pursuant
 33 to ss. 97.057 and 97.058 ~~are confidential and exempt from the~~
 34 ~~provisions of s. 119.07(1) and s. 24(a), Art. I of the State~~
 35 ~~Constitution and may be used only for voter registration~~
 36 ~~purposes.~~

37 ~~(b)(2)~~ Information relating to the place where a person
 38 registered to vote or where a person updated a voter
 39 registration, ~~is confidential and exempt from the provisions of~~
 40 ~~s. 119.07(1) and s. 24(a), Art. I of the State Constitution;~~

41 (c) A voter registration applicant's or ~~and~~ a voter's
 42 signature and, ~~social security number, and telephone number may~~
 43 ~~not be copied and are exempt for that purpose from the~~
 44 ~~provisions of s. 119.07(1) and s. 24(a), Art. I of the State~~
 45 ~~Constitution.~~

46 (d) Absentee ballot request information collected pursuant
 47 to s. 101.62 that includes the date a request for an absentee
 48 ballot was made, the date the absentee ballot was delivered or
 49 mailed, the date the ballot was received by the supervisor of
 50 elections, and such other information the supervisor may deem
 51 necessary regarding the request. However, this information may
 52 be reproduced for or made available to, for political purposes
 53 only, a canvassing board, an election official, a political
 54 party or official thereof, a candidate who has filed
 55 qualification papers and is opposed in an upcoming election, and

56 registered political committees and committees of continuous
 57 existence.

58 (2) Subsection (1) is subject to the Open Government
 59 Sunset Review Act of 1995 in accordance with s. 119.15 and shall
 60 stand repealed on October 2, 2010, unless reviewed and saved
 61 from repeal through reenactment by the Legislature.

62 Section 2. The state finds that it is a public necessity
 63 that the signature and social security number of a voter
 64 registration applicant or voter and absentee ballot request
 65 information collected, including the date a request for an
 66 absentee ballot was made, the date the absentee ballot was
 67 delivered or mailed, the date the ballot was received by the
 68 supervisor of elections, and other information regarding the
 69 request deemed necessary by the supervisor of elections, be held
 70 confidential and exempt from s. 119.07(1), Florida Statutes, and
 71 s. 24(a), Art. I of the State Constitution in order to fully
 72 comply with procedures for federal elections under the National
 73 Voter Registration Act. Since Florida has a unified voter
 74 registration system for federal and state elections, this
 75 information must be kept confidential in order to comply fully
 76 with the National Voter Registration Act. In addition, keeping
 77 this information confidential and exempt from public records
 78 requirements will encourage and remove disincentives to voter
 79 registration. The Legislature also finds that it is a public
 80 necessity to exclude from public availability personal
 81 identifying information such as social security numbers and
 82 signatures that may be used to perpetuate identity theft, which
 83 has become a significant problem in our technology-based

84 society. The implementation of a statewide voter registration
85 system in 2006 will result in the collection and maintenance of
86 one of the most comprehensive databases of persons in the state.
87 Owing to technology-based mediums such as the Internet, the ease
88 of access to and distribution of information in public records
89 could result in voter fraud, facilitate the crime of identity
90 theft, and subject individuals to invasion of privacy.
91 Additionally, public access to such information may result in
92 severe economic harm to a person whose identity has been stolen
93 or whose home is the site of breaking and entering in his or her
94 absence due to information received about an absentee ballot
95 request.

96 Section 3. This act shall take effect on the same date
97 that HB 1589 or similar legislation relating to voter
98 registration takes effect, if such legislation is adopted in the
99 same legislative session or an extension thereof and becomes
100 law.