



1 Art. I of the State Constitution and may be used only for  
2 purposes of voter registration:

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

8 (b)(2) Information relating to the place where a  
9 person registered to vote or where a person updated a voter  
10 registration.

11 (c) The social security number, driver's license  
12 number, and Florida identification number of a voter  
13 registration applicant or voter.

14 (2) The signature of a voter registration applicant or  
15 a voter is confidential and exempt from the provisions of s.  
16 119.07(1) and s. 24(a), Art. I of the State Constitution; and  
17 a voter's signature, social security number, and telephone  
18 number may not be copied and is are exempt for that purpose  
19 from the provisions of s. 119.07(1) and s. 24(a), Art. I of  
20 the State Constitution.

21 (3) This section applies to information held by an  
22 agency before, on, or after the effective date of this  
23 exemption.

24 Section 2. Section 97.0585, Florida Statutes, as  
25 amended by this act, is subject to the Open Government Sunset  
26 Review Act of 1995 in accordance with section 119.15, Florida  
27 Statutes, and shall stand repealed on October 2, 2010, unless  
28 reviewed and saved from repeal through reenactment by the  
29 Legislature.

30 Section 3. (1) The Legislature recognizes that the  
31 Help America Vote Act of 2002 requires the implementation of a

1 new single, uniform, centralized, interactive, and  
2 computerized statewide voter registration system by January 1,  
3 2006. The Florida Voter Registration System (FVRS) will  
4 replace the existing state's voter registration system. The  
5 FVRS will interface with and integrate voter registration  
6 information and records from the offices of the 67 county  
7 supervisors of elections. The FVRS will contain the name and  
8 other registration information of every legally registered  
9 voter in the state. The FVRS will be the official list of  
10 registered voters in the state and will be used as the  
11 registration system for federal and state elections. Any such  
12 system must keep information concerning a person's decision  
13 not to register or information concerning the place where a  
14 person registers to vote confidential in accordance with the  
15 National Voter Registration Act. Therefore, the Legislature  
16 finds it necessary to continue the existing public-records  
17 exemption to keep such information confidential and exempt in  
18 order to conform with the requirements of the National Voter  
19 Registration Act. Additionally, because persons may register  
20 to vote or update voter registration information at designated  
21 voter registration agencies that may include any office that  
22 provides public assistance, this exemption is also necessary  
23 to protect from disclosure personal information concerning  
24 those persons who apply for or receive public assistance at  
25 these offices.

26 (2) The Legislature also finds it necessary to broaden  
27 the existing exemption from public-records access to social  
28 security numbers of voters and voter registration applicants  
29 to include driver's license numbers and Florida identification  
30 numbers. The Legislature finds that access to such information  
31 can lead to fraud, personal identity theft, and invasion of

1 privacy. The Florida Voter Statewide Voter Registration  
2 System, once implemented and maintained, will constitute one  
3 of the most comprehensive and up-to-date databases of persons  
4 in this state. The Legislature finds it not only necessary to  
5 exempt from copying social security numbers, driver's license  
6 numbers, and Florida identification numbers of those persons  
7 in the Florida Voter Registration System but also to exempt  
8 those numbers from inspection. Even the memorization of a  
9 single person's social security number, driver's license  
10 number, or Florida identification number could result in  
11 economic and personal harm to that individual whose numbers  
12 may be used to perpetrate fraud or may be coupled with other  
13 readily available public information to commit personal  
14 identity theft or to gain access to records, such as  
15 financial, educational, or medical records. The Legislature  
16 also finds it necessary to keep the social security numbers,  
17 driver's license numbers, and Florida identification numbers  
18 in the Florida Voter Registration System confidential and  
19 exempt in order to encourage voter registration and remove  
20 disincentives to registering to vote.

21 (3) The Legislature also finds it necessary to  
22 continue and to expand the existing exemption that precludes  
23 the copying of a voter's signature. Currently, a voter's  
24 signature is exempt from copying but only if contained on a  
25 voter registration application or precinct register. Two  
26 advisory opinions from the Attorney General issued in 2001  
27 stated that a voter's signature on an absentee ballot  
28 certificate is not part of the voter registration record and  
29 therefore not exempt from copying. Because express exemption  
30 from copying did not exist for absentee ballot certificates,  
31 any person or entity may request and obtain copies of all

1 signatures of voters who voted absentee in any particular  
2 election. Consequently, any person or entity may also request  
3 and obtain copies of all signatures of voters who signed  
4 provisional ballot envelopes, early voting certificates, or  
5 any other voting-related documents other than a voter  
6 registration application or a precinct register. The  
7 Legislature intends that a voter's signature be protected in  
8 order to prevent fraud, identity theft, or invasion of privacy  
9 in all instances. Nonetheless, the Legislature finds that any  
10 exemption for such signatures must be balanced against the  
11 continuing administrative need to allow for public inspection  
12 of the signatures of voters or voter registration applicants  
13 for purposes of voter verification, matching, or authenticity  
14 as may occur in a voter's challenge or canvassing of an  
15 absentee ballot. Therefore, the Legislature finds that it is a  
16 public necessity to continue the existing exemption solely  
17 from copying of voters' signatures and to expand that  
18 exemption to apply to voters' signatures as may also appear on  
19 absentee ballot certificate envelopes, provisional ballot  
20 envelopes, early-voting certificates, or any other  
21 voting-related document that must be executed for purposes of  
22 voting or voter registration.

23       Section 4. This act shall take effect on the same date  
24 that Senate Bill 2176 or similar legislation takes effect, if  
25 such legislation is enacted in the same legislative session or  
26 an extension thereof and becomes law.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
COMMITTEE SUBSTITUTE FOR  
CS/SB 2178

Specifies that the exempt information is held by an agency as defined by s. 119.011, F.S.

Makes the exemption retroactive in effect.