

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 133  
**SPONSOR(S):** Anderson  
**TIED BILLS:**

Student Voter Education

**IDEN./SIM. BILLS:** SB 110

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Ethics & Elections Committee		Mitchell	Mitchell
2) Education Appropriations Committee			
3) State Administration Council			
4) _____			
5) _____			

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### SUMMARY ANALYSIS

HB 133 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 voluntary for public and private high school students. The supervisors of elections shall conduct the program for public schools, and only if requested for private schools.

Division of Elections Rule 1S-2.033, F.A.C., currently requires each supervisor of elections to conduct a voter registration/education program at least once a year in each public high school and college campus in the county. The bill would codify the voter education requirement in statute, requiring that two programs be held during the school year and that specific information be included in the program.

Representative Bullard filed a similar bill, HB 671, during the 2005 session, but withdrew the bill prior to introduction.

If enacted, HB 133 is effective July 1, 2006.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. HOUSE PRINCIPLES ANALYSIS:

**Provide limited government** – HB 133 requires that the local supervisor of elections provide voter education to public high school students once during each term of the school year. In addition, a supervisor of elections must provide voter education to a private school, if requested to do so.

**Promote personal responsibility** – The bill seeks to encourage high school seniors to register to vote and become active in state and local elections.

#### B. EFFECT OF PROPOSED CHANGES:

Florida 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 translate into greater turnout at the polls.

Indeed, since the passage of the Florida Voter’s Registration Act in 1994, registration numbers have experienced a robust increase. As of January 2006, there were 11,391,734 registered voters in Florida.<sup>1</sup> To date, the *Motor Voter* law has succeeded in increasing the number of registered voters, but has not affected voter turnout.

A person must be 18 years of age to register to vote in Florida, but pre-registration is allowed at age 17. s. 97.041, F.S. 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. s. 97.041(1)(b), F.S.

The Secretary of State is responsible for providing technical assistance to the supervisors of elections on voter education and for 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 in the Florida Election Code (ch. 2001-40, Laws of Fla., effective January 1, 2002). Current law requires the adoption of administrative rules by the Secretary 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.

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<sup>1</sup> *Voter Registration Report*, January 2006, Florida Department of State.

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. Division of Elections Rule 1S-2.033, F.A.C., provides general standards for nonpartisan voter education. Subsections (3) and (4) of the rule require each supervisor of elections to conduct a voter registration/education program at least once a year in each public high school and college campus in the county.

HB 133 would codify the rule requirement in statute for public *and* nonpublic high school students in grade 12, and require that the following subjects be addressed in the program:

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

Supervisors of elections would be required to conduct the presentation for eligible public high school students, and if requested to do so, for nonpublic high school students. The presentations would further be conducted during school hours and once per term of the school year

Finally, the bill requires that a program provide students with sufficient opportunity, information and time to complete a voter registration application for submission to the supervisor of elections. Again, 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. s. 97.041(1)(b), F.S.

The provisions of HB 133 are effective on July 1, 2006.

C. SECTION DIRECTORY:

**II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

2. Expenditures:

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

2. Expenditures:

None. Supervisors of elections are already required to provide voter registration/education to high school students once per year, pursuant to Division rule. There should be only nominal, additional expenditures required, if the bill is enacted.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

D. FISCAL COMMENTS:

N.A.

**III. COMMENTS**

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

2. Other:

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES**