

By the Committee on Ethics and Elections; and Senator Hutson

582-03402-17

20171070c1

1 A bill to be entitled
2 An act relating to voter registration list
3 maintenance; amending s. 98.075, F.S.; authorizing the
4 Department of State to enter into certain interstate
5 agreements or become a member of a nongovernmental
6 entity to verify voter registration information;
7 requiring the department to share certain information
8 with supervisors of elections; establishing
9 requirements for participation in such agreements or
10 memberships; establishing reporting requirements;
11 providing an effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 Section 1. Subsection (2) of section 98.075, Florida
16 Statutes, is amended to read:

17 98.075 Registration records maintenance activities;
18 ineligibility determinations.—

19 (2) DUPLICATE REGISTRATION.—

20 (a) The department shall identify those voters who are
21 registered more than once within the state or those applicants
22 whose registration applications within the state would result in
23 duplicate registrations. The most recent application shall be
24 deemed an update to the voter registration record.

25 (b)1. The department may enter into interstate agreements
26 or become a member of a nongovernmental entity whose membership
27 is composed solely of state government election officials if the
28 sole purpose of the agreement or membership is to share and
29 exchange information in order to verify voter registration

582-03402-17

20171070c1

30 information. If the department intends to become a member of
31 such a nongovernmental entity, the agreement to join the entity
32 must require that the Secretary of State, or his or her
33 designee, serve as a full member with voting rights on the
34 nongovernmental entity's board of directors. The department
35 shall provide information it receives as a result of the
36 agreements or memberships to the supervisors to conduct
37 registration list maintenance activities.

38 2. If the department enters into an interstate agreement or
39 becomes a member of a nongovernmental entity pursuant to
40 subparagraph 1., each state that is a participant in the
41 agreement or a member of the nongovernmental entity must agree
42 to maintain the confidentiality of personal information as
43 required by the laws of the state supplying the information to
44 the entity or participating states. The bylaws of a
45 nongovernmental entity must also contain a provision requiring
46 member states and the entity to maintain the confidentiality of
47 personal information as required by the laws of the state
48 supplying the information to the entity.

49 3. The department may only participate in an interstate
50 agreement or become a member of a nongovernmental entity as
51 provided in subparagraph 1. if the agreement or entity is
52 controlled and operated by the participating states. The
53 interstate agreement or entity may not be operated or controlled
54 by the Federal Government or any other entity acting on behalf
55 of the Federal Government. The department must be able to
56 withdraw at any time from any interstate agreement or membership
57 entered into.

58 4. If the department enters into an interstate agreement or

582-03402-17

20171070c1

59 becomes a member of a nongovernmental entity as provided in
60 subparagraph 1., the department must submit a report to the
61 Governor, the President of the Senate, and the Speaker of the
62 House of Representatives by December 1 of each year. The report
63 must describe the agreement or membership and provide
64 information on the total number of voters removed from the voter
65 registration system as a result of the agreement or membership
66 and the reasons for their removal.

67 Section 2. This act shall take effect July 1, 2017.