



707998

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/04/2017	.	
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The Committee on Ethics and Elections (Hutson) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Paragraph (b) of subsection (2) of section  
98.075, Florida Statutes, as created by CS/SB 1070, 2017 Regular  
Session, is amended to read:

98.075 Registration records maintenance activities;  
ineligibility determinations.—

(2) DUPLICATE REGISTRATION.—



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11 (b)1. The department may enter into interstate agreements  
12 to share and exchange information in order to verify voter  
13 registration information. The department shall provide such  
14 information to the supervisors to conduct registration list  
15 maintenance activities.

16 2. The department may only participate in an interstate  
17 agreement that is controlled and operated by the participating  
18 states. The interstate agreement may not be operated or  
19 controlled by the Federal Government or any other entity acting  
20 on behalf of the Federal Government. The department must be able  
21 to withdraw from any interstate agreement entered into at any  
22 time.

23 3. If the department enters into an interstate agreement,  
24 the department must submit a report to the Governor, the  
25 President of the Senate, and the Speaker of the House of  
26 Representatives by December 1 of each year. The report must  
27 describe the agreement and provide information on the total  
28 number of voters removed from the voter registration system as a  
29 result of the agreement and the reasons for their removal.

30 4. Information received by the department, pursuant to an  
31 interstate agreement, from another state which is confidential  
32 or exempt pursuant to the laws of that state, is exempt from s.  
33 119.07(1) and s. 24(a), Art. I of the State Constitution. This  
34 subparagraph is subject to the Open Government Sunset Review Act  
35 in accordance with s. 119.15 and shall stand repealed on October  
36 2, 2022, unless reviewed and saved from repeal through  
37 reenactment by the Legislature.

38 Section 2. The Legislature finds that it is a public  
39 necessity that information received by the Department of State,



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40 pursuant to an interstate agreement entered into under s.  
41 98.075(2)(b), Florida Statutes, from another state which is  
42 confidential or exempt pursuant to the laws of that state be  
43 made exempt from s. 119.07(1), Florida Statutes, and s. 24(a),  
44 Article I of the State Constitution. Participating in interstate  
45 agreements to share and exchange information with other states  
46 in order to verify voter registration information is critical to  
47 ensuring the accuracy of the statewide voter registration  
48 system. Maintaining an accurate statewide voter registration  
49 system is critical to fair elections in this state. Without the  
50 public records exemption, the department will be unable to  
51 receive information from other states that might otherwise be  
52 confidential or exempt pursuant to the laws of those states,  
53 which would impair the ability of the department and supervisors  
54 of elections to maintain accurate voter rolls. As a result, the  
55 effective and efficient administration of the statewide voter  
56 registration system would be hindered.

57 Section 3. This act shall take effect on the same date that  
58 CS/SB 1070 or similar legislation takes effect, if such  
59 legislation is adopted in the same legislative session or an  
60 extension thereof and becomes a law.

61  
62 ===== T I T L E A M E N D M E N T =====

63 And the title is amended as follows:

64 Delete everything before the enacting clause  
65 and insert:

66 A bill to be entitled  
67 An act relating to public records; amending s. 98.075,  
68 F.S.; creating a public records exemption for certain



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69 information received by the Department of State from  
70 another state which is confidential or exempt pursuant  
71 to the laws of that state; providing for future  
72 legislative review and repeal of the exemption;  
73 providing a statement of public necessity; providing a  
74 contingent effective date.