

By the Committees on Governmental Oversight and Accountability;
and Ethics and Elections; and Senator Hutson

585-03991-17

20171072c2

1 A bill to be entitled
2 An act relating to public records; amending s. 98.075,
3 F.S.; creating a public records exemption for certain
4 information received by the Department of State from
5 another state, through an interstate agreement or a
6 membership in a nongovernmental entity whose
7 membership is solely composed of state government
8 election officials for the sole purpose of sharing and
9 exchanging information in order to verify voter
10 registration information, which is confidential or
11 exempt pursuant to the laws of that state; providing
12 for future legislative review and repeal of the
13 exemption; providing a statement of public necessity;
14 providing a contingent effective date.

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16 Be It Enacted by the Legislature of the State of Florida:

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18 Section 1. Paragraph (c) is added to subsection (2) of
19 section 98.075, Florida Statutes, as amended by CS/SB 1070,
20 enacted in the 2017 Regular Session, to read:

21 98.075 Registration records maintenance activities;
22 ineligibility determinations.—

23 (2) DUPLICATE REGISTRATION.—

24 (c) Information received by the department from another
25 state, through an interstate agreement or a membership in a
26 nongovernmental entity that is solely composed of state
27 government election officials for the sole purpose of sharing
28 and exchanging information in order to verify voter registration
29 information, which is confidential or exempt pursuant to the

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30 laws of that state, is exempt from s. 119.07(1) and s. 24(a),
31 Art. I of the State Constitution. This paragraph is subject to
32 the Open Government Sunset Review Act in accordance with s.
33 119.15 and shall stand repealed on October 2, 2022, unless
34 reviewed and saved from repeal through reenactment by the
35 Legislature.

36 Section 2. The Legislature finds that it is a public
37 necessity that information received by the Department of State
38 from another state through an interstate agreement entered into
39 under s. 98.075(2), Florida Statutes, or through a membership in
40 a nongovernmental entity that is solely composed of state
41 government election officials for the sole purpose of sharing
42 and exchanging information in order to verify voter registration
43 information, which is confidential or exempt pursuant to the
44 laws of that state be made exempt from s. 119.07(1), Florida
45 Statutes, and s. 24(a), Article I of the State Constitution.
46 Participating in interstate agreements or nongovernmental
47 entities to share and exchange information with other states in
48 order to verify voter registration information is critical to
49 ensuring the accuracy of the statewide voter registration
50 system. Maintaining an accurate statewide voter registration
51 system is critical to fair elections in this state. Without the
52 public records exemption, the department will be unable to
53 receive information from other states which might otherwise be
54 confidential or exempt pursuant to the laws of those states,
55 which would impair the ability of the department and supervisors
56 of elections to maintain accurate voter rolls. As a result, the
57 effective and efficient administration of the statewide voter
58 registration system would be hindered.

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