

By Senator Hutson

7-00464-18

2018278\_\_

1                   A bill to be entitled  
2           An act relating to public records; amending s. 98.075,  
3           F.S.; providing an exemption from public records  
4           requirements for certain information received by the  
5           Department of State from another state which is  
6           confidential or exempt pursuant to the laws of that  
7           state; providing for release of such information to  
8           specified persons; providing for future legislative  
9           review and repeal of the exemption; providing a  
10          statement of public necessity; providing a contingent  
11          effective date.

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

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15           Section 1. Paragraph (c) is added to subsection (2) of  
16           section 98.075, Florida Statutes, as amended by SB \_\_, 2018  
17           Regular Session, to read:

18           98.075 Registration records maintenance activities;  
19           ineligibility determinations.-

20           (2) DUPLICATE REGISTRATION.-

21           (c) Information received by the department from another  
22           state, pursuant to an interstate agreement or upon the  
23           department becoming a member of a nongovernmental entity as  
24           provided in subparagraph (b)1., which is confidential or exempt  
25           pursuant to the laws of that state, is exempt from s. 119.071(1)  
26           and s. 24(a), Art. I of the State Constitution. The department  
27           shall provide such information to the supervisors to conduct  
28           registration list maintenance activities. This paragraph is  
29           subject to the Open Government Sunset Review Act in accordance

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30 with s. 119.15 and shall stand repealed on October 2, 2023,  
31 unless reviewed and saved from repeal through reenactment by the  
32 Legislature.

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

57 Section 3. This act shall take effect on the same date that  
58 SB \_\_\_ or similar legislation takes effect, if such legislation

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59 is adopted in the same legislative session or an extension  
60 thereof and becomes a law.