

By the Committee on Governmental Oversight and Accountability;
and Senators Hutson and Baxley

585-01790-18

2018278c1

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 or the District
6 of Columbia which is confidential or exempt pursuant
7 to the laws of that jurisdiction; providing for the
8 release of such information to specified persons;
9 providing for future legislative review and repeal of
10 the exemption; providing a statement of public
11 necessity; providing a contingent effective date.

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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 276, 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 or the District of Columbia upon the department becoming a
23 member of a nongovernmental entity as provided in subparagraph
24 (b)1., which is confidential or exempt pursuant to the laws of
25 that state or the District of Columbia, is exempt from s.
26 119.07(1) and s. 24(a), Art. I of the State Constitution. The
27 department shall provide such information to the supervisors to
28 conduct registration list maintenance activities. This paragraph
29 is subject to the Open Government Sunset Review Act in

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30 accordance with s. 119.15 and shall stand repealed on October 2,
31 2023, unless reviewed and saved from repeal through reenactment
32 by the 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 or the District of Columbia pursuant to its
36 membership in a nongovernmental entity as provided in s.
37 98.075(2)(b), Florida Statutes, which is confidential or exempt
38 pursuant to the laws of that state or the District of Columbia,
39 be made exempt from s. 119.07(1), Florida Statutes, and s.
40 24(a), Article I of the State Constitution. Becoming a member of
41 a nongovernmental entity for the purpose of sharing and
42 exchanging information to verify voter registration information
43 is critical to ensuring the accuracy of the statewide voter
44 registration system. Maintaining an accurate statewide voter
45 registration system is critical to fair elections in this state.
46 Without the public records exemption, the department will be
47 unable to receive information from other states or the District
48 of Columbia which might otherwise be confidential or exempt
49 pursuant to the laws of those jurisdictions, which would impair
50 the ability of the department and supervisors of elections to
51 maintain accurate voter rolls. As a result, the effective and
52 efficient administration of the statewide voter registration
53 system would be hindered. For these reasons, the Legislature
54 finds that it is a public necessity to maintain the exempt
55 status of such information received by the department.

56 Section 3. This act shall take effect on the same date that
57 SB 276 or similar legislation takes effect, if such legislation
58 is adopted in the same legislative session or an extension

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59 | thereof and becomes a law.