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CS/HB 85, Engrossed 1

2018 Legislature

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 2 An act relating to voter registration list
 3 maintenance; amending s. 98.075, F.S.; authorizing the
 4 Department of State to become a member of a
 5 nongovernmental entity to verify voter registration
 6 information; establishing requirements for such
 7 membership; requiring the Department of Highway Safety
 8 and Motor Vehicles to provide specified information to
 9 the Department of State; establishing reporting
 10 requirements; providing an effective date.

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

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

16 98.075 Registration records maintenance activities;
 17 ineligibility determinations.—

18 (2) DUPLICATE REGISTRATION.—

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

24 (b)1. The department may become a member of a
 25 nongovernmental entity whose sole purpose is to share and

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26 | exchange information in order to verify voter registration
27 | information. The membership of the nongovernmental entity must
28 | be composed solely of election officials of state governments,
29 | except that such membership may also include election officials
30 | of the District of Columbia. If the department intends to become
31 | a member of such a nongovernmental entity, the agreement to join
32 | the entity must require that the Secretary of State, or his or
33 | her designee, serve as a full member with voting rights on the
34 | nongovernmental entity's board of directors within 12 months
35 | after joining the entity.

36 | 2. The department may share confidential and exempt
37 | information after becoming a member of a nongovernmental entity
38 | as provided in subparagraph 1. if:

39 | a. Each member of the nongovernmental entity agrees to
40 | maintain the confidentiality of such information as required by
41 | the laws of the jurisdiction providing the information; or

42 | b. The bylaws of the nongovernmental entity require member
43 | jurisdictions and the entity to maintain the confidentiality of
44 | information as required by the laws of the jurisdiction
45 | providing the information.

46 | 3. The department may only become a member of a
47 | nongovernmental entity as provided in subparagraph 1. if the
48 | entity is controlled and operated by the participating
49 | jurisdictions. The entity may not be operated or controlled by
50 | the Federal Government or any other entity acting on behalf of

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51 the Federal Government. The department must be able to withdraw
52 at any time from any such membership entered into.

53 4. If the department becomes a member of a nongovernmental
54 entity as provided in subparagraph 1., the Department of Highway
55 Safety and Motor Vehicles must, pursuant to a written agreement
56 with the department, provide driver license or identification
57 card information to the department for the purpose of sharing
58 and exchanging voter registration information with the
59 nongovernmental entity.

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

69 Section 2. This act shall take effect January 1, 2019.