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LEGISLATIVE ACTION

Senate

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House

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Floor: WD/2R

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04/22/2021 11:29 AM

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Senator Berman moved the following:

1 **Senate Substitute for Amendment (868964) (with title**
2 **amendment)**

3
4 Delete lines 350 - 360

5 and insert:

6 Section 4. Effective January 1, 2022, section 97.057,
7 Florida Statutes, is amended to read:

8 97.057 Voter registration by the Department of Highway
9 Safety and Motor Vehicles.—

10 (1) Each of the following serves as an application ~~The~~
11 ~~Department of Highway Safety and Motor Vehicles shall provide~~



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12 ~~the opportunity~~ to register to vote or to update a voter
13 registration record when submitted to the Department of Highway
14 Safety and Motor Vehicles to each individual who comes to an
15 office of that department to:

16 (a) An application Apply for a driver license or a renewal
17 of ~~renew~~ a driver license;

18 (b) An application Apply for an identification card
19 pursuant to chapter 322 or a renewal of ~~renew~~ an identification
20 card pursuant to chapter 322; or

21 (c) An application for a change of ~~an~~ address on an
22 existing driver license or identification card.

23

24 Unless the applicant opts out of registering to vote or to
25 updating his or her voter registration record, he or she is
26 deemed to have consented to the use of the signature from his or
27 her driver license or identification card application for voter
28 registration purposes.

29 (2) An application for a driver license or an
30 identification card must include a voter registration component.

31 The voter registration component must be approved by the
32 Department of State. The voter registration component of a
33 driver license or identification card application must contain:

34 (a) The minimum amount of information necessary to prevent
35 duplicate voter registrations and preserve the ability of the
36 department and supervisors of elections to assess the
37 eligibility of the applicant and administer voter registration
38 and other provisions of this code.

39 (b) A statement setting forth voting eligibility
40 requirements.



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41 (c) An explanation that the applicant is consenting, for
42 voter registration purposes, to the use of his or her signature
43 from the applicant's driver license or identification card
44 application. By consenting to the use of his or her signature,
45 the applicant is deemed to have subscribed to the oath required
46 by s. 3, Art. VI of the State Constitution and s. 97.051 and to
47 have sworn and affirmed that the voter registration information
48 contained in the application is true under penalty for false
49 swearing pursuant to s. 104.011.

50 (d) An option that allows the applicant to choose or update
51 a party affiliation; otherwise, an applicant who is initially
52 registering to vote and does not exercise such option shall be
53 registered without party affiliation in accordance with s.
54 97.053(5) (b) .

55 (e) An option that allows the applicant to opt out of
56 registering to vote or to opt out of updating his or her voter
57 registration record. The Department of Highway Safety and Motor
58 Vehicles shall note that the applicant has opted out in its
59 records and forward such information to the Department of State.
60 Any declination may be used only for voter registration purposes
61 and is confidential and exempt from public records requirements
62 as provided in s. 97.0585.

63 (3) The Department of Highway Safety and Motor Vehicles
64 shall:

65 (a) Develop a voter registration component for applications
66 which meets the requirements set forth in subsection (2). ~~Notify~~
67 each individual, orally or in writing, that:

68 1. Information gathered for the completion of a driver
69 license or identification card application, renewal, or change



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70 ~~of address can be automatically transferred to a voter~~
71 ~~registration application;~~
72 ~~2. If additional information and a signature are provided,~~
73 ~~the voter registration application will be completed and sent to~~
74 ~~the proper election authority;~~
75 ~~3. Information provided can also be used to update a voter~~
76 ~~registration record;~~
77 ~~4. All declinations will remain confidential and may be~~
78 ~~used only for voter registration purposes; and~~
79 ~~5. The particular driver license office in which the person~~
80 ~~applies to register to vote or updates a voter registration~~
81 ~~record will remain confidential and may be used only for voter~~
82 ~~registration purposes.~~
83 ~~(b) Require a driver license examiner to inquire orally or,~~
84 ~~if the applicant is hearing impaired, inquire in writing whether~~
85 ~~the applicant wishes to register to vote or update a voter~~
86 ~~registration record during the completion of a driver license or~~
87 ~~identification card application, renewal, or change of address.~~
88 ~~1. If the applicant chooses to register to vote or to~~
89 ~~update a voter registration record:~~
90 ~~a. All applicable information received by the Department of~~
91 ~~Highway Safety and Motor Vehicles in the course of filling out~~
92 ~~the forms necessary under subsection (1) must be transferred to~~
93 ~~a voter registration application.~~
94 ~~b. The additional necessary information must be obtained by~~
95 ~~the driver license examiner and must not duplicate any~~
96 ~~information already obtained while completing the forms required~~
97 ~~under subsection (1).~~
98 ~~e. A voter registration application with all of the~~



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99 ~~applicant's voter registration information required to establish~~
100 ~~the applicant's eligibility pursuant to s. 97.041 must be~~
101 ~~presented to the applicant to review and verify the voter~~
102 ~~registration information received and provide an electronic~~
103 ~~signature affirming the accuracy of the information provided.~~

104 ~~2. If the applicant declines to register to vote, update~~
105 ~~the applicant's voter registration record, or change the~~
106 ~~applicant's address by either orally declining or by failing to~~
107 ~~sign the voter registration application, the Department of~~
108 ~~Highway Safety and Motor Vehicles must note such declination on~~
109 ~~its records and shall forward the declination to the statewide~~
110 ~~voter registration system.~~

111 ~~(3) For the purpose of this section, the Department of~~
112 ~~Highway Safety and Motor Vehicles, with the approval of the~~
113 ~~Department of State, shall prescribe:~~

114 ~~(a) A voter registration application that is the same in~~
115 ~~content, format, and size as the uniform statewide voter~~
116 ~~registration application prescribed under s. 97.052; and~~

117 ~~(b) A form that will inform applicants under subsection (1)~~
118 ~~of the information contained in paragraph (2)(a).~~

119 ~~(4) The Department of Highway Safety and Motor Vehicles~~
120 ~~must Electronically transmit the voter registration component of~~
121 ~~an applicant's driver license or identification card application~~
122 ~~to the Department of State completed voter registration~~
123 ~~applications within 24 hours after receipt to the statewide~~
124 ~~voter registration system. Upon receipt of the voter~~
125 ~~registration component, the Department of State shall provide~~
126 ~~the information to the supervisor of the county in which the~~
127 ~~applicant is registering Completed paper voter registration~~



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128 ~~applications received by the Department of Highway Safety and~~
129 ~~Motor Vehicles shall be forwarded within 5 days after receipt to~~
130 ~~the supervisor of the county where the office that processed or~~
131 ~~received that application is located.~~

132 ~~(5) The Department of Highway Safety and Motor Vehicles~~
133 ~~must send, with each driver license renewal extension~~
134 ~~application authorized pursuant to s. 322.18(8), a uniform~~
135 ~~statewide voter registration application, the voter registration~~
136 ~~application prescribed under paragraph (3)(a), or a voter~~
137 ~~registration application developed especially for the purposes~~
138 ~~of this subsection by the Department of Highway Safety and Motor~~
139 ~~Vehicles, with the approval of the Department of State, which~~
140 ~~must meet the requirements of s. 97.052.~~

141 ~~(4)(6)~~ A person providing voter registration services for a
142 driver license office may not:

143 (a) Seek to influence an applicant's political preference
144 or party registration;

145 (b) Display any political preference or party allegiance;

146 (c) Make any statement to an applicant or take any action
147 the purpose or effect of which is to discourage the applicant
148 from registering to vote; or

149 (d) Disclose any applicant's voter registration information
150 except as needed for the administration of voter registration.

151 ~~(5)(7)~~ The Department of Highway Safety and Motor Vehicles
152 shall collect data determined necessary by the Department of
153 State for program evaluation and reporting to the Election
154 Assistance Commission pursuant to federal law.

155 ~~(6)(8)~~ The Department of Highway Safety and Motor Vehicles
156 shall ~~must~~ ensure that all voter registration services provided



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157 by driver license offices are in compliance with the Voting
158 Rights Act of 1965.

159 (7)~~(9)~~ The Department of Highway Safety and Motor Vehicles
160 shall retain complete records of voter registration information
161 received, processed, and submitted to the Department of State
162 ~~statewide voter registration system~~ by the Department of Highway
163 Safety and Motor Vehicles. The maintenance of such ~~These~~ records
164 is shall be for the explicit purpose of supporting audit and
165 accounting controls established to ensure accurate and complete
166 electronic transmission of records between the Department of
167 State ~~statewide voter registration system~~ and the Department of
168 Highway Safety and Motor Vehicles.

169 (8)~~(10)~~ The Department of State shall provide the
170 Department of Highway Safety and Motor Vehicles with an
171 electronic database of street addresses valid for use as the
172 address of legal residence as required in s. 97.053(5). The
173 Department of Highway Safety and Motor Vehicles shall compare
174 the address provided by the applicant against the database of
175 valid street addresses. If the address provided by the applicant
176 does not match a valid street address in the database, the
177 applicant will be asked to verify the address provided. The
178 Department of Highway Safety and Motor Vehicles may ~~shall~~ not
179 reject any application for voter registration for which a valid
180 match cannot be made.

181 (9)~~(11)~~ The Department of Highway Safety and Motor Vehicles
182 shall enter into an agreement with the Department of State to
183 match information in the statewide voter registration system
184 with information in the database of the Department of Highway
185 Safety and Motor Vehicles to the extent required to verify the



186 accuracy of the driver license number, Florida identification
187 number, or last four digits of the social security number
188 provided on applications for voter registration as required in
189 s. 97.053.

190 ~~(10)-(12)~~ The Department of Highway Safety and Motor
191 Vehicles shall enter into an agreement with the Commissioner of
192 Social Security as required by the Help America Vote Act of 2002
193 to verify the last four digits of the social security number
194 provided in applications for voter registration as required in
195 s. 97.053.

196 Section 5. Effective January 1, 2022, paragraph (b) of
197 subsection (4) of section 98.045, Florida Statutes, is amended
198 to read:

199 98.045 Administration of voter registration.—

200 (4) STATEWIDE ELECTRONIC DATABASE OF VALID RESIDENTIAL
201 STREET ADDRESSES.—

202 (b) The department shall make the statewide database of
203 valid street addresses available to the Department of Highway
204 Safety and Motor Vehicles as provided in s. 97.057(8) ~~s.~~
205 ~~97.057(10)~~. The Department of Highway Safety and Motor Vehicles
206 shall use the database for purposes of validating the legal
207 residential addresses provided in voter registration
208 applications received by the Department of Highway Safety and
209 Motor Vehicles.

210
211 ===== T I T L E A M E N D M E N T =====

212 And the title is amended as follows:

213 Delete lines 15 - 19

214 and insert:



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215 F.S.; revising procedures governing voter registration
216 by the Department of Highway Safety and Motor
217 Vehicles; providing that driver license or
218 identification card applications, driver license or
219 identification card renewal applications, and
220 applications for changes of address for existing
221 driver licenses or identification cards submitted to
222 the department serve as voter registration
223 applications; specifying that an applicant is deemed
224 to have consented to the use of his or her signature
225 for voter registration purposes, unless the applicant
226 opts out; requiring specified applications to include
227 a voter registration component, subject to approval by
228 the Department of State; specifying requirements for
229 the voter registration component; providing for the
230 transmittal of voter registration information to the
231 Department of State and supervisors of elections;
232 amending s. 98.045, F.S.; conforming a cross-
233 reference; amending s.