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LEGISLATIVE ACTION

Senate

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House

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The Committee on Rules (Thurston) recommended the following:

**Senate Amendment (with title amendment)**

Before line 42

insert:

Section 1. Section 97.057, Florida Statutes, is amended to read:

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

(1) Each of the following serves as an application ~~The Department of Highway Safety and Motor Vehicles shall provide the opportunity~~ to register to vote or to update a voter



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12 registration record when submitted to the Department of Highway  
13 Safety and Motor Vehicles to each individual who comes to an  
14 office of that department to:

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

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

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

22  
23 Unless the applicant declines to register to vote or to update  
24 his or her voter registration record, he or she is deemed to  
25 have consented to the use of the signature from his or her  
26 driver license or identification card application for voter  
27 registration purposes.

28 (2) An application for a driver license or an  
29 identification card must include a voter registration component.  
30 The voter registration component must be approved by the  
31 Department of State. The voter registration component of a  
32 driver license or identification card application must contain:

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

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

40 (c) An explanation that the applicant is consenting, for



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

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

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

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

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

67 ~~1. Information gathered for the completion of a driver~~  
68 ~~license or identification card application, renewal, or change~~  
69 ~~of address can be automatically transferred to a voter~~



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70 ~~registration application;~~

71 ~~2. If additional information and a signature are provided,~~  
72 ~~the voter registration application will be completed and sent to~~  
73 ~~the proper election authority;~~

74 ~~3. Information provided can also be used to update a voter~~  
75 ~~registration record;~~

76 ~~4. All declinations will remain confidential and may be~~  
77 ~~used only for voter registration purposes; and~~

78 ~~5. The particular driver license office in which the person~~  
79 ~~applies to register to vote or updates a voter registration~~  
80 ~~record will remain confidential and may be used only for voter~~  
81 ~~registration purposes.~~

82 ~~(b) Require a driver license examiner to inquire orally or,~~  
83 ~~if the applicant is hearing impaired, inquire in writing whether~~  
84 ~~the applicant wishes to register to vote or update a voter~~  
85 ~~registration record during the completion of a driver license or~~  
86 ~~identification card application, renewal, or change of address.~~

87 ~~1. If the applicant chooses to register to vote or to~~  
88 ~~update a voter registration record:~~

89 ~~a. All applicable information received by the Department of~~  
90 ~~Highway Safety and Motor Vehicles in the course of filling out~~  
91 ~~the forms necessary under subsection (1) must be transferred to~~  
92 ~~a voter registration application.~~

93 ~~b. The additional necessary information must be obtained by~~  
94 ~~the driver license examiner and must not duplicate any~~  
95 ~~information already obtained while completing the forms required~~  
96 ~~under subsection (1).~~

97 ~~e. A voter registration application with all of the~~  
98 ~~applicant's voter registration information required to establish~~



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

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

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

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

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

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



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

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

140 ~~(4)~~(6) A person providing voter registration services for a  
141 driver license office may not:

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

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

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

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

150 ~~(5)~~(7) The Department of Highway Safety and Motor Vehicles  
151 shall collect data determined necessary by the Department of  
152 State for program evaluation and reporting to the Election  
153 Assistance Commission pursuant to federal law.

154 ~~(6)~~(8) The Department of Highway Safety and Motor Vehicles  
155 shall ~~must~~ ensure that all voter registration services provided  
156 by driver license offices are in compliance with the Voting



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157 Rights Act of 1965.

158       ~~(7)-(9)~~ The Department of Highway Safety and Motor Vehicles  
159 shall retain complete records of voter registration information  
160 received, processed, and submitted to the Department of State  
161 ~~statewide voter registration system~~ by the Department of Highway  
162 Safety and Motor Vehicles. The maintenance of such ~~These~~ records  
163 is shall be for the explicit purpose of supporting audit and  
164 accounting controls established to ensure accurate and complete  
165 electronic transmission of records between the Department of  
166 State ~~statewide voter registration system~~ and the Department of  
167 Highway Safety and Motor Vehicles.

168       ~~(8)-(10)~~ The Department of State shall provide the  
169 Department of Highway Safety and Motor Vehicles with an  
170 electronic database of street addresses valid for use as the  
171 address of legal residence as required in s. 97.053(5). The  
172 Department of Highway Safety and Motor Vehicles shall compare  
173 the address provided by the applicant against the database of  
174 valid street addresses. If the address provided by the applicant  
175 does not match a valid street address in the database, the  
176 applicant will be asked to verify the address provided. The  
177 Department of Highway Safety and Motor Vehicles may ~~shall~~ not  
178 reject any application for voter registration for which a valid  
179 match cannot be made.

180       ~~(9)-(11)~~ The Department of Highway Safety and Motor Vehicles  
181 shall enter into an agreement with the Department of State to  
182 match information in the statewide voter registration system  
183 with information in the database of the Department of Highway  
184 Safety and Motor Vehicles to the extent required to verify the  
185 accuracy of the driver license number, Florida identification



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

189 (10)~~(12)~~ The Department of Highway Safety and Motor  
190 Vehicles shall enter into an agreement with the Commissioner of  
191 Social Security as required by the Help America Vote Act of 2002  
192 to verify the last four digits of the social security number  
193 provided in applications for voter registration as required in  
194 s. 97.053.

195 Section 2. Paragraph (b) of subsection (4) of section  
196 98.045, Florida Statutes, is amended to read:

197 98.045 Administration of voter registration.—

198 (4) STATEWIDE ELECTRONIC DATABASE OF VALID RESIDENTIAL  
199 STREET ADDRESSES.—

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

208  
209 ===== T I T L E A M E N D M E N T =====

210 And the title is amended as follows:

211 Between lines 2 and 3

212 insert:

213 s. 97.057, F.S.; revising procedures governing voter  
214 registration by the Department of Highway Safety and





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