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LEGISLATIVE ACTION

Senate

.

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:

Senate Amendment (with title amendment)

Delete lines 350 - 360

and insert:

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

198 98.045 Administration of voter registration.—

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

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

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

211 And the title is amended as follows:

212 Delete lines 15 - 19

213 and insert:

214 F.S.; revising procedures governing voter registration



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