

By Senator Berman

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1 A bill to be entitled
2 An act relating to voter registration; amending s.
3 97.055, F.S.; revising the date by which the
4 registration books must be closed before an election;
5 amending s. 97.057, F.S.; revising procedures
6 governing voter registration by the Department of
7 Highway Safety and Motor Vehicles; providing that
8 driver license or identification card applications,
9 driver license or identification card renewal
10 applications, and applications for changes of address
11 for existing driver licenses or identification cards
12 submitted to the department serve as voter
13 registration applications; specifying that an
14 applicant is deemed to have consented to the use of
15 his or her signature for voter registration purposes,
16 unless a declination is made; requiring specified
17 applications to include a voter registration
18 component, subject to approval by the Department of
19 State; specifying requirements for the voter
20 registration component; providing for the transmittal
21 of voter registration information to the Department of
22 State and supervisors of elections; amending s.
23 98.045, F.S.; conforming a cross-reference; providing
24 effective dates.

25
26 Be It Enacted by the Legislature of the State of Florida:

27
28 Section 1. Section 97.055, Florida Statutes, is amended to
29 read:

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30 97.055 Registration books; when closed for an election.—

31 (1) (a) The registration books must be closed on the 14th
32 ~~29th~~ day before each election and must remain closed until after
33 that election. If an election is called and there are fewer than
34 14 ~~29~~ days before that election, the registration books must be
35 closed immediately.

36 (b) Except as provided in paragraph (c), when the
37 registration books are closed for an election, updates to a
38 voter's name, address, and signature pursuant to ss. 98.077 and
39 101.045 shall be the only changes permitted for purposes of the
40 upcoming election. New voter registration applications must be
41 accepted but only for the purpose of subsequent elections.

42 (c) When the registration books are closed for an upcoming
43 election, an update or change to a voter's party affiliation
44 made pursuant to s. 97.1031 shall be permitted for that upcoming
45 election unless such election is for the purpose of nominating a
46 political party nominee, in which case the update or change
47 shall be permitted only for the purpose of subsequent elections.

48 (2) In computing the 14-day ~~29-day~~ period for the closing
49 of the registration books, the day of the election is excluded
50 and all other days are included. If the 14th ~~29th~~ day preceding
51 an election falls on a Sunday or a legal holiday, the
52 registration books must be closed on the next day that is not a
53 Sunday or a legal holiday.

54 Section 2. Effective January 1, 2023, section 97.057,
55 Florida Statutes, is amended to read:

56 97.057 Voter registration by the Department of Highway
57 Safety and Motor Vehicles.—

58 (1) Each of the following serves as an application ~~The~~

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59 ~~Department of Highway Safety and Motor Vehicles shall provide~~
60 ~~the opportunity to register to vote or to update a voter~~
61 ~~registration record when submitted to the Department of Highway~~
62 ~~Safety and Motor Vehicles to each individual who comes to an~~
63 ~~office of that department to:~~

64 (a) An application ~~Apply~~ for a driver license or a renewal
65 of ~~renew~~ a driver license;

66 (b) An application ~~Apply~~ for an identification card
67 pursuant to chapter 322 or a renewal of ~~renew~~ an identification
68 card ~~pursuant to chapter 322~~; or

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

71
72 Unless the applicant declines to register to vote or to update
73 his or her voter registration record, he or she is deemed to
74 have consented to the use of the signature from his or her
75 driver license or identification card application for voter
76 registration purposes.

77 (2) An application for a driver license or an
78 identification card must include a voter registration component.
79 The voter registration component must be approved by the
80 Department of State. The voter registration component of a
81 driver license or identification card application must contain:

82 (a) The minimum amount of information necessary to prevent
83 duplicate voter registrations and preserve the ability of the
84 department and supervisors of elections to assess the
85 eligibility of the applicant and administer voter registration
86 and other provisions of this code.

87 (b) A statement setting forth voting eligibility

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88 requirements.

89 (c) An explanation that the applicant is consenting, for
90 voter registration purposes, to the use of his or her signature
91 from the applicant's driver license or identification card
92 application. By consenting to the use of his or her signature,
93 the applicant is deemed to have subscribed to the oath required
94 by s. 3, Art. VI of the State Constitution and s. 97.051 and to
95 have sworn and affirmed that the voter registration information
96 contained in the application is true under penalty for false
97 swearing pursuant to s. 104.011.

98 (d) An option that allows the applicant to choose or update
99 a party affiliation; otherwise, an applicant who is initially
100 registering to vote and does not exercise such option shall be
101 registered without party affiliation in accordance with s.
102 97.053(5)(b).

103 (e) An option that allows the applicant to decline to
104 register to vote or to decline to update his or her voter
105 registration record. The Department of Highway Safety and Motor
106 Vehicles shall note any such declination in its records and
107 forward the declination to the Department of State. Any
108 declination may be used only for voter registration purposes and
109 is confidential and exempt from public records requirements as
110 provided in s. 97.0585.

111 (3) The Department of Highway Safety and Motor Vehicles
112 shall:

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

116 ~~1. Information gathered for the completion of a driver~~

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117 ~~license or identification card application, renewal, or change~~
118 ~~of address can be automatically transferred to a voter~~
119 ~~registration application;~~

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

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

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

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

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

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

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

142 ~~b. The additional necessary information must be obtained by~~
143 ~~the driver license examiner and must not duplicate any~~
144 ~~information already obtained while completing the forms required~~
145 ~~under subsection (1).~~

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146 ~~e. A voter registration application with all of the~~
147 ~~applicant's voter registration information required to establish~~
148 ~~the applicant's eligibility pursuant to s. 97.041 must be~~
149 ~~presented to the applicant to review and verify the voter~~
150 ~~registration information received and provide an electronic~~
151 ~~signature affirming the accuracy of the information provided.~~

152 ~~2. If the applicant declines to register to vote, update~~
153 ~~the applicant's voter registration record, or change the~~
154 ~~applicant's address by either orally declining or by failing to~~
155 ~~sign the voter registration application, the Department of~~
156 ~~Highway Safety and Motor Vehicles must note such declination on~~
157 ~~its records and shall forward the declination to the statewide~~
158 ~~voter registration system.~~

159 ~~(3) For the purpose of this section, the Department of~~
160 ~~Highway Safety and Motor Vehicles, with the approval of the~~
161 ~~Department of State, shall prescribe:~~

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

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

167 ~~(4) The Department of Highway Safety and Motor Vehicles~~
168 ~~must~~ Electronically transmit the voter registration component of
169 an applicant's driver license or identification card application
170 to the Department of State ~~completed voter registration~~
171 ~~applications within 24 hours after receipt to the statewide~~
172 ~~voter registration system. Upon receipt of the voter~~
173 registration component, the Department of State shall provide
174 the information to the supervisor of the county in which the

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175 applicant is registering ~~Completed paper voter registration~~
176 ~~applications received by the Department of Highway Safety and~~
177 ~~Motor Vehicles shall be forwarded within 5 days after receipt to~~
178 ~~the supervisor of the county where the office that processed or~~
179 ~~received that application is located.~~

180 ~~(5) The Department of Highway Safety and Motor Vehicles~~
181 ~~must send, with each driver license renewal extension~~
182 ~~application authorized pursuant to s. 322.18(8), a uniform~~
183 ~~statewide voter registration application, the voter registration~~
184 ~~application prescribed under paragraph (3)(a), or a voter~~
185 ~~registration application developed especially for the purposes~~
186 ~~of this subsection by the Department of Highway Safety and Motor~~
187 ~~Vehicles, with the approval of the Department of State, which~~
188 ~~must meet the requirements of s. 97.052.~~

189 ~~(4)(6)~~ A person providing voter registration services for a
190 driver license office may not:

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

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

194 (c) Make any statement to an applicant or take any action
195 the purpose or effect of which is to discourage the applicant
196 from registering to vote; or

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

199 ~~(5)(7)~~ The Department of Highway Safety and Motor Vehicles
200 shall collect data determined necessary by the Department of
201 State for program evaluation and reporting to the Election
202 Assistance Commission pursuant to federal law.

203 ~~(6)(8)~~ The Department of Highway Safety and Motor Vehicles

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204 shall ~~must~~ ensure that all voter registration services provided
205 by driver license offices are in compliance with the Voting
206 Rights Act of 1965.

207 ~~(7)-(9)~~ The Department of Highway Safety and Motor Vehicles
208 shall retain complete records of voter registration information
209 received, processed, and submitted to the Department of State
210 ~~statewide voter registration system~~ by the Department of Highway
211 Safety and Motor Vehicles. The maintenance of such ~~These~~ records
212 is ~~shall be~~ for the explicit purpose of supporting audit and
213 accounting controls established to ensure accurate and complete
214 electronic transmission of records between the Department of
215 State ~~statewide voter registration system~~ and the Department of
216 Highway Safety and Motor Vehicles.

217 ~~(8)-(10)~~ The Department of State shall provide the
218 Department of Highway Safety and Motor Vehicles with an
219 electronic database of street addresses valid for use as the
220 address of legal residence as required in s. 97.053(5). The
221 Department of Highway Safety and Motor Vehicles shall compare
222 the address provided by the applicant against the database of
223 valid street addresses. If the address provided by the applicant
224 does not match a valid street address in the database, the
225 applicant will be asked to verify the address provided. The
226 Department of Highway Safety and Motor Vehicles may ~~shall~~ not
227 reject any application for voter registration for which a valid
228 match cannot be made.

229 ~~(9)-(11)~~ The Department of Highway Safety and Motor Vehicles
230 shall enter into an agreement with the Department of State to
231 match information in the statewide voter registration system
232 with information in the database of the Department of Highway

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233 Safety and Motor Vehicles to the extent required to verify the
234 accuracy of the driver license number, Florida identification
235 number, or last four digits of the social security number
236 provided on applications for voter registration as required in
237 s. 97.053.

238 (10)~~(12)~~ The Department of Highway Safety and Motor
239 Vehicles shall enter into an agreement with the Commissioner of
240 Social Security as required by the Help America Vote Act of 2002
241 to verify the last four digits of the social security number
242 provided in applications for voter registration as required in
243 s. 97.053.

244 (11)~~(13)~~ The Department of Highway Safety and Motor
245 Vehicles must assist the Department of State in regularly
246 identifying changes in residence address on the driver license
247 or identification card of a voter. The Department of State must
248 report each such change to the appropriate supervisor of
249 elections who must change the voter's registration records in
250 accordance with s. 98.065(4).

251 Section 3. Effective January 1, 2023, paragraph (b) of
252 subsection (4) of section 98.045, Florida Statutes, is amended
253 to read:

254 98.045 Administration of voter registration.—

255 (4) STATEWIDE ELECTRONIC DATABASE OF VALID RESIDENTIAL
256 STREET ADDRESSES.—

257 (b) The department shall make the statewide database of
258 valid street addresses available to the Department of Highway
259 Safety and Motor Vehicles as provided in s. 97.057(8) ~~s.~~
260 ~~97.057(10)~~. The Department of Highway Safety and Motor Vehicles
261 shall use the database for purposes of validating the legal

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262 residential addresses provided in voter registration
263 applications received by the Department of Highway Safety and
264 Motor Vehicles.

265 Section 4. Except as otherwise expressly provided in this
266 act, this act shall take effect July 1, 2022.