

1                                   A bill to be entitled  
 2           An act relating to public records; amending s.  
 3           97.0585, F.S.; providing an exemption from public  
 4           records requirements for specified information  
 5           regarding a voter or voter registration applicant;  
 6           authorizing disclosure of confidential and exempt  
 7           information under certain circumstances; providing for  
 8           future legislative review and repeal; providing a  
 9           statement of public necessity; providing an effective  
 10          date.

11  
 12 Be It Enacted by the Legislature of the State of Florida:

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 14           Section 1. Section 97.0585, Florida Statutes, is amended  
 15 to read:

16           97.0585 Public records exemption; information regarding  
 17 voters and voter registration; confidentiality.—

18           (1) The following information held by an agency, as  
 19 defined in s. 119.011, and obtained for the purpose of voter  
 20 registration is confidential and exempt from s. 119.07(1) and s.  
 21 24(a), Art. I of the State Constitution and may be used only for  
 22 purposes of voter registration, unless disclosure is authorized  
 23 under subsection (2):

24           (a) All declinations to register to vote made pursuant to  
 25 ss. 97.057 and 97.058.

26 (b) Information relating to the place where a person  
 27 registered to vote or where a person updated a voter  
 28 registration.

29 (c) The social security number, driver license number, and  
 30 Florida identification number of a voter registration applicant  
 31 or voter.

32 (d) All information concerning preregistered voter  
 33 registration applicants who are 16 or 17 years of age. This  
 34 paragraph is subject to the Open Government Sunset Review Act in  
 35 accordance with s. 119.15 and shall stand repealed on October 2,  
 36 2024, unless reviewed and saved from repeal through reenactment  
 37 by the Legislature.

38 (e) The day of birth, telephone number, e-mail address,  
 39 and party affiliation of a voter registration applicant or  
 40 voter. For purposes of this section, the term "day of birth"  
 41 means a date of birth excluding the month and year. This  
 42 paragraph is subject to the Open Government Sunset Review Act in  
 43 accordance with s. 119.15 and shall stand repealed on October 2,  
 44 2027, unless reviewed and saved from repeal through reenactment  
 45 by the Legislature.

46 (2) A person's information made confidential and exempt  
 47 under paragraph (1)(e), except for a person's day of birth,  
 48 shall be made available to or reproduced upon request for:

49 (a) The person whose information was made confidential and  
 50 exempt.

51 (b) A canvassing board or an election official acting in  
52 his or her official capacity, for official purposes only.

53 (c) A political party or official thereof, a candidate who  
54 has filed qualification papers, an elected official, or a  
55 political committee, for political purposes only.

56 (d) A person who receives permission to access the  
57 information from the office of the Secretary of State, for any  
58 purpose authorized by such office.

59 (3) A person who requests information under paragraph  
60 (2)(b), paragraph (2)(c), or paragraph (2)(d) must sign an  
61 affidavit stating that such person is responsible for ensuring  
62 that the information is only used for the purposes authorized by  
63 this section.

64 (4)(2) The signature of a voter registration applicant or  
65 a voter is exempt from the copying requirements of s. 119.07(1)  
66 and s. 24(a), Art. I of the State Constitution.

67 (5)(3) This section applies to information held by an  
68 agency before, on, or after the effective date of this  
69 exemption.

70 Section 2. (1) The Legislature finds it a public  
71 necessity that the day of birth, telephone number, e-mail  
72 address, and party affiliation of a voter registration applicant  
73 or voter held by an agency, and obtained for the purpose of  
74 voter registration, be confidential and exempt from public  
75 records requirements and used only for purposes of voter

76 registration; official purposes by canvassing boards and  
77 election officials; political purposes by political parties,  
78 candidates, elected officials, and political committees; and  
79 purposes approved by the office of the Secretary of State.

80 (2) A voter registration applicant's or voter's day of  
81 birth, telephone number, e-mail address, and party affiliation  
82 are personal and sensitive and could be misused by a dishonest  
83 person if placed in the public domain with the applicant's or  
84 the voter's name. By matching a name, full date of birth,  
85 telephone number, or e-mail address, a dishonest person could  
86 commit identity theft, which could result in financial harm to a  
87 voter registration applicant or voter. A voter registration  
88 applicant or voter may experience political harassment based on  
89 his or her party affiliation. The potential for harm that  
90 results from unfettered access to a voter registration  
91 applicant's or voter's day of birth, telephone number, e-mail  
92 address, and party affiliation, accompanied by the person's  
93 name, exceeds any public benefit that may be derived from  
94 disclosure of such information. In addition, such information  
95 may be used for consumer scams, unwanted solicitations, or other  
96 forms of invasive contacts.

97 (3) The Legislature also finds that e-mail addresses are  
98 personal information that could be misused and could result in  
99 voter fraud if released. A voter may engage in formal  
100 communication with election officials through e-mail.

101 Unrestricted access to such e-mail addresses may enable others  
102 to emulate such addresses and engage in fraudulent  
103 communications. In addition, collection of the e-mail address of  
104 a voter registration applicant or voter would give supervisors  
105 of elections the opportunity to employ the cost-saving measure  
106 of electronically transmitting voting information. If a voter  
107 registration applicant or voter knows that his or her e-mail  
108 address is subject to public disclosure, he or she may be less  
109 willing to provide the e-mail address to the supervisor of  
110 elections. Accordingly, the effective and efficient  
111 administration of a government program would be significantly  
112 impaired.

113 Section 3. This act shall take effect July 1, 2022.