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CS/HB 135, Engrossed 2

2024 Legislature

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 2 An act relating to voter registration applications;
 3 amending s. 97.053, F.S.; providing an exception to a
 4 requirement that certain voter registration applicants
 5 must be registered without party affiliation; amending
 6 s. 97.057, F.S.; requiring the Department of Highway
 7 Safety and Motor Vehicles to notify certain
 8 individuals of certain information; prohibiting the
 9 department from changing the party affiliation of an
 10 applicant except in certain circumstances; requiring
 11 the department to provide an applicant with a certain
 12 receipt; prohibiting a person providing voter
 13 registration services for a driver license office from
 14 taking certain actions; requiring the department to
 15 ensure that information technology processes and
 16 updates do not alter certain information without
 17 written consent; requiring the department to be in
 18 full compliance with this act within a certain period;
 19 providing an effective date.

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 21 Be It Enacted by the Legislature of the State of Florida:

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 23 Section 1. Paragraph (b) of subsection (5) of section
 24 97.053, Florida Statutes, is amended to read:

25 97.053 Acceptance of voter registration applications.—

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26 (5)
 27 (b) An applicant who fails to designate party affiliation
 28 must be registered without party affiliation, except that the
 29 party affiliation of an applicant who is updating a voter
 30 registration record may not be changed unless the applicant
 31 designates and consents in writing to a change in party
 32 affiliation. The supervisor must notify the voter by mail that
 33 the voter has been registered without party affiliation and that
 34 the voter may change party affiliation as provided in s.
 35 97.1031.

36 Section 2. Subsection (2) and paragraph (a) of subsection
 37 (6) of section 97.057, Florida Statutes, are amended, and
 38 subsection (14) is added to that section, to read:

39 97.057 Voter registration by the Department of Highway
 40 Safety and Motor Vehicles.—

41 (2) The Department of Highway Safety and Motor Vehicles
 42 shall:

43 (a) Notify each individual, orally or in writing, that:

44 1. Information gathered for the completion of a driver
 45 license or identification card application, renewal, or change
 46 of address can be automatically transferred to a voter
 47 registration application;

48 2. If additional information and a signature are provided,
 49 the voter registration application will be completed and sent to
 50 the proper election authority;

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51 3. Information provided can also be used to update a voter
 52 registration record, except that party affiliation will not be
 53 changed unless the individual designates a change in party
 54 affiliation and separately consents to such change in writing;

55 4. All declinations will remain confidential and may be
 56 used only for voter registration purposes; and

57 5. The particular driver license office in which the
 58 person applies to register to vote or updates a voter
 59 registration record will remain confidential and may be used
 60 only for voter registration purposes.

61 (b) Require a driver license examiner to inquire orally
 62 or, if the applicant is hearing impaired, inquire in writing
 63 whether the applicant wishes to register to vote or update a
 64 voter registration record during the completion of a driver
 65 license or identification card application, renewal, or change
 66 of address.

67 1. If the applicant chooses to register to vote or to
 68 update a voter registration record:

69 a. All applicable information received by the Department
 70 of Highway Safety and Motor Vehicles in the course of filling
 71 out the forms necessary under subsection (1) must be transferred
 72 to a voter registration application.

73 b. The additional necessary information must be obtained
 74 by the driver license examiner and must not duplicate any
 75 information already obtained while completing the forms required

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76 | under subsection (1).

77 | c. A voter registration application with all of the
78 | applicant's voter registration information required to establish
79 | the applicant's eligibility pursuant to s. 97.041 must be
80 | presented to the applicant to review and verify the voter
81 | registration information received and provide an electronic
82 | signature affirming the accuracy of the information provided.

83 | d. The voter registration application may not be used to
84 | change the party affiliation of the applicant unless the
85 | applicant designates a change in party affiliation and provides
86 | a separate signature consenting to the party affiliation change.

87 | e. After verifying the voter registration information and
88 | providing his or her electronic signature, the applicant must be
89 | provided with a printed receipt that includes such information
90 | and documents any change in party affiliation.

91 | 2. If the applicant declines to register to vote, update
92 | the applicant's voter registration record, or change the
93 | applicant's address by either orally declining or by
94 | failing to sign the voter registration application, the
95 | Department of Highway Safety and Motor Vehicles must note such
96 | declination on its records and shall forward the declination to
97 | the statewide voter registration system.

98 | (6) A person providing voter registration services for a
99 | driver license office may not:

100 | (a) Make any change to an applicant's party affiliation

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101 unless the applicant provides a separate signature consenting to
102 the party affiliation change or discuss or seek to influence an
103 applicant's political preference or party registration;

104 (14) The Department of Highway Safety and Motor Vehicles
105 shall ensure that information technology processes and updates
106 do not alter an applicant's party affiliation without the
107 written consent of the applicant.

108 Section 3. The Department of Highway Safety and Motor
109 Vehicles must be in full compliance with this act within 3
110 months after this act becomes a law.

111 Section 4. This act shall take effect January 1, 2025.