

By Senator Evers

2-01360-14

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1 A bill to be entitled
2 An act relating to public records; amending s.
3 97.0585, F.S.; limiting applicability of public
4 records exemptions related to voter registration
5 applicants and voters to information obtained for the
6 purpose of voter registration; providing an exemption
7 from public records requirements for the date of birth
8 of voter registration applicants and voters; providing
9 for future review and repeal of the exemption under
10 the Open Government Sunset Review Act; providing a
11 statement of public necessity; providing an effective
12 date.

13
14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. Section 97.0585, Florida Statutes, is amended to
17 read:

18 97.0585 Public records exemption; information regarding
19 voters and voter registration; confidentiality.—

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

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

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

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

33 (d) The date of birth of a voter registration applicant or
34 voter.

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

38 (3) The names, addresses, and telephone numbers of persons
39 who are victims of stalking or aggravated stalking are exempt
40 from s. 119.07(1) and s. 24(a), Art. I of the State Constitution
41 in the same manner that the names, addresses, and telephone
42 numbers of participants in the Address Confidentiality Program
43 for Victims of Domestic Violence which are held by the Attorney
44 General under s. 741.465 are exempt from disclosure, provided
45 that the victim files a sworn statement of stalking with the
46 Office of the Attorney General and otherwise complies with the
47 procedures in ss. 741.401-741.409.

48 (4) This section applies to information held by an agency
49 before, on, or after the effective date of this exemption.

50 (5) (a) Subsection (3) is subject to the Open Government
51 Sunset Review Act in accordance with s. 119.15 and shall stand
52 repealed on October 2, 2015, unless reviewed and saved from
53 repeal through reenactment by the Legislature.

54 (b) Paragraph (1)(d) is subject to the Open Government
55 Sunset Review Act in accordance with s. 119.15 and shall stand
56 repealed on October 2, 2019, unless reviewed and saved from
57 repeal through reenactment by the Legislature.

58 Section 2. The Legislature finds that it is a public

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59 necessity that the date of birth of a voter registration
60 applicant or voter that is held by an agency and obtained for
61 the purpose of voter registration be made confidential and
62 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
63 Article I of the State Constitution. An individual's date of
64 birth is personal, sensitive information that must be protected
65 and could be misused by a dishonest person if placed in the
66 public domain with the applicant or voter's name. By matching a
67 name and date of birth, a dishonest person could commit identity
68 theft, causing financial damage to the voter registration
69 applicant or voter and destroying his or her credit. The
70 potential for harm that results from placing a person's date of
71 birth into the public domain, accompanied by the person's name,
72 far exceeds any perceived public good or access that could
73 result from keeping the date of birth information private.

74 Section 3. This act shall take effect July 1, 2014.