

By Senator Clemens

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1 A bill to be entitled
2 An act relating to voter registration; amending s.
3 97.057, F.S.; revising procedures governing voter
4 registration by the Department of Highway Safety and
5 Motor Vehicles; providing that driver license or
6 identification card applications, driver license or
7 identification card renewal applications, and changes
8 of address for existing driver licenses or
9 identification cards submitted to the department serve
10 as voter registration applications; specifying that an
11 applicant must consent to the use of his or her
12 signature for voter registration purposes; requiring
13 specified applications to include a voter registration
14 component; specifying required content for the voter
15 registration component; providing for paper-based
16 applications; requiring the supervisor of elections to
17 provide a notification of registration to each
18 applicant; providing that an applicant is registered
19 if he or she fails to respond to the notification
20 within a specified timeframe; requiring the supervisor
21 to forward declinations to the statewide voter
22 registration system; amending s. 98.045, F.S.;
23 conforming a cross-reference; providing an effective
24 date.

25
26 WHEREAS, voter registration is one of the biggest barriers
27 to participation in our democracy, and

28 WHEREAS, Congress enacted the National Voter Registration
29 Act of 1993, commonly known as the "Motor Voter Act," with
30 findings recognizing that the right of citizens to vote is a
31 fundamental right and that federal, state, and local governments
32 have the duty to promote the exercise of this right, and

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33 WHEREAS, the Legislature intends to provide residents of
34 this state with enhanced access to participate in democracy
35 through exercise of their fundamental right to vote by
36 streamlining and modernizing voter registration procedures used
37 by the Department of Highway Safety and Motor Vehicles, NOW,
38 THEREFORE,

39
40 Be It Enacted by the Legislature of the State of Florida:

41
42 Section 1. Subsections (1) through (5) of section 97.057,
43 Florida Statutes, are amended, new subsections (6) and (7) are
44 added to that section, and present subsections (6) through (12)
45 of that section are renumbered as subsections (8) through (14),
46 respectively, to read:

47 97.057 Voter registration by the Department of Highway
48 Safety and Motor Vehicles.—

49 (Substantial rewording of subsections. See
50 s. 97.057(1)-(5), F.S., for present text.)

51 (1) Each of the following serves as an application to
52 register to vote or to update a voter registration record when
53 submitted to the Department of Highway Safety and Motor
54 Vehicles:

55 (a) An application for a driver license, including a
56 renewal application or a change of address for an existing
57 driver license.

58 (b) An application for an identification card issued
59 pursuant to chapter 322, including a renewal application or a
60 change of address for an existing identification card.

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62 For voter registration purposes, an applicant must consent to
63 the use of the signature from his or her driver license or
64 identification card application unless the applicant declines to
65 register to vote or declines to update his or her voter
66 registration record.

67 (2) An application for a driver license or an
68 identification card must include a voter registration component.
69 The voter registration component must be approved by the
70 Department of State. The voter registration component of a
71 driver license or identification card application must contain:

72 (a) The minimum amount of information necessary to prevent
73 duplicate voter registrations and preserve the ability of the
74 department and supervisors of elections to assess the
75 eligibility of the applicant and to administer voter
76 registration and other provisions of the Florida Election Code.

77 (b) A statement setting forth voting eligibility
78 requirements.

79 (c) An explanation that the applicant has consented, for
80 voter registration purposes, to the use of his or her signature
81 from the applicant's driver license or identification card
82 application. By consenting to the use of his or her signature,
83 the applicant is deemed to have subscribed to the oath required
84 by s. 3, Art. VI of the State Constitution and s. 97.051 and to
85 have sworn and affirmed that the voter registration information
86 contained in the application is true under penalty for false
87 swearing pursuant to s. 104.011.

88 (d) An option that allows the applicant to decline to
89 register to vote or to decline to update his or her voter
90 registration record. The Department of Highway Safety and Motor

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91 Vehicles shall note any such declination in its records and
92 forward the declination to the statewide voter registration
93 system.

94 (3) The Department of Highway Safety and Motor Vehicles
95 shall develop a voter registration component for paper-based
96 renewal applications which meets the requirements in subsection
97 (2). The voter registration component must be approved by the
98 Department of State.

99 (4) The Department of Highway Safety and Motor Vehicles
100 shall electronically transmit the voter registration component
101 of an applicant's driver license or identification card
102 application to the statewide voter registration system within 24
103 hours after receipt. Upon receipt of the voter registration
104 component, the Department of State shall provide the information
105 to the supervisor of the county in which the applicant has been
106 registered as an elector. For completed paper-based
107 applications, the Department of Highway Safety and Motor
108 Vehicles shall forward the voter registration component to the
109 supervisor of the county where the office that processes or
110 receives that application is located within 5 days after
111 receipt.

112 (5) Following receipt of voter registration information,
113 the supervisor shall notify each applicant of the process to:

114 (a) Decline being registered as an elector or decline to
115 update his or her voter registration record.

116 (b) Designate a party affiliation if the applicant is not
117 currently registered to vote in this state.

118 (6) If an applicant who is notified under subsection (5)
119 does not decline to be registered as an elector or does not

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120 decline to update his or her voter registration record within 21
 121 calendar days after the supervisor issues the notification, the
 122 applicant's voter registration component of his or her
 123 application constitutes a completed voter registration for
 124 purposes of this chapter. The applicant shall be registered to
 125 vote if the supervisor determines that the applicant is eligible
 126 to vote under s. 97.041 and the applicant is not already
 127 registered to vote. An applicant who does not respond to the
 128 notification to designate a party affiliation shall be
 129 registered without party affiliation as provided under s.
 130 97.053(5)(b).

131 (7) If an applicant declines to register to vote or
 132 declines to update his or her voter registration record after
 133 receiving a notification issued pursuant to subsection (5), the
 134 supervisor shall note such declination in his or her records and
 135 forward the declination to the statewide voter registration
 136 system. However, an applicant's declination may not be used for
 137 any purpose other than voter registration.

138 Section 2. Paragraph (b) of subsection (4) of section
 139 98.045, Florida Statutes, is amended to read:

140 98.045 Administration of voter registration.—

141 (4) STATEWIDE ELECTRONIC DATABASE OF VALID RESIDENTIAL
 142 STREET ADDRESSES.—

143 (b) The department shall make the statewide database of
 144 valid street addresses available to the Department of Highway
 145 Safety and Motor Vehicles as provided in s. 97.057(12) ~~s.~~
 146 ~~97.057(10)~~. The Department of Highway Safety and Motor Vehicles
 147 shall use the database for purposes of validating the legal
 148 residential addresses provided in voter registration

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149 applications received by the Department of Highway Safety and
150 Motor Vehicles.

151 Section 3. This act shall take effect January 1, 2018.