

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Education Pre-K - 12 Committee

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BILL: SB 112

INTRODUCER: Senator Fasano

SUBJECT: Student Voter Education

DATE: March 11, 2008

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Carrouth</u>	<u>Matthews</u>	<u>ED</u>	<b>Favorable</b>
2.	_____	_____	<u>EE</u>	_____
3.	_____	_____	<u>EA</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

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**I. Summary:**

The bill requires district school boards and county supervisors of elections to cooperate in conducting voter education for high school students in grade 12. The voter education shall be conducted by the supervisor of elections each semester and is voluntary for public and nonpublic high schools. The bill codifies a portion of current administrative rule<sup>1</sup> on voter education for public high school students and specifies the content and requirements for the program.

The bill creates an undesignated section of the Florida Statutes.

**II. Present Situation:**

Over 10.4 million people were registered to vote in Florida on October 10, 2006, the last date to register for the 2006 general election.

A person must be 18 years of age to vote in Florida. The 2007 Legislature, however, amended s. 97.041, F.S., to allow for persons younger than 17 to pre-register, provided they have a valid Florida driver's license.<sup>2</sup>

The Center for Information and Research on Civil Learning and Engagement (CIRCLE) reports that turnout by young voters age 18-24 in the November 2004 general election rose by over 11 percentage points to 47 percent, up from 36 percent in the 2000 November election. This turnout

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<sup>1</sup> Rule 1S-2.033 – Standards for Nonpartisan Voter Education

<sup>2</sup> s. 97.041(1)(b), F.S.

was the highest among young voters since 1992.<sup>3</sup> Although general election figures will not be updated until after the November 2008 Presidential election, exit polls from Florida's Presidential Primary show an increase in the youth turnout rate from 4 percent in 2000 to 13 percent in 2008.<sup>4</sup>

### **Voter Education Efforts**

The Secretary of State is responsible for providing technical assistance to the supervisors of elections on voter education and providing voter education assistance to the public. As a part of its election reform package, the 2001 Legislature made revisions to the voter education provisions.<sup>5</sup> Current law now requires the adoption of administrative rules by the Department of State that prescribe minimum standards for nonpartisan voter education.<sup>6</sup> The standards must include the following components:

- voter registration;
- balloting procedures, absentee ballots, and polling places;
- voter rights and responsibilities;
- distribution of sample ballots; and
- public service announcements.

County supervisors are charged with the responsibility for implementing the minimum voter education standards and conducting additional nonpartisan education efforts to ensure that voters have a working knowledge of the voting process. Existing administrative rule requires the supervisors to conduct a high school voter registration/education program at least once a year in each public high school in the county.<sup>7</sup> The program must be developed in cooperation with the local school board. County efforts to implement this requirement are detailed in a report by the Department of State for each election cycle.<sup>8</sup>

Current law sets forth the required courses of study for high school graduation and appropriate instruction designed to ensure that students meet State Board of Education standards in specific subject areas.<sup>9</sup> In addition, the 2006 Legislature codified course requirements for middle grades students and included provisions for civics education.<sup>10</sup> While all these provisions contain requirements for social studies, American government, Florida government, and civics education, they do not specifically require voter education.

### **III. Effect of Proposed Changes:**

The bill requires district school boards and county supervisors of elections to cooperate in conducting voter education for high-school students who are in grade 12. The voter education

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<sup>3</sup> The Center for Information & Research on Civic Learning & Engagement, *The 2004 Youth Vote* – [www.civicyouth.org](http://www.civicyouth.org)

<sup>4</sup> Press Release, January 30, 2008 - The Center for Information and Research on Civic Learning and Engagement

<sup>5</sup> ch. 2001-40, L.O.F., Florida Election Reform Act of 2001

<sup>6</sup> s. 98.255(1), F.S.

<sup>7</sup> Rule 1S-2.033(3), F.A.C.

<sup>8</sup> Florida Department of State, Division of Elections, *Report on Voter Education Programs During the 2006 Election Cycle*, January 31, 2007.

<sup>9</sup> ss. 1003.42, 1003.428, and 1003.43, F.S.

<sup>10</sup> s. 21, ch. 2006-74, L.O.F., as codified in s. 1003.4156, F.S.

must be in the form of a presentation and made available to public and private high school students.

The current rule regarding standards for voter education includes the requirement that the supervisors of elections conduct voter education and registration at least once each year in their respective local high schools. The Department of State, Division of Elections, reports that most counties have been very active in the local schools and provide multiple opportunities for students to learn about the election process, participate in mock elections, and use voting equipment in actual school-based elections.

The voter education program is voluntary for public and private high schools. If requested, the supervisors of elections must conduct the presentation at public high schools and private high schools each semester. The content must include the following:

- How to register to vote and pre-register;
- Operation of voting machines;
- How, when, and where to vote; and
- Importance of voting.

The voter education program must:

- Provide students with the opportunity and sufficient time and information to submit voter registration applications to the supervisor of elections;
- Be conducted during school hours each term of the school year; and
- Be provided to students enrolled in a magnet program.

The bill prohibits the exclusion of a student from the program due to his or her irregular class schedule.

#### IV. **Constitutional Issues:**

##### A. Municipality/County Mandates Restrictions:

None.

##### B. Public Records/Open Meetings Issues:

None.

##### C. Trust Funds Restrictions:

None.

#### V. **Fiscal Impact Statement:**

##### A. Tax/Fee Issues:

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

This effort is already in place; the bill codifies a part of current administrative rule for voter education for public high school students. Additional costs may be incurred in order to meet the requirement that voter education presentations be conducted, upon request, each semester by county supervisors of elections.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:****A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.