

By Senator Hutson

7-00463-18

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1                   A bill to be entitled  
2           An act relating to voter registration list  
3           maintenance; amending s. 98.075, F.S.; authorizing the  
4           Department of State to enter into certain interstate  
5           agreements or to become a member of a nongovernmental  
6           entity to verify voter registration information;  
7           establishing requirements for participation in such  
8           agreements or memberships; requiring the Department of  
9           Highway Safety and Motor Vehicles to provide specified  
10          information to the Department of State; establishing  
11          reporting requirements; providing an effective date.

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

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15           Section 1. Subsection (2) of section 98.075, Florida  
16 Statutes, is amended to read:

17           98.075 Registration records maintenance activities;  
18 ineligibility determinations.—

19           (2) DUPLICATE REGISTRATION.—

20           (a) The department shall identify those voters who are  
21 registered more than once within the state or those applicants  
22 whose registration applications within the state would result in  
23 duplicate registrations. The most recent application shall be  
24 deemed an update to the voter registration record.

25           (b)1. The department may enter into interstate agreements  
26 or become a member of a nongovernmental entity whose membership  
27 is composed solely of state government election officials if the  
28 sole purpose of the agreement or membership is to share and  
29 exchange information in order to verify voter registration

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30 information. If the department intends to become a member of  
31 such a nongovernmental entity, the agreement to join the entity  
32 must require that the Secretary of State, or his or her  
33 designee, serve as a full member with voting rights on the  
34 nongovernmental entity's board of directors within 12 months  
35 after joining the entity.

36 2. The department may share confidential and exempt  
37 information pursuant to an interstate agreement or after  
38 becoming a member of a nongovernmental entity as provided in  
39 subparagraph 1. if:

40 a. Each state that is a participant in the interstate  
41 agreement or each member of the nongovernmental entity agrees to  
42 maintain the confidentiality of such information; or

43 b. The bylaws of the nongovernmental entity require member  
44 states and the entity to maintain the confidentiality of  
45 information as required by the laws of the state providing the  
46 information.

47 3. The department may only enter into an interstate  
48 agreement or become a member of a nongovernmental entity as  
49 provided in subparagraph 1. if the agreement or entity is  
50 controlled and operated by the participating states. The  
51 interstate agreement or entity may not be operated or controlled  
52 by the Federal Government or any other entity acting on behalf  
53 of the Federal Government. The department must be able to  
54 withdraw at any time from such interstate agreement or  
55 membership entered into.

56 4. If the department enters into an interstate agreement or  
57 becomes a member of a nongovernmental entity as provided in  
58 subparagraph 1., the Department of Highway Safety and Motor

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59 Vehicles must, pursuant to a written agreement with the  
60 department, provide driver license or identification information  
61 to the department for the purpose of sharing and exchanging  
62 voter registration information pursuant to an interstate  
63 agreement or with the nongovernmental entity.

64 5. If the department enters into an interstate agreement or  
65 becomes a member of a nongovernmental entity as provided in  
66 subparagraph 1., the department must submit a report to the  
67 Governor, the President of the Senate, and the Speaker of the  
68 House of Representatives by December 1 of each year. The report  
69 must describe the interstate agreement or nongovernmental entity  
70 membership and provide information on the total number of voters  
71 removed from the voter registration system as a result of the  
72 agreement or membership and the reasons for their removal.

73 Section 2. This act shall take effect January 1, 2019.