A bill to be entitled
An act relating to public records; amending s. 97.0585, F.S.; providing an exemption from public records requirements for the telephone numbers and email addresses of voter registration applicants and voters; providing an exemption from public records requirements for information concerning preregistered voter registration applicants who are minors; providing for future legislative review and repeal; providing for retroactive application; providing statements of public necessity; providing an effective date.

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

Section 1. Subsection (1) of section 97.0585, Florida Statutes, is amended, and subsection (3) of that section is reenacted, to read:

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

(1) The following information held by an agency, as defined in s. 119.011, and obtained for the purpose of voter registration is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution and may be used only for purposes of voter registration:
(a) All declinations to register to vote made pursuant to ss. 97.057 and 97.058.

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

(c) The social security number, driver license number, and Florida identification number of a voter registration applicant or voter.

(d) The telephone number and e-mail address of a voter registration applicant or voter, except that such information shall be made available to or reproduced only for the voter registration applicant or voter, a canvassing board, an election official, a political party or official thereof, a candidate who has filed qualification papers and is opposed in an upcoming election, and registered political committees for political purposes only.

(e) All information concerning preregistered voter registration applicants who are 16 or 17 years of age.

(f) Paragraphs (d) and (e) are subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2024, unless reviewed and saved from repeal through reenactment by the Legislature.

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

Section 2. (1) The Legislature finds that it is a public
necessity that the telephone number and e-mail address of a voter registration applicant or voter that is held by an agency and obtained for the purpose of voter registration be made confidential and exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. The telephone number and e-mail address of a voter registration applicant or voter is personal and sensitive information and could be misused by a dishonest person if placed in the public domain along with the name of the applicant or voter. The information may be used for consumer scams, unwanted solicitations, or other forms of invasive contacts. In addition, a voter registration applicant or voter may be harassed through these mediums if the information is publicly available. The potential for harm that results from unfettered access to a voter registration applicant's or voter's telephone number or e-mail address exceeds any public benefit that may be derived from disclosure of such information.

(2) The Legislature also finds that e-mail addresses are personal information that could be misused and could result in voter fraud if released. A voter may request a vote-by-mail ballot using an e-mail address. Unrestricted access to such e-mail addresses may enable others to determine which voters are intending to vote by vote-by-mail ballot and result in the confiscation and misuse of a mailed vote-by-mail ballot by a person other than the requesting voter. In addition, collection
of the e-mail address of a voter registration applicant or a voter would give supervisors of elections the opportunity to employ the cost-saving measure of electronically transmitting sample ballots. If a voter registration applicant or a voter knows that his or her e-mail address is subject to public disclosure, he or she may be less willing to provide the e-mail address to the supervisor of elections. Accordingly, the effective and efficient administration of a government program would be significantly impaired.

(3) The Legislature finds that it is a public necessity that all information concerning preregistered voter registration applicants who are 16 or 17 years of age which is held by an agency, and obtained for the purpose of voter registration, be confidential and exempt from public records requirements and be used only for purposes of voter registration. Information concerning preregistered voter registration applicants who are 16 or 17 years of age could be misused if released. Minors are more vulnerable members of society, and the widespread release of information acquired through preregistration activities may be used to solicit, harass, stalk, or intimidate such individuals. Without such protection, a minor may be less likely to take advantage of preregistering to vote, thus hindering the effective and efficient administration of a program that otherwise encourages greater participation in the democratic process.
Section 3. This act shall take effect July 1, 2019.