

By Senator Taddeo

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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
8 applications for changes of address for existing
9 driver licenses or identification cards submitted to
10 the department serve as voter registration
11 applications; specifying that an applicant is deemed
12 to have consented to the use of his or her signature
13 for voter registration purposes, unless a declination
14 is made; requiring specified applications to include a
15 voter registration component, subject to approval by
16 the Department of State; specifying requirements for
17 the voter registration component; providing for the
18 transmittal of voter registration information to the
19 Department of State and supervisors of elections;
20 amending s. 98.045, F.S.; conforming a cross-
21 reference; providing an effective date.

22
23 Be It Enacted by the Legislature of the State of Florida:

24
25 Section 1. Section 97.057, Florida Statutes, is amended to
26 read:

27 97.057 Voter registration by the Department of Highway
28 Safety and Motor Vehicles.—

29 (1) Each of the following serves as an application ~~The~~

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30 ~~Department of Highway Safety and Motor Vehicles shall provide~~
31 ~~the opportunity to register to vote or to update a voter~~
32 ~~registration record when submitted to the Department of Highway~~
33 ~~Safety and Motor Vehicles to each individual who comes to an~~
34 ~~office of that department to:~~

35 (a) An application ~~Apply~~ for a driver license or a renewal
36 of ~~renew~~ a driver license;

37 (b) An application ~~Apply~~ for an identification card
38 pursuant to chapter 322 or a renewal of ~~renew~~ an identification
39 ~~card pursuant to chapter 322; or~~

40 (c) An application for a change of ~~an~~ address on an
41 existing driver license or identification card.

42
43 Unless the applicant declines to register to vote or to update
44 his or her voter registration record, he or she is deemed to
45 have consented to the use of the signature from his or her
46 driver license or identification card application for voter
47 registration purposes.

48 (2) An application for a driver license or an
49 identification card must include a voter registration component.
50 The voter registration component must be approved by the
51 Department of State. The voter registration component of a
52 driver license or identification card application must contain:

53 (a) The minimum amount of information necessary to prevent
54 duplicate voter registrations and preserve the ability of the
55 department and supervisors of elections to assess the
56 eligibility of the applicant and administer voter registration
57 and other provisions of this code.

58 (b) A statement setting forth voting eligibility

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59 requirements.

60 (c) An explanation that the applicant is consenting, for
61 voter registration purposes, to the use of his or her signature
62 from the applicant's driver license or identification card
63 application. By consenting to the use of his or her signature,
64 the applicant is deemed to have subscribed to the oath required
65 by s. 3, Art. VI of the State Constitution and s. 97.051 and to
66 have sworn and affirmed that the voter registration information
67 contained in the application is true under penalty for false
68 swearing pursuant to s. 104.011.

69 (d) An option that allows the applicant to choose or update
70 a party affiliation; otherwise, an applicant who is initially
71 registering to vote and does not exercise such option shall be
72 registered without party affiliation in accordance with s.
73 97.053(5)(b).

74 (e) An option that allows the applicant to decline to
75 register to vote or to decline to update his or her voter
76 registration record. The Department of Highway Safety and Motor
77 Vehicles shall note any such declination in its records and
78 forward the declination to the Department of State. Any
79 declination may be used only for voter registration purposes and
80 is confidential and exempt from public records requirements as
81 provided in s. 97.0585.

82 (3) The Department of Highway Safety and Motor Vehicles
83 shall:

84 (a) Develop a voter registration component for applications
85 which meets the requirements set forth in subsection (2). ~~Notify~~
86 ~~each individual, orally or in writing, that:~~

87 ~~1. Information gathered for the completion of a driver~~

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88 ~~license or identification card application, renewal, or change~~
89 ~~of address can be automatically transferred to a voter~~
90 ~~registration application;~~

91 ~~2. If additional information and a signature are provided,~~
92 ~~the voter registration application will be completed and sent to~~
93 ~~the proper election authority;~~

94 ~~3. Information provided can also be used to update a voter~~
95 ~~registration record;~~

96 ~~4. All declinations will remain confidential and may be~~
97 ~~used only for voter registration purposes; and~~

98 ~~5. The particular driver license office in which the person~~
99 ~~applies to register to vote or updates a voter registration~~
100 ~~record will remain confidential and may be used only for voter~~
101 ~~registration purposes.~~

102 ~~(b) Require a driver license examiner to inquire orally or,~~
103 ~~if the applicant is hearing impaired, inquire in writing whether~~
104 ~~the applicant wishes to register to vote or update a voter~~
105 ~~registration record during the completion of a driver license or~~
106 ~~identification card application, renewal, or change of address.~~

107 ~~1. If the applicant chooses to register to vote or to~~
108 ~~update a voter registration record:~~

109 ~~a. All applicable information received by the Department of~~
110 ~~Highway Safety and Motor Vehicles in the course of filling out~~
111 ~~the forms necessary under subsection (1) must be transferred to~~
112 ~~a voter registration application.~~

113 ~~b. The additional necessary information must be obtained by~~
114 ~~the driver license examiner and must not duplicate any~~
115 ~~information already obtained while completing the forms required~~
116 ~~under subsection (1).~~

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117 ~~e. A voter registration application with all of the~~
118 ~~applicant's voter registration information required to establish~~
119 ~~the applicant's eligibility pursuant to s. 97.041 must be~~
120 ~~presented to the applicant to review and verify the voter~~
121 ~~registration information received and provide an electronic~~
122 ~~signature affirming the accuracy of the information provided.~~

123 ~~2. If the applicant declines to register to vote, update~~
124 ~~the applicant's voter registration record, or change the~~
125 ~~applicant's address by either orally declining or by failing to~~
126 ~~sign the voter registration application, the Department of~~
127 ~~Highway Safety and Motor Vehicles must note such declination on~~
128 ~~its records and shall forward the declination to the statewide~~
129 ~~voter registration system.~~

130 ~~(3) For the purpose of this section, the Department of~~
131 ~~Highway Safety and Motor Vehicles, with the approval of the~~
132 ~~Department of State, shall prescribe:~~

133 ~~(a) A voter registration application that is the same in~~
134 ~~content, format, and size as the uniform statewide voter~~
135 ~~registration application prescribed under s. 97.052; and~~

136 ~~(b) A form that will inform applicants under subsection (1)~~
137 ~~of the information contained in paragraph (2) (a).~~

138 ~~(4) The Department of Highway Safety and Motor Vehicles~~
139 ~~must~~ Electronically transmit the voter registration component of
140 an applicant's driver license or identification card application
141 to the Department of State ~~completed voter registration~~
142 ~~applications within 24 hours after receipt to the statewide~~
143 ~~voter registration system.~~ Upon receipt of the voter
144 registration component, the Department of State shall provide
145 the information to the supervisor of the county in which the

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146 applicant is registering ~~Completed paper voter registration~~
147 ~~applications received by the Department of Highway Safety and~~
148 ~~Motor Vehicles shall be forwarded within 5 days after receipt to~~
149 ~~the supervisor of the county where the office that processed or~~
150 ~~received that application is located.~~

151 ~~(5) The Department of Highway Safety and Motor Vehicles~~
152 ~~must send, with each driver license renewal extension~~
153 ~~application authorized pursuant to s. 322.18(8), a uniform~~
154 ~~statewide voter registration application, the voter registration~~
155 ~~application prescribed under paragraph (3)(a), or a voter~~
156 ~~registration application developed especially for the purposes~~
157 ~~of this subsection by the Department of Highway Safety and Motor~~
158 ~~Vehicles, with the approval of the Department of State, which~~
159 ~~must meet the requirements of s. 97.052.~~

160 ~~(4)(6)~~ A person providing voter registration services for a
161 driver license office may not:

162 (a) Seek to influence an applicant's political preference
163 or party registration;

164 (b) Display any political preference or party allegiance;

165 (c) Make any statement to an applicant or take any action
166 the purpose or effect of which is to discourage the applicant
167 from registering to vote; or

168 (d) Disclose any applicant's voter registration information
169 except as needed for the administration of voter registration.

170 ~~(5)(7)~~ The Department of Highway Safety and Motor Vehicles
171 shall collect data determined necessary by the Department of
172 State for program evaluation and reporting to the Election
173 Assistance Commission pursuant to federal law.

174 ~~(6)(8)~~ The Department of Highway Safety and Motor Vehicles

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175 shall ~~must~~ ensure that all voter registration services provided
176 by driver license offices are in compliance with the Voting
177 Rights Act of 1965.

178 (7)~~(9)~~ The Department of Highway Safety and Motor Vehicles
179 shall retain complete records of voter registration information
180 received, processed, and submitted to the Department of State
181 ~~statewide voter registration system~~ by the Department of Highway
182 Safety and Motor Vehicles. The maintenance of such ~~These~~ records
183 is ~~shall be~~ for the explicit purpose of supporting audit and
184 accounting controls established to ensure accurate and complete
185 electronic transmission of records between the Department of
186 State ~~statewide voter registration system~~ and the Department of
187 Highway Safety and Motor Vehicles.

188 (8)~~(10)~~ The Department of State shall provide the
189 Department of Highway Safety and Motor Vehicles with an
190 electronic database of street addresses valid for use as the
191 address of legal residence as required in s. 97.053(5). The
192 Department of Highway Safety and Motor Vehicles shall compare
193 the address provided by the applicant against the database of
194 valid street addresses. If the address provided by the applicant
195 does not match a valid street address in the database, the
196 applicant will be asked to verify the address provided. The
197 Department of Highway Safety and Motor Vehicles may ~~shall~~ not
198 reject any application for voter registration for which a valid
199 match cannot be made.

200 (9)~~(11)~~ The Department of Highway Safety and Motor Vehicles
201 shall enter into an agreement with the Department of State to
202 match information in the statewide voter registration system
203 with information in the database of the Department of Highway

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204 Safety and Motor Vehicles to the extent required to verify the
205 accuracy of the driver license number, Florida identification
206 number, or last four digits of the social security number
207 provided on applications for voter registration as required in
208 s. 97.053.

209 (10)~~(12)~~ The Department of Highway Safety and Motor
210 Vehicles shall enter into an agreement with the Commissioner of
211 Social Security as required by the Help America Vote Act of 2002
212 to verify the last four digits of the social security number
213 provided in applications for voter registration as required in
214 s. 97.053.

215 Section 2. Paragraph (b) of subsection (4) of section
216 98.045, Florida Statutes, is amended to read:

217 98.045 Administration of voter registration.—

218 (4) STATEWIDE ELECTRONIC DATABASE OF VALID RESIDENTIAL
219 STREET ADDRESSES.—

220 (b) The department shall make the statewide database of
221 valid street addresses available to the Department of Highway
222 Safety and Motor Vehicles as provided in s. 97.057(8) ~~s.~~
223 ~~97.057(10)~~. The Department of Highway Safety and Motor Vehicles
224 shall use the database for purposes of validating the legal
225 residential addresses provided in voter registration
226 applications received by the Department of Highway Safety and
227 Motor Vehicles.

228 Section 3. This act shall take effect January 1, 2022.