

ENROLLED

CS/HB 87

2018 Legislature

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 2 An act relating to public records; amending s. 98.075,
 3 F.S.; providing an exemption from public records
 4 requirements for certain information received by the
 5 Department of State from another state or the District
 6 of Columbia which is confidential or exempt pursuant
 7 to the laws of that jurisdiction; providing for
 8 release of such information to specified persons;
 9 providing for future legislative review and repeal of
 10 the exemption; providing a statement of public
 11 necessity; providing a contingent effective date.

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

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 15 Section 1. Paragraph (c) is added to subsection (2) of
 16 section 98.075, Florida Statutes, as amended by CS/HB 85, 2018
 17 Regular Session, to read:

18 98.075 Registration records maintenance activities;
 19 ineligibility determinations.-

20 (2) DUPLICATE REGISTRATION.-

21 (c) Information received by the department from another
 22 state or the District of Columbia upon the department becoming a
 23 member of a nongovernmental entity as provided in subparagraph
 24 (b)1., which is confidential or exempt pursuant to the laws of
 25 that state or the District of Columbia, is exempt from s.

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26 | 119.07(1) and s. 24(a), Art. I of the State Constitution. The
27 | department shall provide such information to the supervisors to
28 | conduct registration list maintenance activities. This paragraph
29 | is subject to the Open Government Sunset Review Act in
30 | accordance with s. 119.15 and shall stand repealed on October 2,
31 | 2023, unless reviewed and saved from repeal through reenactment
32 | by the Legislature.

33 | Section 2. The Legislature finds that it is a public
34 | necessity that information received by the Department of State
35 | from another state or the District of Columbia pursuant to its
36 | membership in a nongovernmental entity as provided in s.
37 | 98.075(2)(b), Florida Statutes, which is confidential or exempt
38 | pursuant to the laws of that state or the District of Columbia,
39 | be made exempt from s. 119.07(1), Florida Statutes, and s.
40 | 24(a), Article I of the State Constitution. Becoming a member of
41 | a nongovernmental entity for the purpose of sharing and
42 | exchanging information to verify voter registration information
43 | is critical to ensuring the accuracy of the statewide voter
44 | registration system. Maintaining an accurate statewide voter
45 | registration system is critical to fair elections in this state.
46 | Without the public records exemption, the department will be
47 | unable to receive information from other states or the District
48 | of Columbia which might otherwise be confidential or exempt
49 | pursuant to the laws of those jurisdictions, which would impair
50 | the ability of the department and supervisors of elections to

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51 | maintain accurate voter rolls. As a result, the effective and
52 | efficient administration of the statewide voter registration
53 | system would be hindered. For these reasons, the Legislature
54 | finds that it is a public necessity to maintain the exempt
55 | status of such information received by the department.

56 | Section 3. This act shall take effect on the same date
57 | that CS/HB 85 or similar legislation takes effect, if such
58 | legislation is adopted in the same legislative session or an
59 | extension thereof and becomes a law.