

1                                   A bill to be entitled  
 2           An act relating to public records; amending s.  
 3           97.0585, F.S.; providing an exemption from public  
 4           records requirements for the telephone numbers and  
 5           email addresses of voter registration applicants and  
 6           voters; providing an exemption from public records  
 7           requirements for information concerning preregistered  
 8           voter registration applicants who are minors;  
 9           providing for future legislative review and repeal;  
 10          providing for retroactive application; providing  
 11          statements of public necessity; providing an effective  
 12          date.

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

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

19           97.0585 Public records exemption; information regarding  
 20           voters and voter registration; confidentiality.-

21           (1) The following information held by an agency, as  
 22           defined in s. 119.011, and obtained for the purpose of voter  
 23           registration is confidential and exempt from s. 119.07(1) and s.  
 24           24(a), Art. I of the State Constitution and may be used only for  
 25           purposes of voter registration:

26 (a) All declinations to register to vote made pursuant to  
 27 ss. 97.057 and 97.058.

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

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

34 (d) The telephone number and e-mail address of a voter  
 35 registration applicant or voter, except that such information  
 36 shall be made available to or reproduced only for the voter  
 37 registration applicant or voter, an official elected to public  
 38 office, a canvassing board, and an election official and, for  
 39 political purposes only, to a political party or official  
 40 thereof, a candidate as defined in s. 106.011, and a registered  
 41 political committee.

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

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

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

50 Section 2. (1) The Legislature finds that it is a public

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

68 (2) The Legislature also finds that e-mail addresses are  
69 personal information that could be misused and could result in  
70 voter fraud if released. A voter may request a vote-by-mail  
71 ballot using an e-mail address. Unrestricted access to such e-  
72 mail addresses may enable others to determine which voters are  
73 intending to vote by vote-by-mail ballot and result in the  
74 confiscation and misuse of a mailed vote-by-mail ballot by a  
75 person other than the requesting voter. In addition, collection

76 | of the e-mail address of a voter registration applicant or a  
77 | voter would give supervisors of elections the opportunity to  
78 | employ the cost-saving measure of electronically transmitting  
79 | sample ballots. If a voter registration applicant or a voter  
80 | knows that his or her e-mail address is subject to public  
81 | disclosure, he or she may be less willing to provide the e-mail  
82 | address to the supervisor of elections. Accordingly, the  
83 | effective and efficient administration of a government program  
84 | would be significantly impaired.

85 | (3) The Legislature finds that it is a public necessity  
86 | that all information concerning preregistered voter registration  
87 | applicants who are 16 or 17 years of age which is held by an  
88 | agency, and obtained for the purpose of voter registration, be  
89 | confidential and exempt from public records requirements and be  
90 | used only for purposes of voter registration. Information  
91 | concerning preregistered voter registration applicants who are  
92 | 16 or 17 years of age could be misused if released. Minors are  
93 | more vulnerable members of society, and the widespread release  
94 | of information acquired through preregistration activities may  
95 | be used to solicit, harass, stalk, or intimidate such  
96 | individuals. Without such protection, a minor may be less likely  
97 | to take advantage of preregistering to vote, thus hindering the  
98 | effective and efficient administration of a program that  
99 | otherwise encourages greater participation in the democratic  
100 | process.

101 | Section 3. This act shall take effect July 1, 2019. |