

CHAPTER 2024-78

Committee Substitute for House Bill No. 135

An act relating to voter registration applications; amending s. 97.053, F.S.; providing an exception to a requirement that certain voter registration applicants must be registered without party affiliation; amending s. 97.057, F.S.; requiring the Department of Highway Safety and Motor Vehicles to notify certain individuals of certain information; prohibiting the department from changing the party affiliation of an applicant except in certain circumstances; requiring the department to provide an applicant with a certain receipt; prohibiting a person providing voter registration services for a driver license office from taking certain actions; requiring the department to ensure that information technology processes and updates do not alter certain information without written consent; requiring the department to be in full compliance with this act within a certain period; providing an effective date.

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

Section 1. Paragraph (b) of subsection (5) of section 97.053, Florida Statutes, is amended to read:

97.053 Acceptance of voter registration applications.—

(5)

(b) An applicant who fails to designate party affiliation must be registered without party affiliation, except that the party affiliation of an applicant who is updating a voter registration record may not be changed unless the applicant designates and consents in writing to a change in party affiliation. The supervisor must notify the voter by mail that the voter has been registered without party affiliation and that the voter may change party affiliation as provided in s. 97.1031.

Section 2. Subsection (2) and paragraph (a) of subsection (6) of section 97.057, Florida Statutes, are amended, and subsection (14) is added to that section, to read:

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

(2) The Department of Highway Safety and Motor Vehicles shall:

(a) Notify each individual, orally or in writing, that:

1. Information gathered for the completion of a driver license or identification card application, renewal, or change of address can be automatically transferred to a voter registration application;

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

3. Information provided can also be used to update a voter registration record, except that party affiliation will not be changed unless the individual designates a change in party affiliation and separately consents to such change in writing;

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

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

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

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

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

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

c. A voter registration application with all of the applicant's voter registration information required to establish the applicant's eligibility pursuant to s. 97.041 must be presented to the applicant to review and verify the voter registration information received and provide an electronic signature affirming the accuracy of the information provided.

d. The voter registration application may not be used to change the party affiliation of the applicant unless the applicant designates a change in party affiliation and provides a separate signature consenting to the party affiliation change.

e. After verifying the voter registration information and providing his or her electronic signature, the applicant must be provided with a printed receipt that includes such information and documents any change in party affiliation.

2. If the applicant declines to register to vote, update the applicant's voter registration record, or change the applicant's address by either orally

declining or by failing to sign the voter registration application, the Department of Highway Safety and Motor Vehicles must note such declination on its records and shall forward the declination to the statewide voter registration system.

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

(a) Make any change to an applicant's party affiliation unless the applicant provides a separate signature consenting to the party affiliation change or discuss or seek to influence an applicant's political preference or party registration;

(14) The Department of Highway Safety and Motor Vehicles shall ensure that information technology processes and updates do not alter an applicant's party affiliation without the written consent of the applicant.

Section 3. The Department of Highway Safety and Motor Vehicles must be in full compliance with this act within 3 months after this act becomes a law.

Section 4. This act shall take effect January 1, 2025.

Approved by the Governor April 11, 2024.

Filed in Office Secretary of State April 11, 2024.