Notice of Proposed Rule

[**DEPARTMENT OF STATE**](https://www.flrules.org/gateway/department.asp?id=1)[**Division of Elections**](https://www.flrules.org/gateway/organization.asp?id=16)

RULE NO.: RULE TITLE:
[1S-2.040](https://www.flrules.org/gateway/ruleNo.asp?id=1S-2.040): Statewide Uniform Voter Registration Application
PURPOSE AND EFFECT: The proposed changes are to conform the language in the Statewide Voter Registration Application to statutory changes in chapter 2022-73 and 2023-120 Laws of Florida, providing addition information to the applicant about collection through a third-party voter registration application. The proposed changes also update the language and formatting of the Statewide Voter Registration Application generally, and simultaneously complete technical updates to the supervisors of elections’ addresses and telephone numbers on the back of the form. Comments to the rule have also been incorporated.
SUMMARY: The rule updates the application to conform to law and makes clarifying and requested changes.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:
The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of $200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.
The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based on this information, the department determined there will be no adverse impact to small businesses and the potential regulatory costs of the proposed rule chapter does not exceed any of the criteria established in Section 120.541(2)(a), F.S. Additionally, no interested party submitted additional information regarding the economic impact.
The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Upon completion of a checklist, it was determined that this rule amendment will not have a direct or indirect adverse impact on small businesses.
Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.
RULEMAKING AUTHORITY: [20.10, 97.012(1), (2), 97.052](https://www.flrules.org/gateway/cfr.asp?id=20.10,%2097.012(1),%20(2),%2097.052)
LAW IMPLEMENTED: [97.051, 97.052, 97.0535, 97.1031, 98.077, 101.045(2)](https://www.flrules.org/gateway/cfr.asp?id=97.051,%2097.052,%2097.0535,%2097.1031,%2098.077,%20101.045(2))
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
DATE AND TIME: January 9, 2024 at 11 a.m.
PLACE: Heritage Hall, 500 S. Bronough St, Tallahassee, FL 32399 or 1(888)585-9008; Conference Rom # 201-297-717.
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Genevieve McNalis at Genevieve.mcnalis@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Genevieve McNalis at Genevieve.mcnalis@dos.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

**1S-2.040** **Statewide Uniform Voter Registration Application.**

(1) The Department of State, Division of Elections, is required to adopt by rule a uniform statewide voter registration application for use in this state. Form DS-DE 39, entitled “Florida Voter Registration Application” (eff. MM/DD/YYYY ~~10/2103)~~; [~~https://www.flrules.org/Gateway/reference.asp?No=Ref-03171~~](https://www.flrules.org/Gateway/reference.asp?No=Ref-03171), i~~s~~ hereby incorporated by reference. The form consists of two parts: instructions ~~and information~~, and a detachable application.

(2) This application is available through the online registration system at www.registertovoteflorida.gov which may be prefilled and printed for signature to submit to a Supervisor of Elections’ office. This application form is available ~~by request from the Division of Elections at Room 316, R. A. Gray Building, Tallahassee, Florida 32399-0250 or by contacting the Division of Elections at (850)245-6200,~~ by download from the Division’s website under the votor registration link “For the Voters” at: <https://www.dos.fl.gov/elections> ~~myflorida.com~~ [~~http://election.dos~~](http://election.dos/)~~.state.fl.us~~, or by request from the Division of Elections at Room 316, R. A. Gray Building, Tallahassee, Florida 32399-0250, or 850(245)6200. The form is also available at any supervisor of elections’ office, any tax collector’s office that issues driver licenses, any voter registration agency, or any entity that issues fishing or hunting licenses.

*Rulemaking Authority 20.10, 97.012(1), (2), 97.052 FS. Law Implemented 97.051, 97.052, 97.053, 97.1031, 98.077, 101.045(2) FS. History–New 11-29-05, Amended 1-1-08, 1-2-12, 10-24-13, \_\_\_\_\_\_\_\_\_\_\_\_\_.*

NAME OF PERSON ORIGINATING PROPOSED RULE: Maria Matthews
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Cord Byrd
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 29, 2023
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 25, 2023