

**I-866-OUR-VOTE
(1-866-687-8683)****Disclaimer:**

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VOTER REGISTRATION FORMS**1) Where can voter registration forms be obtained?**

There are several ways to get a voter registration form. The form can be downloaded from the Florida State Department Division of Elections website at <http://election.dos.state.fl.us/regtovote/regform.shtml#voterApp>. Application forms also are available at the local voter registration office, state agency offices that provide public assistance or serve persons with disabilities, public libraries, private or public universities receiving state financial assistance, or the Division of Elections office. The Department of Highway Safety and Motor Vehicles must provide voter registration forms and forms for updating a voter registration record to the local driver's license examination facilities for any applicant who wishes to register to vote when applying for the issuance or renewal of a driver's license or identification card, or when changing an address on an existing driver's license or identification card..

2) Are there restrictions on registering to vote using a photocopied voter registration form?

A voter registration application may be reproduced by any private individual or group, as long as the application is in the same format as an application prescribed by statute. There are no regulations prohibiting the copying of completed forms before their submission.

3) Are there restrictions on the use of the National Voter Registration Form?

The National Voter Registration Form can be used in Florida. See <http://www.eac.gov/voter/Register%20to%20Vote>. Voter registration drives using the National Voter Registration Form are subject to the same requirements described in **Questions #13-16**. Florida requests that you provide your race or ethnic group. You must indicate your party affiliation if you wish to participate in that party's primary election, caucus, or convention.

4) Are there restrictions regarding the use of registration form information?

Yes. The following information is confidential and may be used only for purposes of voter registration: (i) the voter or voter registration applicant's Social Security number, driver's license number, and Florida identification number and (ii) the location of voter registration or update to voter registration. Additionally, the signature of the voter is in the public record but may not be copied. Other than these restrictions, voter registration records are open to the public and may be examined or copied by any person. Voter registration applications are also made available to the Fish and Wildlife Conservation Commission.

5) Are there restrictions regarding pre-filling information on registration forms?

No. However, any inconsistent information on registration forms, such as an incorrect county or zip code, may delay the registration process. See **Question #11**.

COMPLETING VOTER REGISTRATION FORMS

6) How long must you live in a county before you are eligible to register to vote?

A person must have been a resident of the Florida county in which the person intends to register for a minimum of twenty-nine (29) days prior to a primary or general election. .

7) Are there any restrictions on registering to vote using a P.O. Box, college campus, or dorm address?

A person may register to vote using any address constituting his or her legal residence. Legal residence requires both domicile and a place of abode. Since a post office box is not a residence, a voter may not register using such an address.

8) If I am in the state because of work or school, can I register to vote?

Use of any address is permissible provided that you consider that address to be your legal residence. However, if you are claimed as a dependent on your parents' income tax return, their address is probably your legal residence.

9) Are there any identification requirements to register to vote?

If you are a first-time voter registering to vote by mail and you do not have a Florida driver's license number, Florida identification number, or a Social Security number you must provide additional identification. The following forms of identification are acceptable if they contain your name and photograph:

- United States passport
- Debit or credit card
- Military identification
- Student identification
- Retirement center identification
- Neighborhood association identification
- Public assistance identification

Instead of a photo ID, you may also provide a copy of a current and valid utility bill, bank statement, government paycheck, or other government document containing your name and current residence address.

<http://election.dos.state.fl.us/publications/pdf/2008VoterRegisVoteGuide.pdf>

If you fall into one of the following categories you are not required to provide identification:

- Persons 65 years of age or older
- Persons with a temporary or permanent physical disability
- Members of the uniformed services on active duty and their spouses and dependents, who, by reason of such active duty, are absent from the county on Election Day
- Members of the Merchant Marines and their spouses and dependents, who, by reason of service in the Merchant Marines, are absent from the county on Election Day
- Persons currently residing outside the United States who are eligible to vote in Florida

10) Are there any identification requirements in order to vote?

Yes. Florida voters must provide current and valid photo identification at the polling place in order to vote. Acceptable forms of identification include the following:

- Florida identification card
- Florida driver's license
- United States passport
- Debit or credit card
- Military identification
- Student identification
- Retirement center identification
- Neighborhood association identification
- Public assistance identification

If the photo identification does not contain the voter's signature, an additional identification with the voter's signature is required.

If the voter does not present one of the above forms of identification at the polling place, that person can vote by casting a provisional ballot. A provisional ballot is a paper ballot counted the day after the election once the county canvassing board has verified that the person was qualified to vote in that precinct and has confirmed the voter's identity.

11) What are the rules regarding missing or illegible information on registration forms?

A voter registration application is complete if it contains the following information:

- the applicant's name, legal residence address, and date of birth
- a mark in the checkbox affirming that the applicant is a United States citizen
- the applicant's current and valid driver's license number, identification number, or the last four digits of the applicant's Social Security number
- a mark in the checkbox affirming that the applicant has not been convicted of a felony, or if convicted, that the applicant has had his or her civil rights restored
- a mark in the checkbox affirming that the applicant has not been adjudicated mentally incapacitated with respect to voting, or that, if so adjudicated, has had his or her rights restored
- the applicant's signature swearing that the information contained in the registration application is true and subscribing to an oath as required by the Florida Constitution and statute.

The treatment of incomplete or illegible registration forms depends on the type of information that is missing or illegible. The applicant must provide a Florida driver's license number, identification number, or the last four digits of his or her Social Security number, or else his or her application will be considered incomplete. If such information is missing or unable to be verified, the applicant will be notified and must provide evidence of one of these numbers to the supervisor of elections. If the applicant does not provide such evidence, he or she may cast a provisional ballot which will be counted only if one of these numbers is verified before the end of the canvassing period, or if the applicant provides evidence by 5 p.m. on the second day following the election.

12) Can a person whose name has changed since registering vote on Election Day?

Yes. A person already registered to vote under a name that has been legally changed since originally registering may have the name changed in the registration book by completing and presenting an Affirmation of Identity in the precinct where the person is entitled to vote. The voter may also

complete a voter registration application indicating his or her change of name. If the voter's eligibility to vote cannot be determined, the voter will be entitled to vote on a provisional ballot.

REGISTERING OTHERS TO VOTE

13) What are the laws regarding third-party registration?

Under Florida law, third-party voter registration organizations must name a registered agent in the state and submit a list of the individuals responsible for the day-to-day operations of the organization to the Division of Elections. The statute also requires third-party voter registration organizations to submit quarterly reports to the Division of Elections, providing the date and location of any voter registration drives held during that quarter. There are no penalties for failure to provide this information.

However, the statute provides that if a third-party voter registration organization fails to deliver voter registration applications to the Division of Elections within 10 days of receipt from the applicant, or if the third-party voter registration organization delivers applications to the Division of Elections less than 29 days before an election, it faces fines of up to \$1000 per year.

While the above paragraph describes existing law, the statute is not currently enforced. In August 2006, a federal court issued an injunction prohibiting enforcement of the fines in § 97.0575. *League of Women Voters v. Cobb*, 447 F. Supp. 2d 1314 (S.D. Fla. 2006). The injunction was appealed, but the Eleventh Circuit dismissed the appeal as moot, due to the fact that the law as originally challenged had since been superseded by a new 2007 version. Florida Secretary of State Kurt S. Browning entered into a consent order on April 30, 2008, agreeing not to enforce the statute until the final amended rule is adopted, which he estimates to occur in early July 2008.

14) Are there any laws regarding submission of voter registration forms by individuals receiving compensation?

No. We are unaware of any provisions of the Florida Voter Registration Act prohibiting the submission of voter registration forms by individuals receiving compensation.

15) Is training required for voter registration drives?

No. There is no express training requirement under the Florida Voter Registration Act. However, voter registration drives using the National Voter Registration Act form may want to attend one of the training workshops that are held throughout Florida and open to the public. For a list of times and locations, visit <http://election.dos.state.fl.us/nvra/workshops.shtml>.

16) Are volunteers or staff of voter registration drives required to be county or state residents?

No, there is no such requirement under the Florida Voter Registration Act.

REGISTRATION DEADLINES

17) What is the deadline to register to vote?

For the 2008 general election, the deadline is Monday, October 6, 2008. Florida requires voters to be registered 29 days before an election. After this date, the only changes that may be made are a voter's name, address and signature. Individuals discharged or separated from the uniformed services or the Merchant Marines after this date may register to vote until 5 p.m. on the Friday preceding the elections. Applications received after the deadline will be accepted, but the voter may not vote until the subsequent election.

Voters in Florida may register in person or by mail. If an application is mailed to a driver license office, a voter registration agency, an armed forces recruitment office, the Division of Elections, or the office of any election supervisor in the state, the date of registration shall be the date of the postmark. If there is no postmark or the postmark is unclear, the application shall be deemed to be timely received if it arrives within 5 days following the time for the closing of the registration books.

18) Must organizations or individuals engaged in voter registration drives submit their forms within a certain period of time?

Yes. Each application must be received by the division or supervisor of elections within 10 days after the applicant delivered the completed voter registration application to the third-party voter registration organization or any person, entity, or agent acting on its behalf. The penalty for delay is \$50 per application or \$250 per application if the organization, person, entity, or agent acted willfully.

19) Is Election Day registration allowed?

Individuals who register to vote on Election Day will not be permitted to vote in that election. For the registration deadline **see Question #17**.

20) Does state election law allow for early or absentee voting?

Yes. Early voting in Florida begins on the 15th day before an election and ends 2 days before an election. Contact your county supervisor of elections for times and locations.

All voters who are qualified to vote in Florida may vote absentee. A request for an absentee ballot covers all elections through the next two general elections.

<http://election.dos.state.fl.us/online/faq.shtm/#voting>

To request an absentee ballot, the voter should contact their supervisor of elections by mail, telephone, or in person. Contact information for county supervisors can be found at <http://election.dos.state.fl.us/county/index.shtml>. A member of the voter's immediate family may also request an absentee ballot for the voter if he or she discloses the following:

- The name of the voter for whom the ballot is requested
- The voter's address
- The voter's date of birth
- The requester's name
- The requester's address
- The requester's driver's license number, if available
- The requester's relationship to the voter
- The requester's signature (for written requests only)

If the voter wishes to receive an absentee ballot by mail, the supervisor of elections must receive the request 6 days before the election. The absentee ballot will be mailed to the voter no later than 4 days before the election. If the voter requesting an absentee ballot is overseas, the ballot will be mailed no later than 35 days before a primary election, or 45 days before a general election. A voter may designate a person in writing to pick up an absentee ballot up to 5 days before the election.

Absentee ballots must be returned to the county supervisor of elections no later than 7 p.m. on the day of the election. A voter who has requested an absentee ballot may still vote in person if he or she has not yet voted the absentee ballot, provided that the voter turns in the absentee ballot when voting.

VOTER REGISTRATION LEGISLATION

21) Is there any pending legislation that affects voter registration? If so, where is it in the legislative process?

We are unaware of any pending legislation, however, the following are recent developments in voter registration legislation in Florida:

Florida Senate Bill No. 866, which was approved by the Governor on June 5, 2008, made two important changes to voter registration. *First*, it allows minors to preregister to vote on their 16th birthday. Second, the legislation removes two categories of identification that can be used to verify an applicant's identity when the applicant does not have a Florida driver's license or identification number, or a Social Security number. Specifically, applicants may no longer use an employee identification badge or a buyer's club identification as proof of identity when registering to vote. This bill was approved on June 5, 2008.

Florida House Bill No. 537 was approved on May 21, 2007, and it addressed issues regarding third party voter registration. Political parties are no longer exempt from the definition of a third party registration organization. Additionally, the fines for failure to promptly return voter registration applications to the Division of Elections are greatly reduced. See **Question #13** regarding the status of third party voter registration laws.

22) What applicable statutes are possibly affected?

If you would like to read the statutes that generally apply to voter registration, they are under Title IX, chapter 97 and 101, of Florida Statutes Annotated, specifically:

- §§ 97.032 to 97.105 on voter registration; and
- §§ 101.62 to 101.698 on absentee voting.

23) Are there any helpful elections official contacts?

For more information, contact the Florida Department of State Division of Elections at:

Department of State
Division of Elections
Director's Office
Room 316, R.A. Gray Building
500 South Bronough Street
Tallahassee, FL 32399-0250
1-866-308-6739

24) What web resources are available?

The Florida Department of State Division of Elections has a website dedicated to providing information on the voter registration process: <http://election.dos.state.fl.us/index.html>. This site includes resources such as frequently asked questions, absentee ballots, and special provisions for military officers.

The National Campaign for Fair Elections is another resource:

<http://www.nationalcampaignforfairelections.org/pages/florida>