



A Short Guide to Florida Voter Registration Drive Requirements

WHO IS ELIGIBLE TO VOTE?

In Florida, a person is eligible to register to vote if she is:

- At least 18 years old (or will be 18 years old on or before election day);
- A United States citizen;
- A legal resident of Florida and of the county in which she seeks to be registered.¹

Florida restricts the following individuals from voting:

- Persons who have been convicted of a felony in any court and who has not had their rights restored
- Persons who have been adjudged mentally incapacitated in regard to voting and have their voting rights restored;
- Persons who are not registered.²

WHAT CONSTITUTES A COMPLETE VOTER REGISTRATION APPLICATION?

In Florida, an application will be rejected unless it includes the following minimum information:³

1. The applicant's name
2. The applicant's legal residence address;
3. The applicant's date of birth;
4. A mark in the check box affirming that the applicant is a citizen of the United States;
5. a. The applicant's current and valid Florida driver's license number or the identification number from a Florida identification card issued under s. 322.051, or
b. If the applicant has not been issued a current and valid Florida driver's license or a Florida identification card, the last four digits of the applicant's social security number; (If the applicant does not have a current and valid Florida driver's license, Florida identification card, or social security number, the applicant shall affirm this fact on the state registration application.)
6. A mark in the check box affirming that the applicant has not been convicted of a felony or that, if convicted, has had his or her civil rights restored;
7. A mark in the check box affirming that the applicant has not been adjudicated mentally incapacitated with respect to voting or that, if so adjudicated, has had his or her right to vote restored;
8. The original signature of the applicant swearing or affirming that the information contained in the registration application is true and subscribing to the oath required by the state law;

WHAT IS THE DEADLINE FOR SUBMITTING REGISTRATION APPLICATIONS?

In Florida, registration is closed on the 29th day before the election until after Election Day.⁴

In computing the 29-day period, the day of the election is excluded and all other days are included. If the 29th day falls on a Sunday or a legal holiday, the registration books are closed on the next day that is not a Sunday or a legal holiday.

¹ Fla. Stat. 97.041

² Fla. Stat. 97.041

³ Fla. Stat. 97.053(5)(A)

⁴ Fla. Stat. 97.055



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WHAT ARE THE STATE RULES GOVERNING VOTER REGISTRATION DRIVES?

- A. *Are there restrictions on copying completed voter registration applications prior to submitting them to the registrar?*

There are no restrictions listed in the Florida election code or administrative code.

- B. *Are voter registration groups subject to time limits for submitting the voter registration applications they have collected?*

Under a recently modified law that goes into effect on January 1, 2008,⁵ voter registration groups must deliver applications within 10 days after they are collected. An application is deemed to have been collected on the day that it is signed.

Before conducting registration drive, voter registration organizations must submit to the Florida Elections Division the name of a registered agent and the names of persons responsible for the daily operation of the organization. The organization must also submit quarterly reports containing the date and location of registration drives conducted by the organization.

There is no civil or criminal penalty for failing to register as outlined above and failing to register is not grounds for denying a voter registration organization voter registration applications. However, an organization that complies with this portion of the law is given a three-fourths reduction in any fines imposed for missing deadlines for submission of completed registration applications or for failing to return completed applications.⁶

The fines for late submission of applications or failure to submit applications are as follows:

- A fine of \$50 for each application received more than 10 days after it was signed; this fine is increased to \$250 if the third party organization or its agent acted "willfully;"
- A fine of \$100 for each completed application delivered after the registration deadline, or "book closing" if the application was collected before book closing;
- A fine of \$ 500 for each application that is collected by the third party organization and not delivered to election officials; this fine is increased to \$1,000 if the failure to deliver was "willful;"
- The aggregate fine that can be imposed on any third party registration organization according to this law is \$ 1,000.⁷

- C. *Are voter registration groups prohibited from putting identifying marks on completed voter registration applications?*

There are no such restrictions in the Florida election code or administrative code.

- D. *Are there special rules requiring a third party to sign her name to the completed voter registration application?*

Third parties are not required to sign their names to completed voter registration applications.

- E. *Does the state require voter registration organizations to register or file other information detailing its voter registration activities?*

Yes, see the answer to question B above in this section.

⁵ The current third party registration law is not being enforced pursuant to an injunction filed in *League of Women Voters of Florida v. Cobb*, U.S. District Court, Southern District of Florida, Case No. 06-21265-CIV-JORDAN. The amending bill, Council Substitute for House Bill 537, can be accessed at http://election.dos.state.fl.us/laws/07laws/ch_2007-030.pdf, last visited September 27, 2007.

⁶ Fla. Stat. 97.0575, effective Jan. 1, 2008.

⁷ *Id.*



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- F. *Does the state require any training in order to conduct voter registration drives?*
No.
- G. *Does the state have restrictions on who may help others register to vote?*
There are no restrictions on who may help others register in the Florida code or administrative rules.

WHAT ARE THE RULES FOR CORRECTING INCOMPLETE APPLICATIONS?

- A. *If a voter registration application is incomplete, may the voter registration drive write the missing information on the application with the consent of the applicant?*
This is not addressed in the Florida election code or the administrative code.
- B. *How may an applicant correct an incomplete application after it has been submitted to county election officials?*
The elections supervisor must notify each applicant of the disposition of the applicant's voter registration application. The notice must tell the applicant whether the application has been approved, is incomplete, has been denied, or is a duplicate of a current registration. Any notice of denial must inform the applicant of the reason the application was denied. If the application is incomplete, the supervisor requests that the applicant supply the missing information using a voter registration application signed by the applicant.⁸

A voter information card sent to an applicant constitutes notice of approval of registration.

The information contained in this document is for general guidance only. It should not be used as a substitute for consultation with professional legal or other competent advisers. Project Vote is not responsible for any errors or omissions, or for the results obtained from the use of this information.

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⁸ Fla. Stat. 97.073