

CHAPTER 98

REGISTRATION OFFICE, OFFICERS, AND PROCEDURES

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98.015 Supervisor of elections; election, tenure of office, compensation, custody of books, office hours, successor, seal; appointment of deputy supervisors; duties.—

(1) A supervisor of elections shall be elected in each county at the general election in each year the number of which is a multiple of four for a 4-year term commencing on the first Tuesday after the first Monday in January succeeding his or her election. Each supervisor shall, before performing any of his or her duties, take the oath prescribed in s. 5, Art. II of the State Constitution and give a surety bond payable to the Governor in the sum of \$5,000, conditioned on the faithful discharge of the supervisor's duties.

(2) The supervisor's compensation shall be paid by the board of county commissioners.

(3) The supervisor is the official custodian of the registration books and has the exclusive control of matters pertaining to registration of electors.

(4) At a minimum, the office of the supervisor must be open Monday through Friday, excluding legal holidays, for a period of not less than 8 hours per day, beginning no later than 9 a.m.

(5) The supervisor shall preserve statements and other information required to be filed with the supervisor's office pursuant to chapter 106 for a period of 10 years from date of receipt.

(6) The supervisor shall, upon leaving office, deliver to his or her successor immediately all records belonging to the office.

(7) Each supervisor is authorized to obtain for the office an impression seal approved by the department. An impression of the seal with a description thereof shall be filed with the department. The supervisor is empowered to attach an impression of the seal upon official documents and certificates executed over the supervisor's signature and take oaths and acknowledgments under the supervisor's seal in matters pertaining to the office. However, said seal need not be affixed to registration certificates.

(8) Each supervisor may select and appoint, subject to removal by the supervisor, as many deputy supervisors as are necessary, whose compensation must be paid by the supervisor and who shall have the same powers and whose acts shall have the same effect as the acts of the supervisor; except that the supervisor shall limit the power to appoint deputy supervisors to designated deputy supervisors. Each deputy supervisor shall, before entering office, take an oath in writing that he or she will faithfully perform the duties of the deputy supervisor's office, which oath must be acknowledged by the supervisor or a designated deputy supervisor and must be filed in the office of the supervisor.

(9) Each supervisor must make training in the proper implementation of voter registration procedures available to any individual, group, center for independent living, or public library in the supervisor's county.

(10) Each supervisor must ensure that all voter registration and list maintenance procedures conducted by such supervisor are in compliance with any applicable requirements for that county under the Voting Rights Act of 1965.

History.—chs. 3700, 3704, 1887; s. 8, ch. 3879, 1889; RS 162; s. 9, ch. 4328, 1895; GS 179, 180; s. 1, ch. 5614, 1907; s. 1, ch. 9271, 1923; RGS 223, 224; CGL 258, 259; ss. 1, 2, ch. 22759, 1945; s. 2, ch. 26870, 1951; s. 10, ch. 65-134; ss. 10, 11, 35, ch. 69-106; s. 33, ch. 69-216; s. 5, ch. 77-175; s. 25, ch. 94-224; s. 1385, ch. 95-147.

Note.—Former ss. 98.13, 98.14, 98.17; s. 98.161.

98.045 Administration of voter registration.—

(1) Each supervisor must ensure that any eligible applicant for voter registration is registered to vote. Once a voter is registered, the name of that voter may not be removed from the registration books except at the written request of the voter, by reason of the voter's conviction of a felony or adjudication as mentally incapacitated with respect to voting, by death of the voter, or pursuant to a registration list maintenance program or other registration list maintenance activity conducted pursuant to s. 98.065 or s. 98.075.

(2) Information received by a supervisor from an election official in another jurisdiction indicating that a voter in the supervisor's county has registered to vote in that other jurisdiction shall be considered as a written request from the voter to have the voter's name

removed from the registration books of the supervisor's county.

(3) Notwithstanding the provisions of s. 98.095, each supervisor shall maintain for at least 2 years, and make available for public inspection and copying, all records concerning implementation of registration list maintenance programs and activities conducted pursuant to ss. 98.065 and 98.075. The records must include lists of the name and address of each person to whom an address confirmation final notice was sent and information as to whether each such person responded to the mailing, but may not include any information that is confidential or exempt from public record requirements under this code.

History.—s. 26, ch. 94-224.

98.055 Registration list maintenance forms.—The department shall prescribe registration list maintenance forms to be used by the supervisors which must include:

(1) An "address confirmation request" that must contain:

(a) The voter's name and address of legal residence as shown on the voter registration record.

(b) A request that the supervisor be informed if either the name or address of legal residence of the voter is incorrect.

(2) An "address confirmation final notice," which must be sent by forwardable mail and must contain a postage prepaid preaddressed return form and a statement that:

(a) If the voter has not changed address of legal residence or has changed address of legal residence within the county, the voter should return the return form within 30 days after the date of the notice.

(b) If the return form is not returned and the voter does not offer to vote by the second general election thereafter, the voter's name will be removed from the voter registration books.

(c) If the voter has changed address of legal residence to a location outside the county:

1. The voter should return the return form, which will serve as a request to be removed from the registration books; and

2. The voter will be provided with information on how to register in the new jurisdiction in order to be eligible to vote.

History.—s. 27, ch. 94-224.

98.065 Registration list maintenance programs.—

(1) The supervisor must conduct a general registration list maintenance program to protect the integrity of the electoral process by ensuring the maintenance of accurate and current voter registration records. The program must be uniform, nondiscriminatory, and in compliance with the Voting Rights Act of 1965.

(2) A supervisor must incorporate one or more of the following procedures in the supervisor's biennial registration list maintenance program under which:

(a) Change-of-address information supplied by the United States Postal Service through its licensees is used to identify registered voters whose addresses might have changed;

(b) Change-of-address information is identified from returned nonforwardable return-if-undeliverable mail sent to all registered voters in the county; or

(c) Change-of-address information is identified from returned nonforwardable return-if-undeliverable address confirmation requests mailed to all registered voters who have not voted in the last 2 years and who did not make a written request that their registration records be updated during that time.

(3) A registration list maintenance program must be conducted by each supervisor, at a minimum, in each odd-numbered year and must be completed not later than 90 days prior to the date of any federal election. A voter's name may not be removed from the registration books later than 90 days prior to the date of a federal election. However, nothing in this section shall preclude the removal of the name of a voter from the voter registration books, at any time and without prior notification, upon the written request of the voter, by reason of conviction of the voter of a felony, by reason of adjudication of the voter as mentally incapacitated with respect to voting, by reason of the death of the voter, or upon a determination of ineligibility as provided in s. 98.075(3).

(4) If the supervisor receives change-of-address information from the United States Postal Service or its licensees or from jury notices signed by the voter and returned to the courts, which indicates that:

(a) The voter has moved within the supervisor's county, the supervisor must change the registration records to show the new address and must send the voter a notice of the change by forwardable mail, including a postage prepaid preaddressed return form with which the voter may verify or correct the address information.

(b) The voter has moved outside the supervisor's county, or contains no forwarding address, the supervisor shall send an address confirmation final notice and remove the name of the voter from the registration record if that voter did not:

1. Return the postage prepaid preaddressed return form;

2. Appear to vote;

3. Change the voter's registration; or

4. Request an absentee ballot

during the period beginning on the date when the address confirmation final notice was sent and ending on the day after the date of the second general election thereafter.

(5) The supervisor must designate as inactive all voters who have been sent an address confirmation final notice and who have not returned the postage prepaid preaddressed return form within 30 days. A voter on the inactive list must be allowed to vote and to change the voter's name or address of legal residence at the polls pursuant to s. 101.045. Names on the inactive list may not be used to calculate the number of signatures needed on any petition or the quantity of voting equipment needed.

History.—s. 28, ch. 94-224.

98.075 Other registration list maintenance activities.—

(1) The supervisor may send an address confirmation request to any voter whose name is on the list of drivers who have been removed by the Department of Highway Safety and Motor Vehicles from its driver's

license database by reason of being licensed in another state. If the address confirmation request is returned to the supervisor by the United States Postal Service with change-of-address information, the supervisor must proceed in accordance with the procedures in s. 98.065(4).

(2) The supervisor may send an address confirmation request to any voter whom the supervisor has reason to believe has moved from his or her legal residence. If the address confirmation request is returned to the supervisor by the United States Postal Service with change-of-address information, the supervisor must proceed in accordance with the procedures in s. 98.065(4).

(3)(a) When the supervisor believes that a voter is not at least 18 years of age, is not a citizen of the United States, is a fictitious person, or has listed a residence that is not his or her legal residence, the supervisor must notify the person at his or her last known address by certified mail. If there is evidence that the notice was not received, notice must be given by publication in a newspaper of general circulation in the county where the person was last registered or last known. The notice by publication must run one time. The notification must plainly state that the registration is allegedly invalid and must be in the form of a notice to show cause why the person's name should not be removed from the registration books. The notice must state a time and place for the person so notified to appear before the supervisor to show cause why his or her name should not be removed.

(b) Upon hearing all evidence in an administrative hearing, the supervisor must determine whether there is sufficient evidence to strike the person's name from the registration books. If the supervisor determines that there is sufficient evidence, he or she must strike the name.

(c) Appeal may be taken to the circuit court in and for the county where the person was registered. Notice of appeal must be filed within the time and in the manner provided by the Florida Rules of Appellate Procedure and acts as supersedeas. Trial in the circuit court is de novo and governed by the rules of that court. Unless the person can show that his or her name was erroneously or illegally stricken from the registration books or that he or she is indigent, the person must bear the costs of the trial in the circuit court. Otherwise, the cost of the appeal must be paid by the board of county commissioners.

History.—s. 29, ch. 94-224; s. 1386, ch. 95-147.

98.081 Names removed from registration books; restrictions on reregistering; recordkeeping; restoration of erroneously or illegally removed names.—

(1) Any person who requested that his or her name be removed from the registration books between the book-closing date of the first primary and the date of the second primary may not register in a different political party until after the date of the second primary election.

(2) When the name of any elector is removed from the registration books pursuant to s. 98.065, s. 98.075, or s. 98.093, the elector's original registration form shall be filed alphabetically in the office of the supervisor. As alternatives, registrations removed from the registration

books may be microfilmed and such microfilms substituted for the original registration forms; or, when voter registration information, including the voter's signature, is maintained digitally or on electronic, magnetic, or optic media, such stored information may be substituted for the original registration form. Such microfilms or stored information shall be retained in the custody of the supervisor. In the event the original registration forms are microfilmed or maintained digitally or on electronic or other media, such originals may be destroyed in accordance with the schedule approved by the Bureau of Archives and Records Management of the Division of Library and Information Services of the department.

(3) When the name of any elector has been erroneously or illegally removed from the registration books, the name of the elector shall be restored by the supervisor upon satisfactory proof, even though the registration period for that election is closed.

History.—s. 8, ch. 25391, 1949; s. 2, ch. 26870, 1951; s. 1, ch. 61-86; s. 5, ch. 77-175; s. 1, ch. 78-102; s. 14, ch. 79-365; s. 8, ch. 80-292; s. 45, ch. 81-259; s. 18, ch. 81-304; s. 7, ch. 82-143; s. 3, ch. 90-315; s. 30, ch. 94-224; s. 1387, ch. 95-147.

Note.—Former s. 97.08.

98.093 Duty of officials to furnish lists of deceased persons, persons adjudicated mentally incapacitated, and persons convicted of a felony.—

(1) The Department of Health and Rehabilitative Services shall furnish monthly to each supervisor of elections a list containing the name, address, date of birth, race, and sex of each deceased person 17 years of age or older who was a resident of such supervisor's county.

(2) Each clerk of the circuit court shall, at least once each month, deliver to each supervisor of elections a list stating the name, address, date of birth, race, and sex of each person convicted of a felony during the preceding calendar month who was a resident of that supervisor's county, a list stating the name, address, date of birth, race, and sex of each person adjudicated mentally incapacitated with respect to voting during the preceding calendar month who was a resident of that supervisor's county, and a list stating the name, address, date of birth, race, and sex of each person whose mental capacity with respect to voting has been restored who was a resident of that supervisor's county.

(3) Upon receipt of information from the United States Attorney, listing persons convicted of a felony in federal court, the department shall immediately forward such information to the supervisor of elections for the county where the offender resides.

(4) Upon receipt of any such list, the supervisor shall remove from the registration books the name of any person listed who is deceased, convicted of a felony, or adjudicated mentally incapacitated with respect to voting. A person who has had his or her mental capacity with respect to voting restored or who has had his or her right to vote restored after conviction of a felony shall be required to reregister to have his or her name restored to the registration books.

(5) Nothing in this section shall limit or restrict the supervisor in his or her duty to remove the names of such persons from the registration books after verification of information received from other sources.

History.—s. 3, ch. 14730, 1931; CGL 1936 Supp. 302(1); s. 10, ch. 24203, 1947; s. 11, ch. 25035, 1949; s. 2, ch. 26870, 1951; s. 1, ch. 29917; s. 9, ch. 29934, 1955; s. 33, ch. 73-333; s. 27, ch. 77-147; s. 5, ch. 77-175; s. 32, ch. 94-224; s. 1388, ch. 95-147.

Note.—Former s. 98.41; s. 98.301.

98.095 County registers open to inspection; copies.—

(1)(a) The registration books are public records. Every citizen is allowed to examine the registration books while they are in the custody of the supervisor, but is not allowed to make copies or extracts therefrom except as provided by this section. Within 15 days of a request, the supervisor shall furnish any requested information, excluding a voter's signature, which the supervisor maintains pursuant to "The Florida Election Code."

(b) Notwithstanding the provision of paragraph (a), after an election, if there is a request for information relating to electors who voted in the most recent election, within 15 days of the request the supervisor shall either provide the information or allow the persons, entities, or agents thereof, as authorized in this section, to personally extract or copy the information.

(c) Actual costs of duplication shall be charged in accordance with the provisions of s. 119.07.

(2) The information provided pursuant to this section shall be furnished only to:

- (a) The courts for the purpose of jury selection;
- (b) Municipalities;
- (c) Other governmental agencies;
- (d) Candidates, to further their candidacy;
- (e) Registered political committees, registered committees of continuous existence, and political parties or officials thereof, for political purposes only; and
- (f) Incumbent officeholders, to report to their constituents.

Such information shall not be used for commercial purposes. No person to whom a list of registered voters is made available pursuant to this section, and no person who acquires such a list, shall use any information contained therein for purposes which are not related to elections, political or governmental activities, voter registration, law enforcement, or jury selection.

(3) Any person who acquires a precinct list from the office of the supervisor shall take and subscribe to an oath which shall be in substantially the following form:

I hereby swear or affirm that I am a person authorized by s. 98.095, Florida Statutes, to acquire information on registered voters of _____ County, Florida; that the information acquired will be used only for the purposes prescribed in that section and for no other purpose; and that I will not permit the use or copying of such information by persons not authorized by the Election Code of the State of Florida.

(Signature of person acquiring list)

Sworn to and subscribed before me this _____ day of _____, 19____.

(Signature and title of person administering oath)

History.—s. 18, ch. 6469, 1913; RGS 322; CGL 379; s. 4, ch. 25388, 1949; s. 2, ch. 26870, 1951; s. 8, ch. 29934, 1955; s. 1, ch. 57-810; s. 15, ch. 65-134; s. 5, ch. 77-175; s. 10, ch. 80-292; s. 46, ch. 81-259; s. 7, ch. 81-304; s. 3, ch. 87-363; s. 1, ch. 87-538; s. 4, ch. 91-235; s. 1, ch. 91-424; s. 33, ch. 94-224.

Note.—Section 1, ch. 91-424, amended s. 7, ch. 91-235, to provide that the amendment by s. 4, ch. 91-235, of subsection (2) shall take effect January 1, 1998, to read:

- (2) The information provided pursuant to this section shall be furnished only to:
 - (a) Municipalities;
 - (b) Other governmental agencies;
 - (c) Candidates, to further their candidacy;
 - (d) Registered political committees, registered committees of continuous existence, and political parties or officials thereof, for political purposes only; and
 - (e) Incumbent officeholders, to report to their constituents.

Such information shall not be used for commercial purposes. No person to whom a list of registered voters is made available pursuant to this section, and no person who acquires such a list, shall use any information contained therein for purposes which are not related to elections, political or governmental activities, voter registration, or law enforcement.

Note.—Former s. 102.25; s. 98.211.

98.101 Specifications for permanent registration binders, files, and forms.—

In the permanent registration system, visible record binders, files, and registration forms shall be used as registration books. The binders shall be visible record binders, metal bound with built-in shifts, to hold executed registration forms, with labelholders and followers for sheet protection as necessary. The registration forms shall consist of duplicates, both to be signed by the registrant. One of the original executed forms shall be used for the poll binders, which binders shall have a built-in lock to protect the forms. The poll binders shall be divided in a manner convenient for electors to vote. The other original form shall be used for the office copies and arranged alphabetically, in suitable filing cabinets, thus providing a master list of all electors in the county; however, any county may, as an alternate method, use electronic data processing equipment to fulfill the requirements of this chapter. As additional alternatives, registration forms used for office copies may be microfilmed and such microfilms substituted for the original registration forms; or, when voter registration information, including the voter's signature, is maintained digitally or on electronic, magnetic, or optic media, such stored information may be substituted for the original registration form. Such microfilms or stored information shall be retained in the custody of the supervisor of elections. In the event the original registration forms are microfilmed or maintained digitally or on electronic or other media, such originals may be destroyed in accordance with the schedule approved by the Bureau of Archives and Records Management of the Division of Library and Information Services of the Department of State.

History.—s. 3, ch. 25391, 1949; s. 2, ch. 26870, 1951; s. 7, ch. 65-134; s. 4, ch. 73-155; s. 5, ch. 77-175; s. 4, ch. 90-315.

Note.—Former s. 97.03.

98.181 Supervisor of elections to make up indexes or records.—

A set of indexes or records as the supervisor may direct shall be kept in each municipality of over 25,000 population, when such municipality is not the county seat, as will enable the supervisor, or the supervisor's deputy, to provide registration services to the electors in such municipality. Such set of indexes or records may be limited to cover those persons residing in such municipality and its environs. If there be two or more such municipalities in a county, then an additional set shall be kept, or such number of sets as may be required to serve each such municipality.

History.—ss. 12, 14, ch. 3879, 1889; RS 166, 168; ss. 14, 16, ch. 4328, 1895; GS 190, 195; RGS 234, 239; CGL 287, 292; ss. 3, 7, ch. 24203, 1947; s. 8, ch. 25383, 1949; s. 2, ch. 26870, 1951; s. 6, ch. 29934, 1955; s. 12, ch. 65-134; s. 5, ch. 77-175.

Note.—Former ss. 98.30, 98.35.

98.212 Supervisors to furnish statistical and other information.—

(1) Upon written request supervisors shall, as promptly as possible, furnish to recognized public or private universities and senior colleges within the state, to state or county governmental agencies, and to recognized political party committees, statistical information for the purpose of analyzing election returns and results.

(2) Supervisors may require reimbursement for any or all actual expense of supplying such information. Supervisors may use the services of research and statistical personnel that may be supplied.

(3) Lists of names submitted to supervisors for indication of registration or nonregistration or of party affiliation shall be processed at any time at cost, except that in no case shall the charge exceed 10 cents for each name on which the information is furnished.

(4) The supervisors shall provide information as requested by the department for program evaluation and reporting to the Federal Election Commission pursuant to the National Voter Registration Act of 1993.

History.—s. 2, ch. 57-810; s. 5, ch. 77-175; s. 26, ch. 79-400; s. 34, ch. 94-224.

98.231 Supervisor of elections to furnish Department of State number of registered electors.—

The supervisor of each county, within 15 days after the closing of registration books prior to the election, shall, for the county and for each legislative and congressional district in which such county or any portion thereof is located, advise the Department of State of the total number of registered electors of each political party in which any elector has registered and the number of electors registered as independents or without party affiliation.

History.—s. 17, ch. 6469, 1913; RGS 321; CGL 378; s. 3, ch. 25379, 1949; s. 2, ch. 26870, 1951; s. 1, ch. 61-84; ss. 10, 35, ch. 69-106; s. 5, ch. 77-175.

Note.—Former s. 102.24.

98.255 Voter educational programs and materials.

Each supervisor of elections is authorized to provide voter educational programs and materials of a nonpartisan nature in his or her county as he or she may deem appropriate. Such programs and materials shall not include any questionnaire or survey relating to candidates or issues.

History.—s. 9, ch. 80-292; s. 1, ch. 83-16; s. 530, ch. 95-147.

98.391 Registration; automation in processing.—

For the purpose of providing a supplemental and alternative procedure for the registration of electors and for conducting elections at the precinct level, in those counties of the state where voting machines are used in the conduct of elections, the supervisor of elections and the officials lawfully charged with conducting elections may employ and adopt a system of automation in the processing of registration data, and make use of computers and data processing equipment and records adaptable for efficiency in conducting elections in such counties. The forms to be used in the system herein provided for shall be submitted to the Department of State for approval.

History.—s. 1, ch. 65-139; s. 2, ch. 65-60; ss. 10, 35, ch. 69-106.

98.401 Data processing cards; contents.—The data processing cards herein authorized shall be pre-

pared to elicit the following information about electors: Last name, first name and middle name or initial; precinct number; certificate number; party; race; sex; height; weight; color of eyes; color of hair; freeholder status; month, day and year of birth; physical infirmities; if the registrant can read and write, and such other additional information as to readily identify the voter. Data processing cards used for registration of electors shall contain a printed oath of elector as otherwise required by law with space for the elector's signature and address. The reverse side of the voter's registration application data card shall contain a line for a sample signature of the applicant for registration with space for the registrant to verify and write his or her signature on each succeeding line below the sample signature at any election in which the elector shall participate. The reverse side of the data processing card shall also be prepared with a column one-half inch wide on the left side of the card for the inspector of election (record inspector) to initial after verifying the voter's signature. There shall also be a column five-eighths inch wide on the right side of the data processing card for an inspector of election to write the machine number used by the elector and to initial upon admitting the elector to the voting machine.

History.—s. 2, ch. 65-139; s. 531, ch. 95-147.

98.412 Electors' master data record cards.—

A master registration data record card shall be prepared, completed and kept by the supervisor of elections on each registered elector. Said master record cards shall be filed in alphabetical order, thus providing a master list of all voters throughout the county. As alternatives, master registration cards may be microfilmed and such microfilms substituted for the original master record cards; or, when voter registration information, including the voter's signature, is maintained digitally or on electronic, magnetic, or optic media, such stored information may be substituted for the original master record cards. Such microfilms or stored information shall be retained in the custody of the supervisor of elections. In the event the original master record cards are microfilmed or maintained digitally or on electronic or other media, such originals may be destroyed in accordance with the schedule approved by the Bureau of Archives and Records Management of the Division of Library and Information Services of the Department of State.

History.—s. 3, ch. 65-139; s. 2, ch. 65-60; s. 5, ch. 90-315.

98.421 Use of cards at precinct level.—The registration record data card as defined in s. 98.401 shall be used at the precinct level for the purpose of identifying and processing of the elector prior to entering the voting booth to cast a ballot. The election inspectors may, if deemed necessary for the purpose of identification, require each elector upon entering the polling place to present to the election inspector his or her voting registration identification card or other personal identification sufficient to satisfy the requirements necessary to identify the elector. The elector shall sign his or her name on the reverse side of the data processing card under his or her sample signature in lieu of signing a signature identification slip required under chapter 101. All other

provisions of chapter 101, other than those relating to the use of the printed identification slip, shall be complied with. The data processing card, when signed by the voter, will be verified and initialed by the clerk or record inspector. The data processing card will be returned to the voter, who will then present the registration record data card to the machine inspector who will admit the voter to a voting machine to cast his or her ballot. The machine inspector will write the machine number on the card in the space provided for that purpose and initial it. The machine inspector will use an abbreviated rubber stamp indicating the type of election, superimposing the rubber stamp over the voter's signature. The machine inspector will then place the data card in a receptacle provided on the end of the voting machine. This process shall be prima facie evidence that the person whose name appears thereon as an elector was admitted to the voting machine and that the elector then and there voted.

History.—s. 4, ch. 65-139; s. 532, ch. 95-147.

98.431 Precinct record boxes; seal.—The supervisor of elections under the system provided for in this act shall furnish the election officials of each election precinct in the county the registration records of the qualified electors registered in the particular precinct in which the election is being held. Records of the affected precinct shall be contained in a metal file box, which can be sealed and properly identified by the supervisor of elections, and across the face of such seal shall be a certificate to be executed in the presence of a majority of the members of the affected election board prior to the opening of the polls. The form of the certificate shall be as follows:

We, the undersigned inspectors of election, constituting a majority of the election board of Precinct No. _____, hereby certify that the certificate sealing the metal box containing the registration records of electors of said precinct was intact and said records had not been tampered with and that the seal thereon was broken in the presence of the following members of the election board of said precinct:

- Clerk _____
- Inspector _____
- Inspector _____
- Inspector _____
- Inspector _____
- Inspector _____

History.—s. 5, ch. 65-139; s. 2, ch. 65-60.

98.441 Alternative procedure.—The provisions of ss. 98.391, 98.401, 98.412, 98.421, and 98.431 are not intended to repeal any of the other provisions of this code but to provide an alternative procedure in conjunction with the other provisions of this code, which may be followed in the affected counties.

History.—s. 6, ch. 65-139; s. 5, ch. 77-175.

98.451 Registration; automation in processing.—For the purpose of providing a supplemental and alternative procedure for the registration of electors and for conducting elections, the supervisor of elections may require a system of automation in the processing of reg-

istration data, and may make use of computers and data processing equipment and records adaptable for efficiency in conducting elections.

History.—s. 1, ch. 77-267.

98.461 Registration form, precinct register; contents.—A registration form, approved by the Department of State, containing the information required in s. 97.052 shall be filed alphabetically in the office of the supervisor as the master list of electors of the county. However, the registration forms may be microfilmed and such microfilms substituted for the original registration forms; or, when voter registration information, including the voter's signature, is maintained digitally or on electronic, magnetic, or optic media, such stored information may be substituted for the original registration form. Such microfilms or stored information shall be retained in the custody of the supervisor of elections. In the event the original registration forms are microfilmed or maintained digitally or on electronic or other media, such originals may be destroyed in accordance with the schedule approved by the Bureau of Archives and Records Management of the Division of Library and Information Services of the Department of State. As an alternative, the information from the registration form, including the signature, may be electronically reproduced and stored as provided in s. 98.451. A computer printout may be used at the polls as a precinct register in lieu of the registration books. The precinct register shall contain the date of the election, the precinct number, and the following information concerning each registered elector: last name, first name, and middle name or initial; party affiliation; residence address; registration number; date of birth; sex; race; and country of birth; whether the voter needs assistance in voting; and such other additional information as to readily identify the elector. The precinct register may also contain a list of the forms of identification approved by the Department of State, which shall include, but not be limited to, the voter registration identification card and Florida driver's license. The precinct register may also contain a space for the elector's signature, a space for the initials of the witnessing clerk or inspector, and a space for the signature slip or ballot number.

History.—s. 1, ch. 77-267; s. 1, ch. 86-200; s. 6, ch. 90-315; s. 36, ch. 94-224.

98.471 Use of precinct register at polls.—The precinct register, as prescribed in s. 98.461, may be used at the polls in lieu of the registration books for the purpose of identifying the elector at the polls prior to allowing him or her to vote. The clerk or inspector shall require each elector, upon entering the polling place, to present one of the forms of identification which are on the list of forms approved by the Department of State pursuant to s. 98.461. The elector shall sign his or her name in the space provided, and the clerk or inspector shall compare the signature with that on the identification provided by the elector and enter his or her initials in the space provided and allow the elector to vote if the clerk or inspector is satisfied as to the identity of the elector. If the elector fails to furnish the required identification, or if the clerk or inspector is in doubt as to the identity of the elector, such clerk or inspector shall follow the

procedure prescribed in s. 101.49. The precinct register may also contain the information set forth in s. 101.47(8) and, if so, the inspector shall follow the procedure required in s. 101.47, except that the identification provided by the elector shall be used for the signature comparison.

History.—s. 1, ch. 77-267; s. 533, ch. 95-147.

98.481 Challenge to electors.—In any county using a precinct register in lieu of registration books at the polls, the right to vote of any person who desires to vote may be challenged in accordance with the provisions of

s. 101.111, except that the inspector shall compare information supplied by such person with that entered or described on the precinct register opposite the elector's name.

History.—s. 1, ch. 77-267.

98.491 Alternative procedure.—The provisions of ss. 98.451, 98.461, 98.471, and 98.481 are not intended to repeal any of the other provisions of this code. These provisions are intended to provide an alternative procedure which may be followed at the discretion of the supervisor of elections.

History.—s. 1, ch. 77-267.