

Fact Sheet – CS/CS/CS SB90 Elections Bill

Effective May 6, 2021 | [Bill Text](#)

NOTE: These guidelines are being recommended to League members, but there is no guarantee that there will be no allegations of law violations.

Key Implications for LWV Voter Registration and Election Protection:

- **Voter Registration forms** must be delivered to the Supervisor of Elections (SOE) in the county in which the applicant resides (or mailed or delivered to the Division of Elections in Tallahassee) within the earlier of 14 days or before registration closes for the next election, whichever occurs first. That means that the time to turn in completed registration forms can be much less than the 14-day timeframe. There are potential fines for failure to comply with these rules, from \$50 to \$500 per violation.¹ (Reminder Note: LWV voter registration may only occur with the express permission of the local chapter president and two trained LWV members must always be present during voter registration efforts).
- **Voter registration staff/volunteers must** (at the time the voter registration form is collected):
 - Notify the applicant that the organization might not deliver the form within 14 days or before registration closes for the next upcoming election
 - Notify the applicant that they can deliver the form themselves in person or by mail;
 - Inform the applicant how to register to vote online at registertovoteflorida.gov; and
 - Inform the application how to determine whether the form has been delivered on time.

LWVFL has designed a notice that should be placed on the table in an upright position for all to see (or on the back of the clip board if no table). Applicants should be asked to read it. LWVFL's preferred method of making this disclosure is by using the approved signage, not by verbal discussion.

- **No-solicitation zones expanded:** The 150-foot no-solicitation zone from the entrance of polling places now includes a 150-foot zone around drop boxes as well. Organizations may not provide voting assistance or information within this zone. Property owners who are leasing to the SOE for polling places and/or early voting sites can now remove anyone from the property (even outside 150-foot zone) unless the person is a candidate or the designee of a candidate.
- **Only SOE staff can provide voters waiting in line with items such as water or food.**

Key Implications for Voters:

- **Mail ballot requests are only good through the next regularly scheduled federal general election (i.e., the next midterm or presidential).** However, mail ballot requests submitted before May 6, 2021, are valid through the end of the 2022 calendar year even if they were requested before the 2020 presidential.
- **When requesting a mail ballot, voters must provide a Florida driver's license number, a Florida ID card number, or the last 4 digits of their Social Security Number.** Many voters, especially elderly voters, may not have a driver's license and may be wary of giving out their Social Security Number given Florida's high rate of identity theft. Some voters, in particular elderly women, may not have any of these identification numbers.
 - **Drop box availability is limited** to early voting days/hours (unless the drop box is at an SOE office). Drop box availability will likely be further limited by the requirement that drop boxes be staffed at all times, due to the hurdle of increased staffing costs and the fact that SOEs face a \$25,000 fine if they leave a drop box unstaffed.
- **Strict limits on assisting other voters:** A voter may only collect/deliver their own ballot, ballots for immediate family members and ballots for maximum two other voters per election. Violating this is a first-degree misdemeanor. "Immediate family" includes spouse, parent, child, grandparent, grandchild, sibling, spouse's parent, spouse's child, spouse's grandparent, spouse's grandchild, or spouse's sibling.
- **Voters may no longer get to choose their own Municipal or County representatives** if the representative resigns to run for another office. Previously, such positions would be filled through a special election. SB90 takes this power away from the people: these vacancies may now be appointed by the Governor.
- **Voters with prior felony convictions who have had their rights restored no longer benefit from a public record exemption** that protected them from being targeted and having their votes challenged.

Key Implications for fair Election Administration:

- **Partisan challenges to mail ballots are now easier.** Partisan observers can protest a voter's signature on the mail ballot envelope or even their ballot cure affidavit. Partisan observers are also now allowed closer observation of the non-partisan canvassing boards.
- This bill does not allocate any State funding to support the significant administrative changes required and it prohibits SOEs from accepting any private funding (even in emergencies). The full costs fall on county budgets.

¹ Aggregate fines for Third Party Voter Registration Organizations (3PVRs) capped at \$1,000 per calendar year.



Due to a new law that has modified voting in the state of Florida (SB 90-2021), the League of Women Voters of Florida, which operates as a 3rd Party Voter Registration Organization (3PVRO), is issuing directions pertaining to those who register voters under the League's purview. Both the law and these directions are effective as of May 6, 2021.

Key:

Italicized = New provisions

Bold = League directions regarding the provisions

1) *All third-party voter registration organizations must notify and inform the applicant at the time the application is collected that the organization:*

1) *Might not deliver the application to the division or the supervisor of elections in the county in which the applicant resides in less than 14 days or before registration closes for the next ensuing election.*

2) *Must advise the applicant that he or she may deliver the application in person or by mail.*

3) *Must inform the applicant how to register online with the division, and*

4) *Must inform the applicant how to determine whether the application has been delivered.*

The League is directing members to comply with this provision by displaying the sign/flyer provided on the second page of this document and actively bringing it to an applicant's attention. The sign/flyer must be displayed on a voter registration table if using a table, must be kept on top of a clipboard if registering on foot/in a crowd, or must be given to each voter if supplies are made available by your local League.

2) *Voter registration forms must be delivered to the Supervisor of Elections in the county in which the applicant resides or to the Division of Elections within the earlier of 14 days from date of completing registration or before registration closes for the next upcoming election, whichever first occurs.*

The League will be held responsible for a varied amount of fines if this timeframe is not met. Please ensure any and all forms are turned in within the earlier of 14 days after registration or before book closing for an upcoming election, whichever first occurs. This means that one will sometimes have less than 14 days to return the completed registration form to the Supervisor of Elections office or to the Florida Division of Elections.

3) *3PVRO must deliver voter registrations applications to the county Supervisor of Elections in which the applicant lives.*

When registering voters be sure to ask which county the registrant resides in. If they live in a county where the League has no affiliation, a League member will either have to hand deliver it to that county or mail it to that particular Supervisor of Elections's local office or to the Florida Division of Elections. If using USPS to deliver applications, please provide adequate time for delivery, which can take about a week.



Notice

Effective May 6, 2021, by law¹ as a third-party voter registration organization (3PVRO), we must notify and inform applicants at the time a voter registration application is collected that a 3PVRO organization:

1. Might not deliver the application to the division or the Supervisor of Elections in the county in which the applicant resides in less than 14 days or before registration closes for the next ensuing election.
2. A person (or you as the applicant) may deliver the application in person or by mail to your local Supervisor of Elections or to the Florida Division of Elections.
3. One can register to vote online with the State of Florida at:
<https://registertovoteflorida.gov/home>
4. One can determine whether an application has been delivered by contacting your local Supervisor of Elections office.

1- Section 7. Paragraphs (c) and (d) of subsection (1), 371 paragraph (a) of subsection (3), and subsection (5) of section 372 97.0575, Florida Statutes