

FLORIDA HOUSE OF REPRESENTATIVES FINAL BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: [CS/CS/HB 991](#)

COMPANION BILL: [CS/CS/SB 1334](#) (Grall)

TITLE: Elections

LINKED BILLS: None

SPONSOR(S): Persons-Mulicka and Trabulsy

RELATED BILLS: None

FINAL HOUSE FLOOR ACTION: 77 Y's 28 N's **GOVERNOR'S ACTION:** Approved

SUMMARY

Effect of the Bill:

The bill makes various revisions to the Florida Election Code, including:

- Revising the voter registration and list maintenance process to elicit additional citizenship information from voters and verify such information.
- Requiring that the Department of Highway Safety and Motor Vehicles to include a person's legal status on any new, replacement, or renewal driver license or identification card.
- Requiring a candidate to disclose whether he or she has dual citizenship.
- Prohibiting a person from qualifying as a candidate if the person legally changed his or her name during the 365-day period before qualifying and providing for judicial enforcement.
- Requiring a candidate for federal office to state in writing whether he or she intends to trade or has traded stock while serving in federal office in a specified manner.
- Revising the list of valid identification required at the polls and for certain other circumstances.
- Creating a five-year statute of limitations for the prosecution of a felony violation under the Florida Election Code.
- Providing that the term "racketeering activity" under the Florida Racketeer Influenced and Corrupt Organization Act includes certain issue petition activities.
- Prohibiting political parties, political committees, and electioneering communications organizations from accepting or soliciting contributions from foreign nationals in connection with an election.

Fiscal or Economic Impact:

The bill will likely result in a negative fiscal impact to state and local governments.

[JUMP TO](#)

[SUMMARY](#)

[ANALYSIS](#)

[RELEVANT INFORMATION](#)

ANALYSIS

EFFECT OF THE BILL:

Voter Registration

Uniform Statewide Voter Registration Application

The bill requires the [uniform statewide voter registration application](#) to solicit from a voter applicant acknowledgement, by providing a box for the applicant to check, that it is a third degree felony under state and federal law¹ to falsely swear or affirm or otherwise submit false information on a voter registration application. (Section [2](#))

Online Voter Registration System

The bill requires the Department of State's (DOS's) [online voter registration system](#) to:

- Transmit the registration application to the supervisor of elections (supervisor) if the Department of Highway Safety and Motor Vehicles (DHSMV) records indicate that an applicant has provided a document

¹ Under federal law, felonies are separated by classes and not degrees. Therefore, a third degree felony under federal law does not exist. Federal law contains the following felony classifications: Class A; Class B; Class C; Class D; and Class E. See 18 U.S.C s. 3559.

STORAGE NAME: h0991z1.GOS

DATE: 4/2/2026

acceptable as evidence of United States citizenship² (along with the existing requirement that the applicant's name and date of birth be consistent with information provided on the application).

- Notify the supervisor that the applicant's status as a U.S. citizen could not be verified and transmit to the supervisor the applicant's registration application, along with the digital signature on file with DHSMV, if the applicant's name and date of birth match DHSMV records but such records indicate the applicant is not a U.S. citizen or has not provided a document acceptable as evidence of U.S. citizenship.
- Populate the applicant's information into a printable voter registration application and direct the applicant to print, sign, and date the application and deliver it to the supervisor for disposition if the:
 - Applicant indicates he or she has not been issued a Florida driver license or identification card or chooses to use the system to prepopulate an application to print, sign, and deliver to the supervisor.
 - Applicant's name and date of birth cannot be verified by DHSMV. (Section [3](#))

The bill requires that the applicant's legal status be recorded in the statewide voter registration system. (Section [3](#))

Acceptance of Voter Registration Application

The bill provides that upon receipt of a voter registration application, including an application with a change in name, address, or party affiliation, that indicates the applicant has not been issued a current and valid Florida driver license, Florida identification card, or social security number—or if DHSMV records indicate the applicant is not a U.S. citizen or has not provided acceptable evidence of citizenship—the supervisor must verify the voter's legal status as a U.S. citizen using available state and federal governmental sources. Then depending on the evidence, the supervisor may be required to initiate list maintenance removal proceedings. (Section [4](#))

A supervisor is required to notify a voter registration applicant if a completed voter registration application has been received by the book-closing deadline, but the applicant's legal status as a U.S. citizen cannot be verified. Such applicant must provide sufficient evidence to the supervisor to verify his or her legal status as a U.S. citizen before voting. If an applicant has not provided proof of U.S. citizenship before the applicant appears to vote, then the applicant must be provided a provisional ballot. The provisional ballot is counted only if the applicant's legal status as a U.S. citizen is verified by the end of the canvassing period or if the applicant presents evidence to the supervisor sufficient to verify the applicant's legal status as a U.S. citizen no later than 5 p.m. of the second day following the election. (Section [4](#))

The bill makes the following additional changes to the voter registration application process:

- Provides that the application must be completed on or before the date of book closing for an election to be eligible to vote in that election, instead of the previous requirement that the application be completed before the date of book closing.
- Provides that the registration date for a valid application to update a voter's record with a change of address or name is the date the application was initially received once the required sufficient evidence is verified.
- Provides that the registration date for a valid application to update a voter's record with a change of party affiliation is the date the application was initially received, and the registration is effective once the required sufficient evidence is verified unless the registration books are closed for a primary election, in which case the update is effective for the subsequent general election. (Section [4](#))

Eligibility of a Voter Registration Applicant

² The bill provides that a document acceptable as evidence of U.S. citizenship documentation includes any of the following: an original or certified copy of a U.S. birth certificate; a valid, unexpired U.S. passport; a naturalization certificate issued by the U.S. Department of Homeland Security; a consular Report of Birth Abroad provided by the U.S. Department of State; a current and valid Florida driver license or Florida identification card issued by DHSMV, if such license or card indicates U.S. citizenship; a current and valid photo identification issued by the federal government or the state which indicates U.S. citizenship; and an order from a federal court granting U.S. citizenship. If the voter registration applicant's or the voter's legal name is different from the name that appears on one of the acceptable documents, official legal documentation providing proof of the legal name change is also required to constitute acceptable evidence of U.S. citizenship.

The bill provides that if the latest voter registration records show that a new applicant was previously registered, but subsequently removed from the statewide voter registration system for ineligibility pursuant to [s. 98.075\(7\), F.S.](#)³, then the supervisor must verify applicant voting eligibility within 13 days of receiving such application. To determine and verify eligibility, the supervisor must review information provided by a governmental entity listed in [s. 98.075, F.S.](#), or [s. 98.093, F.S.](#)⁴ The supervisor must deny the voter registration application and notify the applicant if the supervisor determines that the applicant is ineligible. (Section [7](#))

List Maintenance

Identifying Ineligible Voters

The bill expands the categories of potentially ineligible voters that DOS must take affirmative action to identify to specifically include persons who may not be U.S. citizens. To do so, DOS must use information from other specified governmental entities.⁵ DOS must review such information and make an initial determination as to whether the information is credible and reliable. If DOS determines that the information is credible and reliable, it must notify the relevant supervisor and provide a copy of the supporting documentation indicating potential ineligibility of the voter to be registered. (Section [8](#))

Upon receipt of the notice that DOS has made a determination of initial credibility and reliability, the supervisor must adhere to the existing [list maintenance](#) process prescribed before removing a registered voter's name from the statewide voter registration system. The type of document provided or used to verify citizenship must be recorded in the statewide voter registration system. (Section [8](#))

DHSMV Responsibilities

The bill provides that, by July 1, 2027, a driver license or Florida identification card, whether a new issuance or a renewal, to a qualified applicant that is a U.S. citizen must include the legal status of the licensee as last recorded in the system at the time of issuance or renewal. The bill requires DHSMV, at no charge, to issue a new or replacement card if a licensee or cardholder timely updates his or her legal status upon becoming a U.S. citizen. (Section [29](#))

The bill requires DHSMV, on a weekly basis, to provide DOS with information identifying:

- Persons who, during the preceding week, presented a document acceptable as evidence of U.S. citizenship⁶ upon being issued a new, renewed, or replacement driver license or identification card. The information must contain the person's:
 - Name.
 - Address.
 - Date of birth.
 - Last four digits of the social security number.
 - Driver license number or identification card number (if applicable).
 - Type of documentary proof provided in support of citizenship.
 - Alien registration number or other legal status identifier (if applicable).
- A change in residence address on the driver license or identification card of any person who declined to register or update his or her voter registration record. The information must contain the person's:
 - Name.
 - Date of birth.
 - Last four digits of his or her social security number.

³ [Section 98.075\(7\), F.S.](#), provides procedures for removal from a voting list due to adjudication of mental incapacity; felony conviction; and other bases for ineligibility.

⁴ Such governmental entities include, in part: United States Social Security Administration, Department of Health, clerk of circuit court, U.S. attorneys, Department of Law Enforcement, Florida Commission on Offender Review, Department of Corrections, and DHSMV.

⁵ Such governmental entities include: Department of Health, clerk of the circuit court, U.S. attorneys, Department of Law Enforcement, Florida Commission on Offender Review, Department of Corrections, federal courts, and DHSMV.

⁶ *Supra* note 2.

- Driver license or identification card number.
- New, renewed, or replacement driver license or identification card numbers issued to persons who declined to register or update his or her voter's registration record. The information must contain the person's:
 - Name.
 - Date of birth.
 - Last four digits of his or her social security number.
 - Former and current driver license or identification card number. (Sections [1](#) and [9](#))

From the information received by DOS related to a person's change in address, DOS must report such change to the appropriate supervisor who is responsible for changing the voter registration records. This reporting requirement applies, with a seven-day timeline, to the information received by DOS relating to persons who decline to register or update their voter registration record, but are issued a new, renewed, or replacement driver license or identification card. (Section [9](#))

Federal Courts

The bill adds federal courts to the specified types of governmental entities from which information identifying potentially ineligible voters may be received by DOS. Specifically, the bill provides that upon receipt of information from a federal jury coordinator that a person was disqualified or potentially disqualified from jury service due to not having U.S. citizenship, being convicted of a felony, being deceased, being a nonresident of Florida, or being a nonresident of the county, DOS must use such information to identify registered voters or voter registration applicants who may be potentially ineligible. (Section [9](#))

Candidate Qualification Requirements

Party Affiliation Requirements and Candidate Name-change Prohibition

The bill provides that any person seeking to qualify for nomination as a candidate of any political party or as no party affiliation, at the time of subscribing to the candidate oath or affirmation, must state in writing that such person has not legally changed his or her name through the general statutory petition process during the 365-day period preceding the beginning of qualifying. This requirement does not apply if such person legally changed his or her name in proceedings for dissolution of marriage or adoption of children or based on a change of name conducted with a marriage certificate. (Section [10](#))

The bill provides a method to challenge the following two parts of a candidate's qualification paperwork:

- A person's compliance with the Florida Election Code's [365-day party affiliation requirement](#).
- A person's compliance with the statement that the person has not legally changed his or her name during the same 365-day period. (Section [10](#))

Only a qualified candidate or a political party with a qualified candidate in the same race may challenge a candidate's qualification. To initiate the challenge, such candidate or political party must file an action in the circuit court for the county in which the qualifying officer is headquartered. The court may order that a candidate's name not appear on the ballot if the court determines, upon a final order, that the person seeking to qualify for nomination or election as a candidate:

- Has legally changed his or her name through the general petition process during the 365-day period; or
- Has not been a registered member of the party for which he or she is seeking nomination during the 365 days preceding the beginning of qualification or, in the case of a no-party-affiliation candidate, not registered with any party for that period. (Section [10](#))

The bill clarifies that the 365 days have to be consecutive days preceding the beginning of the qualifying period and provides that compliance with the requirement is mandatory. (Section [10](#))

The provision takes effect upon becoming a law. (Section [10](#))

Federal Candidate Stock Trading Disclosure

The bill requires each candidate seeking federal office, whether a party candidate, a candidate with no party affiliation, or a write-in candidate, at the time of subscribing to the oath or affirmation, state in writing whether he or she:

- Intends to trade stocks, if elected, in a manner other than through a trust or similar mechanism that strictly limits his or her ability to influence or exercise control over decisions regarding the management of assets.
- Previously held a federal office and, if so, whether he or she traded stocks while in such office in a manner other than through a trust or similar mechanism that strictly limited his or her ability to influence or exercise control over decisions regarding the management of assets. (Sections [10](#) and [12](#))

The provision takes effect upon becoming a law. (Sections [10](#) and [12](#))

Dual Citizenship Disclosure

The bill requires candidates seeking to [qualify for nomination or election](#) to federal, state, county, multicounty, district, or judicial office, or to a district school board, to provide to the filing officer an oath or affirmation affirming U.S. citizenship and disclosing any other country the candidate is a citizen of. The provision takes effect upon becoming a law. (Sections [12](#) and [26](#))

Enforcement of Statutory and Constitutional Requirements

The bill requires a candidate to satisfy all statutory and constitutional requirements for the office for which he or she is seeking nomination or election, and provides a method to challenge whether the candidate has satisfied those requirements. A candidate or a political party with a candidate in the same race, or an affiliated party committee, may initiate the challenge by filing an action for declaratory and injunctive relief in the circuit court for the county in which the filing officer is headquartered. The circuit court must then expedite a final hearing on the matter. If the court determines, in a final order, that the person seeking to qualify for nomination or election as a candidate will not, at the time of qualification, election, or assumption of office, satisfy all statutory and constitutional requirements for the office for which he or she is seeking nomination or election, then the supervisor in each county affected by such candidacy must remove the name of the candidate from the ballot. If the ballots have already been printed, then the supervisor must post a notice to be included with each vote-by-mail (VBM) ballot, and at each early voting location and polling precinct that a vote for such candidate will not be counted. If the circuit court's final order is appealed in the meantime, the bill provides that the relevant District Court of Appeal must receive expedited consideration. The provision takes effect upon becoming a law. (Section [11](#))

Identification Required for Polls, Provisional Ballot Cure Affidavits, and VBM Cure Affidavits

The bill revises the list of valid picture identifications required at the polls, for first time voters who are using a VBM ballot, and for the submission of a provisional ballot cure affidavit or a VBM cure affidavit by:

- Authorizing a passport card as an acceptable form of identification.
- Authorizing any other identification card issued by any branch, department, agency, or entity of the Federal Government, the state, a county, or a municipality.
- Eliminating the following as acceptable forms of identification:
 - Debit or credit card.
 - Student identification.
 - Retirement center identification.
 - Neighborhood association identification.
 - Public assistance identification.
- Specifying that a U.S. Uniformed Services or Merchant Marine identification is authorized. (Sections [13](#), [14](#), [20](#), and [21](#))

The bill clarifies that a valid picture identification does not include a government issued identification if such identification is issued by an educational institution. (Sections [13](#), [14](#), [20](#), and [21](#))

Limitations on Actions for Election Fraud

The bill creates a specific statute of limitations for the prosecution for a felony violation under the Florida Election Code that requires the prosecution be commenced within five years after the date the violation was committed. In effect, this expands the time the state has to bring a felony prosecution under the Florida Election Code as those crimes currently operate under the default three-year statute of limitations. This provision takes effect on July 1, 2026. (Section [25](#))

Florida Racketeer Influenced and Corrupt Organizations (RICO) Act

The bill provides that specified issue petition activity violations⁷ can be prosecuted as racketeering activity under the [RICO Act](#). The provision takes effect on July 1, 2026. (Section [30](#))

Campaign Contributions and Limits on Foreign Nationals

The bill prohibits a political party, a political committee, an electioneering communications organization, or a candidate from knowingly and willfully accepting or soliciting, directly or indirectly, a contribution from a [foreign national](#) in connection with any election held in this state. (Section [28](#))

The provision takes effect on July 1, 2026. (Section [28](#))

Office Hours of Supervisors

The bill authorizes an office of the supervisor to close for federal, state, or county-approved holidays, in addition to legal holidays, if the supervisor's duties do not otherwise require the office to remain open to fulfill official duties under the Florida Election Code. This provision is effective upon becoming a law. (Section [6](#))

Elections Canvassing Commission

The bill changes the time the [Elections Canvassing Commission](#) meets from 8 a.m. to 9 a.m., except for meetings during organization sessions. (Section [22](#))

Early Voting and Vote-by-mail

The bill clarifies that the supervisor must use local time when following the requirement in current law to upload the results of all early voting and VBM ballots that have been canvassed and tabulated by the end of the early voting period in the county's election management system by 7 p.m. on the day before the election. (Section [23](#))

The bill requires the supervisor, instead of the CCB, to report all early voting and all tabulated VBM results to DOS within 30 minutes after the polls close. (Section [23](#))

Ballots

The bill redefines the term "ballot" to mean a printed sheet of paper containing contests including offices and candidates, constitutional amendments, and other public measures upon which a voter's selections will be marked by using a pen compatible with or recommended for use with the voting system, for tabulation by the voting system. A ballot includes a voter-verifiable paper output upon which a voter's selections are marked by a voter interface device that meets voter accessibility requirements for individuals with disabilities. The bill eliminates the terms "marksense ballots" and "electronic or electromechanical device." The bill revises the term "voting system" to mean a method of casting and processing votes that includes the:

- Equipment, including hardware, firmware, and software.
- Ballots.

⁷ Sections [104.185](#), [104.186](#), [104.187](#), and [104.188, F.S.](#), provide such issue petition activities. Such prohibited activities include knowingly signing a petition more than once; signing another person's name or a fictitious name on a petition; compensating a petition circulator based on the number of forms gathered; and collecting, delivering, or otherwise possessing more than 25 signed petition forms, in addition to his or her own signed petition form or a signed petition form belonging to an immediate family member (if not registered as a petition circulator).

- Procedures for casting and processing votes.
- Programs, operating manuals, supplies.
- Reports, printouts, and other documentation necessary for the system's operation. (Section [1](#))

Additionally, the bill provides that ballot-on-demand technology may be used to produce early voting ballots. (Section [15](#))

Effective Date

The bill was approved by the Governor on April 1, 2026, ch. 2026-26, L.O.F., and will become effective on January 1, 2027, except as otherwise provided. (Section [34](#))

RULEMAKING:

The Florida Election Code currently grants the Secretary of State general rulemaking authority over most of the provisions being amended in the bill.⁸

Lawmaking is a legislative power; however, the Legislature may delegate a portion of such power to executive branch agencies to create rules that have the force of law. To exercise this delegated power, an agency must have a grant of rulemaking authority and a law to implement.

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill will likely have an indeterminate, negative fiscal impact on DOS as it requires DOS to revise voter registration requirements that may involve programming.

The bill will likely have an indeterminate, but significant, fiscal impact on DHSMV as it requires it to, without charging applicants a fee for renewal, include on any new or renewal of a Florida driver license or identification card, the legal status of the applicant. A renewal and replacement identification card costs \$25 and a renewal driver license costs \$48. A replacement driver license costs \$25.

The state general revenue fund may see an increase in revenues to the extent that entities or individuals violate the prohibitions related to accepting or soliciting contributions from foreign nationals.

LOCAL GOVERNMENT:

The bill will have an indeterminate, negative fiscal impact on local governments for the provisions relating to list maintenance.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Office of Election Crimes and Security

The Office of Election Crimes and Security (OECS) within the Department of State (DOS) aids the Secretary of State in the following duties:⁹

- Maintaining a voter fraud hotline.¹⁰
- Providing election fraud education to the public.¹¹
- Conducting preliminary investigations into any irregularities or fraud involving voter registration, voting, candidate petition, or issue petition activities and reporting his or her findings to the statewide prosecutor

⁸ S. [97.012\(1\), F.S.](#)

or the state attorney for the judicial circuit in which the alleged violation occurred for prosecution, if warranted.¹²

OECS employs nonsworn investigators¹³ and has authority to review complaints and conduct preliminary investigations into alleged violations of the Florida Election Code or any related rule and any election irregularities.¹⁴ After preliminary investigation, OECS refers all evidence of potential election crimes to the Florida Department of Law Enforcement, the Office of Statewide Prosecution, or the local state attorney for the judicial circuit in which the alleged violation occurred.¹⁵

DOS is required to submit a report by January 15 of each year to the Governor and Legislature that details information on investigations of alleged election law violations or election irregularities conducted during the prior calendar year. The report must include the total number of:¹⁶

- Complaints received.
- Independent investigations initiated.
- Complaints referred to another agency for further investigation or prosecution, including the total number of those matters sent to a special officer.¹⁷

For each alleged violation or irregularity investigated, the report must include:

- The source of the alleged violation or irregularity.
- The law allegedly violated or the nature of the irregularity reported.
- The county in which the alleged violation or irregularity occurred.
- Whether the alleged violation or irregularity was referred to another agency for further investigation or prosecution and, if so, to which agency.
- The current status of the investigation or resulting criminal case.¹⁸

The most recent report submitted provides that in 2025 OECS:

- Received 3,478 complaints.
- Initiated 695 independent investigations.
- Referred 867 cases to another agency.
- Referred 497 cases to a special officer.¹⁹

Campaign Contributions and Limits on Foreign Nationals

Current law prohibits a foreign national from making or offering to make, directly or indirectly, a contribution or expenditure in connection with any election held in the state.²⁰ A “foreign national” is defined to mean:

- A foreign government.
- A foreign political party.

⁹ S. [97.022\(1\), F.S.](#)

¹⁰ S. [97.012\(12\), F.S.](#)

¹¹ *Id.*

¹² S. [97.012\(15\), F.S.](#)

¹³ S. [97.022\(4\), F.S.](#)

¹⁴ S. [97.022\(2\), F.S.](#)

¹⁵ Department of State, [Election Crimes and Security](#) (last visited Jan. 16, 2026).

¹⁶ S. [97.022\(7\), F.S.](#)

¹⁷ S. [102.091\(2\), F.S.](#), provides that the Governor, in consultation with the executive director of the Department of Law Enforcement, appoints special officers to investigate alleged violations of the election laws to see that violators of the election laws are apprehended and punished. A special officer is required to be a sworn special agent employed by the Department of Law Enforcement.

¹⁸ S. [97.022\(7\), F.S.](#)

¹⁹ Department of State, Office of Election Crimes and Security, [Annual OECS Report to Governor and Legislature \(2026\)](#) (last visited Jan. 16, 2026).

²⁰ S. [106.08\(12\)\(b\), F.S.](#)

- A foreign corporation, partnership, association, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country.
- A person with foreign citizenship.
- A person who is not a citizen or national of the U.S. and is not lawfully admitted to the U.S. for permanent residence.²¹

The term “foreign national” does not include:

- A person who is a dual citizen or dual national of the U.S. and a foreign country.
- A domestic subsidiary of a foreign corporation, partnership, association, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country if:
 - The donations and disbursements used toward a contribution or an expenditure are derived entirely from funds generated by the subsidiary’s operations in the U.S.; and
 - All decisions concerning donations and disbursements used toward a contribution or an expenditure are made by individuals who either hold U.S. citizenship or are permanent residents of the U.S.²²

Voter Registration and List Maintenance

Voter Applicant Oath

A person registering to vote must subscribe to an oath where he or she:

- Solemnly swears or affirms to protect and defend the Constitution of the United States and the Constitution of the State of Florida.
- Affirms to be qualified to register as a voter under the Constitution and laws of the State of Florida.
- Affirms that all information provided in the voter registration application is true.²³

Uniform Statewide Voter Registration Application

Florida has adopted a uniform statewide voter application²⁴ that must be accepted for any one or more of the following purposes:

- Initial registration.
- Change of address.
- Change of party affiliation.
- Change of name.
- Replacement of a voter information card.
- Signature update.²⁵

The application is available through the online voter registration system (OVRs), DOS website, any supervisor of elections (supervisor) office, any tax collector’s office that issues driver licenses, any voter registration agency, and any entity that issues fishing or hunting licenses.²⁶

The uniform statewide voter application must be designed to elicit specified information, including:

- Last, first, and middle name.
- Date of birth.
- Address of legal residence.
- Mailing address, if different from address of legal residence.

²¹ S. [106.08\(12\)\(a\), F.S.](#)

²² *Id.* Decisions concerning donations and disbursements do not include decisions regarding the subsidiary's overall budget for contributions or expenditures in connection with an election.

²³ S. [97.051, F.S.](#); *see also* Art. VI, s. 3, FLA. CONST.

²⁴ S. [97.052\(1\), F.S.](#); R. [1S-2.040, F.A.C.](#)

²⁵ S. [97.052\(1\)\(a\), F.S.](#)

²⁶ R. [1S-2.040, F.A.C.](#)

- E-mail address and whether the applicant wishes to receive sample ballots by e-mail (optional).
- County of legal residence.
- Race or ethnicity that best describes the applicant.
- State or country of birth.
- Sex.
- Party affiliation.
- Whether the applicant needs assistance in voting.
- Name and address where last registered.
- Last four digits of the applicant's social security number.
- Florida driver license number or the identification number.
- An indication, if applicable, that the applicant has not been issued a Florida driver license, a Florida identification card, or a social security number.
- Telephone number (optional).
- Signature of applicant under penalty for false swearing by which the person subscribes to the oath and swears or affirms that the information contained in the registration application is true.
- Whether the application is being used for initial registration, to update a voter registration record, or to request a replacement voter information card.
- Whether the applicant is a U.S. citizen.
- Whether the applicant has been convicted of a felony and, if convicted, has had his or her voting rights restored.
- Whether the applicant has been adjudicated mentally incapacitated with respect to voting or, if so adjudicated, has had his or her right to vote restored.²⁷

The voter registration application form prescribed by the Election Assistance Commission²⁸ or the federal postcard application²⁹ must be accepted as an application for registration if the completed application or postcard application contains the information required by the constitution and Florida law.³⁰

Acceptance of Voter Registration Application

A voter registration application is complete and becomes the official voter registration record of that applicant when all information necessary to establish the applicant's eligibility³¹ is received by a voter registration official and verified. If the applicant fails to complete his or her voter registration application before the date of book closing for an election,³² then such applicant is not be eligible to vote in that election.³³ If an applicant completes his or her voter registration application and it is received before the book-closing deadline, but the driver license number, identification card number, or last four digits of the social security number provided by the applicant cannot be verified, then the applicant is notified that the number cannot be verified and that the applicant must provide evidence to the supervisor sufficient to verify the authenticity of such information. If the applicant

²⁷ [S. 97.052\(2\), F.S.](#)

²⁸ U.S. Election Assistance Commission (EAC), [About the EAC](#) (last visited Jan. 18, 2026). The EAC was established by the Help America Vote Act of 2002 (HAVA) and is an independent, bipartisan commission that develops guidance to meet HAVA requirements, adopts voluntary voting system guidelines, and serves as a national clearinghouse of information on election administration. The EAC has four commissioners appointed by the President of the U.S. and confirmed by the U.S. Senate.

²⁹ EAC, [Register To Vote In Your State By Using This Postcard Form and Guide](#) (last visited Jan. 18, 2026).

³⁰ [S. 97.052\(5\), F.S.](#)

³¹ Section [97.053\(5\), F.S.](#), provides that voter registration application is complete if it contains the following information of an applicant: name; address of legal residence; date of birth; affirmation of U.S. citizenship; current and valid Florida driver license, identification card, or last four digits of social security number; affirmation of no felony convictions or that voting rights have been restored; affirmation of not being adjudicated mentally incapacitated with respect to voting or that voting rights have been restored; and original signature or digital signature transmitted to DHSMV swearing under the penalty of false swearing.

³² Book closing is day that occurs before an election after which a person may not register to vote for the upcoming election. Florida's book closing deadline is 29 days before each election. [S. 97.055, F.S.](#)

³³ [S. 97.053\(2\), F.S.](#)

provides the necessary evidence, the supervisor is required to place the applicant's name on the registration rolls as an active voter. If the voter registration applicant has not provided the necessary evidence or if his or her information has not otherwise been verified before presenting himself or herself to vote, the applicant is provided a provisional ballot. The provisional ballot is counted only if the voter registration applicant's information is verified by the end of the canvassing period or evidence is presented to the supervisor that is sufficient to verify the authenticity of the applicant's information by the second day following the election at 5 p.m..³⁴

Eligibility of an Applicant for Voter Registration

A person may become registered to vote only if that person:

- Is at least 18 years of age.
- Is a U.S. citizen.
- Is a legal resident of the State of Florida.
- Is a legal resident of the county in which that person seeks to be registered.
- Registers pursuant to the Florida Election Code.³⁵

The following persons, who might be otherwise qualified, are not entitled to register or vote:

- A person who has been adjudicated mentally incapacitated with respect to voting in this or any other state and who has not had his or her right to vote restored.
- A person who has been convicted of any felony by any court of record and who has not had his or her right to vote restored.³⁶

Online Voter Registration System

The OVRs is the internet website supported by DOS where an applicant may submit a voter registration application, update his or her voting record, and submit information necessary to establish his or her eligibility to vote.³⁷ The OVRs has the capability to compare a Florida driver license number or Florida identification number with information maintained by the Department of Highway Safety and Motor Vehicles (DHSMV) to confirm that the name and date of birth on the application is consistent with the records of DHSMV.³⁸ If the applicant's name and date of birth are consistent with DHSMV records, the OVRs transmits the applicant's registration application, along with the digital signature of the applicant on file with DHSMV, to the supervisor.³⁹ If the applicant's name and date of birth cannot be verified by DHSMV records, or if the applicant indicated that he or she has not been issued a Florida driver license or Florida identification card, the OVRs must populate the applicant's information into a printable voter registration application and direct the applicant to print, sign, and date the application and deliver it to the supervisor for disposition.⁴⁰ Upon submission of a completed OVRs application, the website must generate an immediate electronic confirmation that the supervisor has received the application and provide instructions regarding the ability of a registrant to check the status of the application.⁴¹

Department of Highway Safety and Motor Vehicles Responsibilities

Current law does not require driver licenses or identification cards to include the legal status of the licensee or card-holder on the physical copy of such identification. But a driver licensee must update his or her driver license within 30 days of becoming a U.S. citizen, and current law provides that an unauthorized alien or undocumented immigrant cannot be issued a driver license or identification card. As such, applicants of driver licenses and identification cards must provide sufficient REAL ID compliant documentation that supports their legal status.⁴²

³⁴ [S. 97.053\(6\), F.S.](#)

³⁵ [S. 97.041\(1\)\(a\), F.S.](#)

³⁶ [S. 97.041\(2\), F.S.; see also Art. VI, s. 4\(a\)-\(b\), FLA. CONST.](#)

³⁷ [S. 97.0525\(2\), F.S.](#)

³⁸ [S. 97.0525\(4\)\(a\), F.S.](#)

³⁹ [S. 97.0525\(4\)\(b\), F.S.](#)

⁴⁰ [S. 97.0525\(4\)\(c\), F.S.](#)

⁴¹ [S. 97.0525\(5\), F.S.](#)

⁴² [Ch. 2025-1, L.O.F.](#)

A renewal and replacement fee for an identification card is \$25.⁴³ A renewal driver license costs \$48⁴⁴ and a replacement driver license costs \$25.⁴⁵

On a weekly basis, DHSMV must report to DOS identifying information on persons who have:

- Acquired driver licenses or identification cards in another state.
- Presented evidence of non-U.S. citizenship upon being issued a new or renewed driver license or identification card.⁴⁶

[List Maintenance](#)

Supervisors must conduct general registration list maintenance to protect the integrity of the electoral process by ensuring the maintenance of accurate and current voter registration records in the statewide voter registration system.⁴⁷ As part of this required registration list maintenance program, the supervisor must incorporate one or more of the following procedures:

- Use change-of-address information supplied by the U.S. Postal Service through its licensees to identify registered voters whose addresses might have changed.
- Identify change-of-address information from returned nonforwardable return-if-undeliverable address confirmation requests sent to all registered voters in the county.⁴⁸

The supervisor must, at a minimum, conduct an annual review of voter registration records to identify registration records in which a voter is registered at an address that may not be an address of legal residence for the voter.⁴⁹

During its list maintenance procedures DOS must identify the following ineligible voters:

- Voters who are registered more than once (duplicate registrations).
- Voters who are deceased persons.
- Voters who have been adjudicated mentally incapacitated with respect to voting and who have not had their voting rights restored.
- Voters who have been convicted of a felony and whose voting rights have not been restored.⁵⁰

Before a registered voter who is determined to be ineligible is removed from the statewide voter registration system, the following procedures must occur:

- *Information Received:* DOS must notify the supervisor of the county in which the voter is registered of the potential ineligibility of the voter.
- *Initial Notice:* The supervisor must notify the registered voter of his or her potential ineligibility by mail within seven days after receiving the information. The notice explains the basis of potential ineligibility, provides a form to respond, offers a hearing option if the voter denies ineligibility, and provides the supervisor's contact information.
- *Voter Response:* The voter must respond to the notice within 30 days, either confirming or denying ineligibility. If the mailed notice is returned undeliverable, the supervisor must publish notice in a local newspaper or on a county website.
- *Final Determination and Removal:* If the voter does not resolve the issue or respond to the published notice, the supervisor makes a final determination of ineligibility and the name is removed from the statewide voter registration system.
- *Appeal:* A voter may appeal the ineligibility determination.
- *Re-registration:* A removed voter is required to re-register to vote again.⁵¹

⁴³ S. [322.21\(1\)\(f\), F.S.](#)

⁴⁴ S. [322.21\(1\)\(c\), F.S.](#)

⁴⁵ S. [322.21\(1\)\(e\), F.S.](#)

⁴⁶ S. [98.093\(8\), F.S.](#)

⁴⁷ S. [98.065\(1\), F.S.](#)

⁴⁸ S. [98.065\(2\), F.S.](#)

⁴⁹ S. [98.065\(6\), F.S.](#)

⁵⁰ S. [98.075, F.S.](#)

League of United Latin American Citizens v. Executive Office of the President

In 2025, the U.S. District Court for the District of Columbia granted partial summary judgment to the League of United Latin American Citizens, permanently blocking a provision of President Donald Trump’s executive order that sought to add a requirement to provide documentary proof of citizenship when registering to vote with the federal mail voter registration form. The court held that the President cannot unilaterally mandate such action by Executive Order as it usurps power over the federal election procedure that is vested in Congress and the States.⁵²

Federal Jury Notice

Currently, federal courts use a state’s voter registration lists to select prospective jurors.⁵³ To be qualified for Federal Jury Service, an individual juror must:

- Be an 18-year-old citizen of the U.S. who has resided for one year within the judicial district.
- Be able to read, write, and understand the English language with a degree of proficiency to complete the juror qualification form.
- Be able to speak the English language.
- Be both mentally and physically capable of rendering satisfactory jury service.
- Not have a pending charge or state or federal conviction for a crime punishable by imprisonment for more than one year.⁵⁴

Qualify for Nomination or Election

Generally, a person seeking to qualify⁵⁵ for nomination or election to public office must ensure that the filing officer receives the following items by the end of the qualifying period:

- Qualifying fee paid by check drawn on the campaign account, if applicable.
- Candidate oath, if applicable.
- Written statement of party affiliation or no party affiliation if the office is partisan.
- Completed form that designates the campaign treasurer and depository.
- Financial disclosure (the full and public disclosure of financial interests or the statement of financial interests, whichever is applicable).
- Loyalty oath, if applicable.
- Statement of Candidate for Judicial Office, if applicable.⁵⁶

The filing officer reviews the qualifying papers to determine whether all items required for candidate qualification have been properly filed and whether each item is complete on its face, including whether items that must be verified have been properly verified. If all required items are complete, then the filing officer must deem the candidate qualified. The filing officer serves a ministerial role and is prohibited from determining whether the contents of the qualifying papers are accurate.⁵⁷

Candidate Oath

Current law requires each candidate, whether a party candidate, a candidate with no party affiliation, or a write-in candidate, in order to qualify for nomination or election to any office other than a judicial office or a federal office, to take and subscribe to an oath or affirmation in writing. This is required before placement on the ballot. This oath

⁵¹ [S. 98.075\(7\), F.S.](#)

⁵² [League of United Latin American Citizens v. Executive Office of the President, 1:25-cv-00946-CKK, 218 \(D.D.C. Oct. 31, 2025\)](#)

⁵³ U.S. Courts, [Juror Selection Process](#) (last visited Jan. 18, 2026).

⁵⁴ [28 U.S.C. §1865\(b\)](#).

⁵⁵ “Qualify” means to fulfill the requirements required of the candidate in the Florida Election Code. [S. 99.012\(1\)\(b\), F.S.](#)

⁵⁶ [Ss. 99.061\(7\)\(a\) and 105.031\(5\)\(a\), F.S.](#)

⁵⁷ *Jones v. Schiller*, 345 So. 3d 406 (Fla. 1st DCA 2022). Because the filing officer performs a ministerial function, there is no enforcement mechanism to remove a person from the ballot if the person submits false information. However, there could be criminal and financial consequences for lying under oath. *See* Ss. [99.061\(7\)\(c\) and 837.012, F.S.](#)

is not required for the nomination of presidential electors or presidential preference primaries.⁵⁸ The oath for state or local candidates is required to be in substantially the following form:⁵⁹

State of Florida

County of _____

Before me, an officer authorized to administer oaths, personally appeared (please print name as you wish it to appear on the ballot), to me well known, who, being sworn, says that he or she is a candidate for the office of _____; that he or she is a qualified elector of _____ County, Florida; that he or she is qualified under the Constitution and the laws of Florida to hold the office to which he or she desires to be nominated or elected; that he or she has qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with that of the office he or she seeks; that he or she has resigned from any office from which he or she is required to resign pursuant to s. [99.012](#), Florida Statutes; and that he or she will support the Constitution of the United States and the Constitution of the State of Florida.

(Signature of candidate)

(Address of legal residence)

Sworn to and subscribed before me this day of _____, (year), at _____ County, Florida.

(Signature and title of officer administering oath)

365-day Party Affiliation Requirement

Current law provides that any person seeking to qualify for nomination as a candidate of any political party must, at the time of subscribing to the candidate oath or affirmation,⁶⁰ state in writing, that the person has been a registered member of the political party for which he or she is seeking nomination as a candidate for 365 days before the beginning of qualifying preceding the general election for which the person seeks to qualify.⁶¹ Similarly, any person seeking to qualify for office as a candidate with no party affiliation must state in writing that he or she is currently registered without any party affiliation and has not been registered with any political party for 365 days before the same qualifying period.⁶²

Jones v. Schiller

In 2022, the First District Court of Appeal (DCA) held that, while the Florida Election Code requires a candidate to fill out an oath attesting that he or she has been a member of a party for the previous 365 days, it provides no enforcement mechanism to remove a person from the ballot who gives a false attestation.⁶³ The First DCA noted that the ruling “could invite bad actors to qualify for the ballot using false party affiliation statements to inject chaos into a party's primary.”⁶⁴ However, the court noted that while there is no remedy permitting a court to

⁵⁸ Section [99.021\(1\)\(a\) and \(3\)](#), F.S., provides that, in part, the form of the oath must include an affirmation that the person seeking nomination or candidacy is qualified under the State Constitution to hold the office to which he or she desires to be nominated or elected.

⁵⁹ S. [99.021\(1\)\(a\)1](#), F.S.

⁶⁰*Id.*

⁶¹ S. [99.021\(1\)\(b\)](#), F.S.

⁶² S. [99.021\(1\)\(c\)](#), F.S.

⁶³ *Jones v. Schiller*, 345 So. 3d 406 (Fla. 1st DCA 2022).

⁶⁴ *Id.*

remove a person from the ballot on those grounds, there could be criminal and financial consequences to lying under oath.⁶⁵

Candidate Name Requirements

Current law requires each candidate to designate in his or her candidate oath or affirmation the name he or she wishes to have printed on the ballot, or, in the case of a write-in candidate, the name he or she wishes to have voters write in on a ballot. Such designation must include the candidate's legal given name or names, a shortened form of the candidate's legal given name, an initial or initials of the candidate's legal given name or names, or a bona fide nickname customarily related to the candidate and by which the candidate is commonly known, immediately followed by the candidate's legal surname.⁶⁶

If a candidate wishes to designate a nickname, the candidate must file an affidavit that must be verified under oath or affirmation, attesting that the nickname complies with the statutory requirements. A designated nickname may not:

- Be used to mislead voters.
- Imply the candidate is some other person.
- Constitute a political slogan or otherwise associate the candidate with a cause or an issue.
- Be obscene or profane.⁶⁷

Current law grants Florida's circuit courts jurisdiction to change the name of any person residing in Florida on petition of the person filed in the county in which he or she resides. Before the court hearing on such a petition, the petitioner must submit fingerprints submitted for a state and national criminal history records check, except if a former name is being restored. In addition, the petition must show specified information, including, residence, date and place of birth, occupation, and any criminal history.⁶⁸

Elections Canvassing Commission

The Elections Canvassing Commission (ECC) consists of the Governor and two members of the Cabinet selected by the Governor, all of whom serve ex officio.⁶⁹ The ECC is required to meet at 8 a.m. on the ninth day after a primary election and at 8 a.m. on the 14th day after a general election to certify the returns of the election for each federal, state, and multicounty office and for each constitutional amendment.⁷⁰

⁶⁵ *Id.*; see s. [837.012, F.S.](#)

⁶⁶ [S. 99.0215\(1\), F.S.](#)

⁶⁷ [S. 99.0215\(2\), F.S.](#)

⁶⁸ [S. 68.07, F.S.](#)

⁶⁹ [S. 102.111\(1\), F.S.](#)

⁷⁰ [S. 102.111\(2\), F.S.](#)

Identification Required for Voting

Throughout the Florida Election Code, there are requirements for voters to present valid, photo identification—when voting in person, when completing a provisional ballot⁷¹ or vote-by-mail (VBM) cure affidavit,⁷² and for first-time voters using a VBM ballot.⁷³ The following are the acceptable forms of identification so long as they are valid and contain a picture identification:

- Florida driver license or identification card issued by DHSMV.
- U.S. passport.
- Debit or credit card.
- Military identification.
- Student identification.
- Retirement center identification.
- Neighborhood association identification.
- Public assistance identification.
- Veteran health identification card issued by the U.S. Department of Veterans Affairs.
- A license to carry a concealed weapon or firearm.
- Employee identification card issued by any branch, department, agency, or entity of the Federal Government, the state, a county, or a municipality.⁷⁴

Office Hours of Supervisors

Current law requires an office of the supervisor to be open Monday through Friday, excluding legal holidays, for a period of not less than eight hours per day, beginning no later than 9 a.m.⁷⁵ In addition, each supervisor must conduct early voting beginning on the 10th day before an election that contains state or federal races and ending on the third day before the election, for no less than eight hours and no more than 12 hours a day.⁷⁶ Other duties of the supervisor, such as those related to qualifying periods and special elections, may also require offices to be open on specified days.

Limitations on Actions for Election Fraud

The length of time the State can charge a person for a felony (statute of limitations) varies by crime, but generally, in Florida, prosecutions for felony offenses are subject to the following periods of limitation:

- A prosecution for a felony of the first degree must be commenced within four years after it is committed.
- A prosecution for any other felony must be commenced within three years after it is committed.⁷⁷

Examples of actions that are punishable as felony violations in the Florida Election Code include:

- A person who willfully submits any false voter registration information.⁷⁸
- A person who alters the voter registration application of any other person, without the other person's knowledge and consent.⁷⁹
- Any person perpetrating or attempting to perpetrate or aid in the perpetration of any fraud in connection with any vote cast, to be cast, or attempted to be cast.⁸⁰
- Any person, knowing he or she is not a qualified voter, who willfully votes at any election.⁸¹

⁷¹ S. [101.043\(1\)\(a\), F.S.](#)

⁷² Section [101.68\(4\), F.S.](#), provides for VBM Ballot Cure Affidavit is used to allow a voter to fix a signature deficiency on his or her VBM ballot.

⁷³ S. [101.6923\(2\), F.S.](#)

⁷⁴ S. [101.043\(1\)\(a\), F.S.](#)

⁷⁵ S. [98.015\(4\), F.S.](#)

⁷⁶ S. [101.657\(1\)\(d\), F.S.](#)

⁷⁷ S. [775.15\(2\), F.S.](#)

⁷⁸ S. [104.011\(1\), F.S.](#)

⁷⁹ S. [104.012\(4\), F.S.](#)

⁸⁰ S. [104.041, F.S.](#)

⁸¹ S. [104.15, F.S.](#)

Current law does not provide a specific time in which a prosecution of a felony violation under the Florida Election Code must be commenced.

Florida Racketeer Influenced and Corrupt Organizations (RICO) Act

The Florida RICO Act provides that a person commits “racketeering activity” when he or she commits, attempts to commit, conspires to commit, or solicits, coerces, or intimidates another person to commit any offense listed in [s. 895.02\(8\), F.S.](#)⁸²

The Florida RICO Act provides that it is unlawful for any person:

- With criminal intent to receive any proceeds derived, directly or indirectly, from a pattern of racketeering activity⁸³ or through the collection of an unlawful debt⁸⁴ to use or invest, whether directly or indirectly, any part of such proceeds, or the proceeds derived from the investment or use thereof, in the acquisition of any title to, or any right, interest, or equity in, real property or in the establishment or operation of any enterprise.⁸⁵
- Through a pattern of racketeering activity or through the collection of an unlawful debt, to acquire or maintain, directly or indirectly, any interest in or control of any enterprise or real property.
- Employed by, or associated with, any enterprise to conduct or participate, directly or indirectly, in such enterprise through a pattern of racketeering activity or the collection of an unlawful debt.
- To conspire or endeavor to violate any of the previously-described activities.

A person convicted of any of those activities commits a first-degree felony,⁸⁶ and may be subject to civil remedies including forfeiture to the state of all property, including money, if the property is intended for use in the course of, derived from, or realized through acts in violation of the Florida RICO Act.⁸⁷

Florida Decides Healthcare, Inc. v. Byrd

In 2025, the Legislature passed HB 1205 (2025) that provided that a violation of the Florida Election Code relating to irregularities or fraud involving petition activities can be prosecuted as a racketeering activity under the Florida RICO Act.⁸⁸ Soon after the passage of HB 1205, the law was challenged in the U.S. District Court for the Northern District of Florida. The court granted a preliminary injunction against the bill’s RICO provision, holding that the provision was unconstitutionally vague, especially as it relates to phrase “irregularities...involving issue petition activity.” The court noted that the vagueness allows for arbitrary and discriminatory enforcement and is inconsistent with the Fourteenth Amendment. Further, the court noted “if the Florida legislature intended for law

⁸² S. [895.02, F.S.](#) The offenses listed under [s. 895.02\(8\), F.S.](#), include violations of specified Florida laws (e.g., Medicaid fraud, workers’ compensation fraud, human trafficking, kidnapping, and drug offenses), as well as any conduct defined as “racketeering activity” in 18 U.S.C. § 1961.

⁸³ A “pattern of racketeering activity” means engaging in at least two incidents of racketeering conduct having the same or similar intents, results, accomplices, victims, or methods of commission or that otherwise are interrelated by distinguishing characteristics and are not isolated incidents. S. [895.02\(7\), F.S.](#)

⁸⁴ “Unlawful debt” means any money or other thing of value constituting principal or interest of a debt that is legally unenforceable in this state in whole or in part because the debt was incurred or contracted in violation of specified Florida laws (e.g., various gambling offenses) as well as any gambling activity in violation of federal law or in the business of lending money at a rate usurious under state or federal law. S. [895.02\(12\), F.S.](#)

⁸⁵ “Enterprise” means any individual, sole proprietorship, partnership, corporation, business trust, union chartered under the laws of this state, or other legal entity, or any unchartered union, association, or group of individuals associated in fact although not a legal entity; and it includes illicit as well as licit enterprises and governmental, as well as other, entities. A criminal gang as defined in [s. 874.03, F.S.](#), constitutes an enterprise. S. [895.02\(5\), F.S.](#)

⁸⁶ S. [895.04, F.S.](#) A first degree felony is punishable by up to 30 years imprisonment and a \$10,000 fine. Ss. [775.082](#) and [775.083, F.S.](#)

⁸⁷ S. [895.05\(2\), F.S.](#)

⁸⁸ [Ch. 2025-21, L.O.F.](#)

enforcement to prosecute RICO violations predicated only on fraud relating to issue petitions or those already delineated by statute, it would have said so.”⁸⁹

⁸⁹ *Florida Decides Healthcare, Inc. v. Byrd*, 4:25-cv-00211-MW-MAF (N.D. Fla. 2025) (Order on Motion for First Preliminary Injunction).