



LEAGUE OF WOMEN VOTERS®
OF FLORIDA

What YOU Need to Know about the New Elections Bill

When was the law passed?

On May 5, 2011, the Florida legislature passed HB 1355. On May 19, 2011, Governor Rick Scott signed the elections bill into law. On May 20, 2011, Miami-Dade County implemented the law in the middle of its municipal elections, reducing early voting in the county.

What are the major changes contained in the law?

The new elections law eliminates a long-standing provision that allowed people to change their address at the polls. Under the new law, you cannot change your address at the polls and cast a regular ballot if you have moved from one county to another and did not update your address with the Supervisor of Elections before the election. In such instances, you will have to cast a provisional ballot. In 2008, more than 150,000 voters submitted an address change at the polls.

Additionally, this law cuts the allowable time for early voting from 14 days to 8 days. It also allows local Supervisors to create an early voting schedule for their county that offers only 48 hours of early voting access, a significant change from the previously required 96 hours. If a Supervisor does choose to offer the full 96 hours of early voting access, it will likely cost their county more money. Many Supervisors have noted that the overtime associated with 12-hour shifts would be very expensive, discouraging Supervisors from offering the full amount of early voting time.

The law also forces organizations and individuals that register voters to comply with onerous regulations that would potentially prevent groups like the League of Women Voters from engaging in voter registration efforts. Third-party voter registration groups would be required to submit copious amounts of paperwork and turn in voter registration cards within 48 hours of receipt or face heavy fines and even civil penalties.

How does this law affect voter registration?

The law assigns voter registration forms to third-party voter registration organizations and requires groups to maintain a record of every single form associated with the group's name. For an organization like the League, with 30 affiliates statewide and thousands of members, this would be impossible.

Additionally, the law forces individuals to register with the state before collecting voter registration forms. It then requires them to maintain records of every form that they have and submit those records to the Secretary of State's office every month.

Under the false pretext of reducing fraud, the law places a chilling effect on the efforts of individuals and groups who undertake the important task of helping citizens get registered to vote. Discouraging third-party voter registration groups from registering voters also has a disproportionate impact on the minority community. Minority voters, such as blacks and Hispanics, are twice more likely to register to vote via a third-party group than non-minority voters.

Will the League of Women Voters continue to register citizens to vote?

Despite the fact that the League of Women Voters is one of the nation's most respected civic organizations, with a 91-year history of registering and educating voters, we will be unable to comply with the egregious provisions contained in the new elections law. Therefore, we will be unable to continue registering voters at this time.

While the League remains committed to empowering an active and informed citizenry, we cannot and will not place our thousands of volunteers at risk, subjecting them to a process in which one late form could result in their facing financial and civil penalties.

Who will be affected most directly by this law?

This broad law will affect every Florida voter. It is likely to have a disproportionate impact on groups who move frequently (i.e. students, relocating professionals and low-income individuals), as well as people who rely on third-party voter registration groups for voter information and forms. Additionally, the early voting changes could make it more difficult for some working people to cast a ballot.

Will the League be filing a lawsuit in response to the law?

At this time, we are considering our legal options. Under the Voting Rights Act of 1965, any change in state election law that affects Hillsborough, Collier, Monroe, Hendry and Hardee counties requires approval by the U.S. Department of Justice via a process known as "pre-clearance." The League wanted to see what the Justice Department would determine after it had an opportunity to review the law, however, in late July, the State of Florida withdrew the most controversial measures of the legislation, including the address change, early voting, and 3rd party voter registration provisions, from DOJ review and instead submitted them to a federal court for preclearance. As a result, it could take months for the provisions to be reviewed. LWVF, along with other groups, is participating as an intervener in this case.

What should I do if I'm concerned about this law?

Join the League of Women Voters of Florida and help us make democracy work for all citizens in the state of Florida!

Additionally, you might consider making a donation to the League. Every donation made will go toward our organization's efforts to encourage informed and active participation in government, work to increase understanding of major public policy issues, and influence public policy through education and advocacy. For more information, please visit www.TheFloridaVoter.org.