

**A statute addressed in this opinion has changed.
Please consult current Florida law.**

DE 076-18 - August 12, 1976

**CHAPTER 97, FLORIDA
STATUTES -
PREREGISTRATION:
EIGHTEEN YEAR OLDS**

*To: Honorable Lucille Aultman, Supervisor of Elections, Calhoun County Courthouse,
Blountstown, Florida 32424*

Prepared by: Division of Elections

You have asked whether a person who will be eighteen years of age on September 8, 1976, is qualified by Florida law to vote in the second primary (which is to be held September 28, 1976).

Section 97.041, Florida Statutes, controls. It provides, in pertinent part:

Any person at least 18 years of age, or any person who will attain the age of 18 prior to the next succeeding primary, special primary, general, or special general election, who is a citizen of the United States and a permanent resident of Florida and of the county where he wishes to register is eligible, upon proof of his birth date, to register with the supervisor when the registration books are open...

Accordingly, one whose majority is attained after the date of the first primary would not be entitled to vote in that primary but would be entitled to vote in the second primary and in the next general election. As stated by the Attorney General in AGO 072-290 (August 22, 1972):

I am therefore of the opinion that a person who has not attained the age of eighteen at the time registration books close — but who will attain such age prior to the next succeeding election and meets the other requirements of law ... may preregister....

Accordingly, one who will attain the age of eighteen prior to the general election but who will not attain that age prior to the first primary, shall be entitled to preregister prior to the closing of the books forty-five days before the first primary and shall be entitled to vote in the general election. If said person is to attain the age of eighteen prior to the second primary, he shall be entitled to preregister prior to the closing of the books forty-five days before the first primary and shall be entitled to vote in the second primary as well as in the general election.