

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

DE 78-03 - January 11, 1978

**Furnishing List Of Registered Voters; Restriction Thereon
s. 98.211, F.S.**

To: Honorable Jane Carroll, Supervisor of Elections, Broward County Courthouse, Ft. Lauderdale, Florida 33301

Prepared by: Division of Elections

This is in response to your letter of January 4, 1978 in which you requested an opinion of this office to substantially the following question:

May the supervisor of elections furnish a list of registered voters to a commercial mailing firm for the purpose of producing labels and mailings for candidates?

Your question is answered in the negative.

The Florida election law is clear as to whom the supervisor of elections may furnish such lists. As amended by the 1977 legislature and effective January 1, 1978, registered voter lists may be provided:

". . . only to courts for the purpose of jury selection, municipalities, other governmental agencies, candidates to further their candidacy, registered political committees and registered committees of continuous existence and political parties or officials thereof for political purposes only and incumbent officeholders to report to their constituents. . . ." s. 98.211(1), FS. (1977).

This enumeration of permissible recipients of voter lists does not include a commercial business enterprise, even if the firm desires to obtain the list to perform some service or work for an individual or group entitled to the list.

The supervisor may only provide such a list to those enumerated above. Though the business firm may not directly receive the list, a candidate may. Should the business firm subsequently receive the voter list it is subject to the statutory prohibition that no person acquiring such a list shall use any information contained therein for any purpose "not related to elections, political activities, voter registration, law enforcement, or jury selection." Id.

SUMMARY

A commercial mailing firm may not receive a voter list from the supervisor of elections, but should it obtain access to such a list from a permissible recipient it may utilize it for political mailings of a candidate.