

**DE 77-03 - January 14, 1977**

**Municipal Recall Petitions  
Chapter 100, F.S.**

*To: Honorable Joanne E. Koester, Supervisor of Elections, Sarasota County, Sarasota, Florida*

*Prepared by: Division of Elections*

You have asked this office whether the names of petitioners on a municipal recall petition filed pursuant to Section 100.361, Florida Statutes, are valid or invalid where the signatories or some of them did not sign said petition with their middle initials, contrary to their voter registration signatures which bare their middle initials.

Section 100.361(1)(c), Florida Statutes, requires each elector signing a petition to sign his name in ink or indelible pencil as registered in the office of the Supervisor of Elections.

The statute is pointedly specific in requiring the signature to be in ink or indelible pencil. The statute then requires that the name be as registered in the office of the Supervisor of Elections. This latter requirement does not obviously require that the signature trace on the petition the form of signature used on the voter registration card. Nor does it necessarily require that in every respect as to form or otherwise the signatures be identical. Deviations in form or spelling or use of initials are matters of proof, and are factors to be considered in the acceptance or rejection of such signatures. Therefore, the statute indicated a requirement of reasonable and substantial compliance.

Where the election authority is able to determine the validity of the petitioner's signature impediments to validation of that signature should not be indulged. Where the election authority is not reasonably able to validate the petitioner's signature because of form or other deviation from the record signature of such petitioner rejection of the name is indicated.

Your inquiry is answered accordingly.