

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

DE 78-14 - February 28, 1978

**Cancellation Of Voter Registration; Resignation
ss. 98.081 and 98.201, F.S.**

To: Honorable H. Jerome Davis, Supervisor of Elections, Room 257, Manatee County Courthouse, Bradenton, Florida 33505

Prepared by: Division of Elections

You have requested an opinion in answer to substantially the following question:

In the event a registered voter in Florida cancels his/her registration, should the supervisor of elections utilize the original date of registration and voter identification card upon subsequent reregistration?

The cancellation of voter registration encompasses a permanent removal in which reregistration is required for restoration as a qualified elector. Cancellation may be accomplished by one of two methods. The elector may request in writing that his name be removed from the registration books, s. 98.081(2), F.S. The second method is for the supervisor to remove the elector's name when he has reason to believe the person has become disqualified to vote. s. 98.201, F.S.

In either instance, the elector's name is removed from the voter rolls effective immediately upon cancellation. In the absence of a successful appeal provided in s. 98.201, the elector's name may only be restored upon reregistration.

Therefore, in the event of registration cancellation, a new registration is required to return an elector's name to the rolls. The elector has not been "temporarily withdrawn" from the rolls as provided in s. 98.081(1), F.S. (1977), but has been permanently removed pending reregistration. To utilize the original date of registration and voter identification card number for such a person upon reregistration would be confusing and improper. The reregistration should be treated completely as a new registration as if the person had not been previously registered.

Accordingly, in answer to your question, a new voter identification card should be issued reflecting a new registration number and the date of the subsequent registration. Your question is answered in the negative.

SUMMARY

In the event of the cancellation of a voter registration, the original voter registration identification card number and date of registration should not be used if that person registers at some later date. The subsequent registration is a new registration having no relation to the previously cancelled registration. A new registration number and date of reregistration should be used.