

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

DE 90-37 - August 21, 1990

**Closing of Voter Registration Books  
Section 98.051(3), F.S.**

*To: Honorable Robin C. Krivanek, Supervisor of Elections, Hillsborough County, 419 Pierce Street, Room 195, Tampa, Florida 33602-4082*

*Prepared by: Division of Elections*

This is in reference to your request for a clarification on DE 90-21. You are the Supervisor of Elections for Hillsborough County. Pursuant to Section 106.23(2), Florida Statutes, the Division of Elections has authority to issue advisory opinions relating to the Florida Election Code, Chapters 97-106, Florida Statutes, to several categories of persons including supervisors of elections.

Your question is whether a municipal election and its run-off election are treated as one election as indicated in DE 90-21, or whether the elections are in fact two separate elections with separate book closings. We hereby recede from the opinion stated in DE 90-21.

In DE 90-21, the Division opined that when the municipal election falls on the same date as the general election, the registration books for the municipality will close 30 days prior to the general election pursuant to Section 98.051(3)(a)3., Florida Statutes. When a run-off election is held two weeks after the general election, the books remain closed until after the run-off election pursuant to Section 98.051(3)(d), Florida Statutes.

The Division determines that a municipal election and its run-off election are in fact two separate elections with separate book closings. Therefore, registration for a municipal election will close at 5 p. m. on the 30th day before the election. See Section 98.051(3)(a)3., Fla. Stat. If the municipal election is scheduled for the same day as the general election, the registration books for the municipal election will close the same time as the registration books close for the general election. See Section 98.051(3)(d), Fla. Stat. However, registration for a municipal run-off election which is scheduled for 14 days after the regular municipal election will remain open until 30 days prior to the run-off election.

In addition, you ask whether the concept of book "re-openings" is obsolete. The concept of "opening" and "closing" the election books is still in effect as provided by Section 98.051(3)(b), Florida Statutes. This section indicates that the registration books are opened and closed for each election as opposed to an open registration system as a whole. However, while the registration books are closed, the supervisor of elections, as you correctly noted, may accept registration and party changes for all subsequent elections. See Section 98.051(3)(b), Fla. Stat.

**SUMMARY**

Registration for a municipal election will close at 5 p.m. on the 30th day before the election. If the

municipal election is scheduled for the same day as the general election, the registration books for the municipal election will close the same time as the registration books close for the general election. Registration for a municipal run- off election which is scheduled for 14 days after the regular municipal election will remain open until 30 days prior to the run-off election.