

DE 92-07 - February 18, 1992

**Use of Political Party Headquarters as a Voter Registration Site
Sections 98.161(3), 98.271(2), 98.271(4), F.S.**

*TO: Honorable Betty Carter, Supervisor of Elections, Orange County, 119 West Kaley Street,
Orlando, Florida 32806-3967*

Prepared by: Division of Elections

This is in reference to your request for an advisory opinion concerning certain voter registration activities. You are the Supervisor of Elections for Orange County and under Section 106.23(2), Florida Statutes, the Division of Elections has authority to issue this advisory opinion to you relating to the Florida Election Code, Chapters 97-106, Florida Statutes.

You ask:

Whether voter registration can be conducted at the headquarters of a political party and, if the answer to this question is yes, can political party insignia and other party paraphernalia be displayed while conducting voter registration?

The answer to your question requires a discussion of Sections 98.161(3), 98.271(2), and 98.271(4), Florida Statutes, as well as DE 89-5. In DE 89-5, the division opined that supervisors could prohibit the wearing or display of party insignia by volunteer deputy voter registrars in order to ensure impartial and apolitical registration procedures. This rationale is equally applicable to voter registration sites.

Sections 98.161(3), 98.271(2), and 98.271(4), Florida Statutes, provide, respectively, that the supervisor of elections has "exclusive control" over the registration of electors; may appoint as many volunteer deputy voter registrars as he deems necessary; may limit the duration of a volunteer deputy voter registrar's authority as to time, location and duration of authority; and that no supervisor or volunteer deputy voter registrar shall influence or deceive an applicant in exercising his right to register or select his political party affiliation. Moreover, no one can be denied appointment as a volunteer deputy voter registrar because of political affiliation or political activity.

Thus, a supervisor of elections may prohibit voter registration at a political party headquarters due to the possibility of the political party exerting undue influence on or deterring a registrant's free exercise of his right to register or to select his political party affiliation.

SUMMARY

In order to insure impartial and nonpolitical voter registration and party affiliation, a supervisor of elections may prohibit voter registration at a political party headquarters by volunteer deputy voter

registrars.