



## FLORIDA DEPARTMENT of STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

May 24, 2012

The Honorable Vicki Davis  
Supervisor of Elections, Martin County  
P.O. Box 1257  
Stuart, Florida 34995

RE: DE 12-06 Ballots – Descriptive terms, titles, degrees, certifications, or associations with candidate's name – §§ 99.021, and 105.031, Florida Statutes

Dear Supervisor Davis:

This letter responds to your request for an advisory opinion. As the Martin County Supervisor of Elections, you desire an answer to a question concerning a candidate's ability to use descriptive terms, titles, degrees, certifications, or associations in connection with the candidate's name as it will appear on the ballot. The answer to your question will assist you in your duties to provide accurate advice to candidates and help ensure your ballots are in proper form. The Division has the authority to issue you an opinion pursuant to section 106.23(2), Florida Statutes (2011).

By way of background, you state that a candidate for county property appraiser desires to have the abbreviations of "MAI, SRA" after his name on the ballot. The candidate claims that these designations demonstrate professionalism, competence, and compliance within the property appraisal industry and would be helpful to the electorate. You want to know if professional certifications are permissible to be placed with the candidate's name on the ballot.

The Division of Elections addressed this issue somewhat when it considered the permissible use of a nickname in *Division of Elections Opinion 86-06* (May 1, 1986). The Division adheres to the conclusions expressed therein and, as it specifically relates to your request, the Division reiterates the following language:

Descriptive information such as a title (for example, Dr. or M.D.), although not part of a person's name, is permissible only when two persons of the same name or whose names are so similar as to reasonably cause confusion, seek the same office. *See State vs. Murphy*, 122 Ohio St. 620, 174 N.E. 252 (1930).

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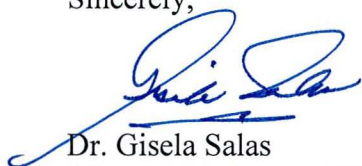
The Honorable Vicki Davis  
May 24, 2012  
Page 2 of 2

The Division now opines that “[d]escriptive information” includes descriptive terms, titles, degrees, certifications, or associations, or similar information next to the candidate’s name. Therefore, the use of such descriptive information is permissible only when two persons of the same name or whose names are so similar as to reasonably cause confusion seek the same office. If a candidate should place descriptive information on his or her candidate oath form,<sup>1</sup> the person before whom the candidate qualifies may not place such information on the ballot unless there is another person who is seeking the same office and whose name is so similar as to reasonably cause confusion. If a candidate desires to inform the electorate of his or her qualifications for the office, he or she must do so by campaigning and political advertising, not by adding descriptive information to his or her name on the ballot.

#### SUMMARY

A qualifying officer may not place information such as descriptive terms, titles, degrees, certifications, associations, or similar information next to the candidate’s name on the ballot unless there is another person on the ballot who is seeking the same office and whose name is so similar as to reasonably cause confusion.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gisela Salas", with a horizontal line underneath the name.

Dr. Gisela Salas  
Director, Division of Elections

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<sup>1</sup> See §§ 99.021 and 105.031, Fla. Stat. (2011). (The candidate oath form requires the candidate to print the candidate’s name as he or she desires it to be written on the ballot.)