



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

October 5, 2016

Mr. William Skinner
7721 Royale River Lane
Lake Worth, Florida 33467

Re: DE 16-11 Registration – Remuneration
for Registering to Vote; § 104.012, Florida
Statutes

Dear Mr. Skinner:

You are a precinct committeeman for the Palm Beach County Republican Executive Committee, and you ask whether it is permissible to offer an envelope and/or a postage stamp to a person along with a Florida voter registration form. Because you are a person engaged in political activity proposing to take certain actions with respect to the Florida Election Code, the Division of Elections is authorized to issue an opinion pursuant to section 106.23(2), Florida Statutes.

FACTS

You state in your request that you are a precinct committeeman whose duties include registering new voters and providing information on changes in voter registration. In order to assist persons in registering to vote, you ask whether it would be permissible under the Election Code to offer the prospective registrant an envelope and/or a postage stamp, presumably so that the registrant could submit his or her voter registration application to the supervisor of elections without any cost to the registrant.

ANALYSIS

Florida law makes it illegal to offer a person anything of value redeemable in cash in exchange for that person becoming a registered voter, or to bribe a person to register to vote, as follows:

Division of Elections

R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6200 • 850.245.6217 (Fax) DOS.MyFlorida.com/elections



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(1) Any person who gives anything of value *that is redeemable in cash* to any person in consideration for his or her becoming a registered voter commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. This section shall not be interpreted, however, to exclude such services as transportation to the place of registration or baby-sitting in connection with the absence of an elector from home for registering.

(2) A person who by bribery, menace, threat, or other corruption, directly or indirectly, influences, deceives, or deters or attempts to influence, deceive, or deter any person in the free exercise of that person's right to register to vote at any time, upon the first conviction, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, and, upon any subsequent conviction, commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

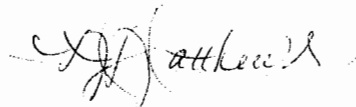
See § 104.012(1), (2), Fla. Stat. (emphasis supplied). Thus, Florida law makes it illegal to offer a person anything of value *that is redeemable in cash* in consideration for that person registering to vote, and it also precludes bribery and other corruption to influence a person's free exercise of the right to register to vote.

However, section 104.012 does not prohibit offering something of value *not* redeemable in cash in order to *facilitate* the act of voting. Generally, an envelope and a postage stamp are not items that are redeemable in cash. Therefore, it is the opinion of the Division that it is not a violation of section 104.012, Florida Statutes, to offer a person an envelope and a postage stamp along with a voter registration application in order to help facilitate the person becoming a registered voter.

SUMMARY

It is not a violation of section 104.012, Florida Statutes, to offer a person an envelope and a postage stamp along with a voter registration application in order to help facilitate the person becoming a registered voter.

Respectfully,

A handwritten signature in black ink, appearing to read "Maria I. Matthews".

Maria I. Matthews, Esq.
Director, Division of Elections