

Third Party Voter Registration Organizations (3PVROs)



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Applicability of 3PVRO Law



- **Information in this presentation includes changes made to the election code in 2011. These 2011 changes DO NOT YET APPLY in the following counties, as the law is undergoing preclearance in Federal court:**
 - Collier
 - Hardee
 - Hendry
 - Hillsborough
 - Monroe
- **Operations in these counties still follow the 2010 law. Information for these counties is provided at the end of this presentation.**

What is a 3PVRO?



- A third-party voter registration organization means any person, entity, or organization that solicits (for collection) or collects any voter registration application.
 - ✦ (Section 97.021 (37) F.S.) and Rule 1S.2.042
- Operates under Florida Statutes 97.0575
- Two exceptions to definition

Breaking Down the Definition



- **“Any Person, Entity, or Organization”**
 - Includes National Organizations in Florida
 - ✦ Example: National Council of Concerned Voters
 - Includes Political Parties
 - ✦ Example: Florida Orange Party Executive Committee
 - Includes Individuals
 - ✦ Example: Teacher who collects voter applications from students
 - John Doe, Example High School, Miami-Dade County

Breaking Down Continued



- **“Solicits or collects voter registration applications”**
 - Must register if organization solicits a person to return applications to the organization
 - Must register if organization collects voter registration applications from the applicants
 - Do not need to register if **ONLY** distributing voter registration applications

Exception #1



- **Registration of Direct Family Members:**
 - Person who seeks only to register to vote or collect a voter registration application from that person's spouse, child, or parent;
 - Do not need to register as 3PVRO
 - (Section 97.021 (37)(a))

Exception #2



- Registration by official agencies (or agent or employee of such agencies):
 - Division of Elections
 - Supervisor of Elections
 - Department of Highway Safety and Motor Vehicles
 - Voter Registration Agency as defined by Florida Voter Registration Act
 - ✦ Public library
 - ✦ Public assistance office
 - ✦ Center for independent living
 - ✦ Office that serves persons with disabilities
 - Do not need to register as 3PVRO; operate under different statutes
 - (Section 97.021 (37)(b))

Example #1



- I am a high school Civics teacher. During the school year, I distribute voter registration forms to my students, help them fill the forms out, collect them from the students, and mail the forms to my local Supervisor of Elections.
- Do I have to register as a 3PVRO?

Answer #1



- I am a high school Civics teacher. During the school year, I distribute voter registration forms to my students, help them fill the forms out, collect them from the students, and mail the forms to my local Supervisor of Elections.
- Do I have to register as a 3PVRO?
- **YES, you are collecting voter registration applications.**

Example #2



- I am the organizer of my local neighborhood association. At our monthly meetings, we keep a stack of registration applications on the table, available to attendees, who may take them and mail them to the Supervisor of Elections.
- Do we have to register as a 3PVRO?

Answer #2



- I am the organizer of my local neighborhood association. At our monthly meetings, we keep a stack of registration applications on the table, available to attendees, who may take them and mail them to the Supervisor of Elections.
- Do we have to register as a 3PVRO?
- **NO, you are not soliciting for collection or collecting voter registration applications. (However, if you take the applications from an attendee, the answer changes!)**

Example #3



- I am an employee at a county library. In addition to my other duties, I also assist patrons in the voter registration process, including sending the forms to my local supervisor of elections.
- Do I have to register as a 3PVRO?

Answer #3



- I am an employee at a county library. In addition to my other duties, I also assist patrons in the voter registration process, including sending the forms to my local supervisor of elections.
- Do I have to register as a 3PVRO?
- **NO, your library is a voter registration agency.**

How to Register as a 3PVRO



- **Prior to engaging in any activities**
 - Form [DS-DE119](#)
(Florida Third-Party Voter Registration Organization Registration Form)
 - Must be submitted electronically to DOE
 - ✦ E-mail: 3pvro@dos.state.fl.us
 - ✦ Fax: 850-245-6291
- **Division MUST approve registration and assign ID # before 3PVRO can conduct voter registration activities**

Note: This form becomes a public record upon its filing.

**FLORIDA THIRD-PARTY VOTER REGISTRATION
ORGANIZATION REGISTRATION FORM**

For Official Use Only:

ID #: 3P _____

Check applicable box: Original Registration Update to Registration Termination of Registration

| | | |
|--|--|--------------------|
| 1. Third Party Voter Registration Organization (name): | | Phone: |
| Permanent Address: | _____ | |
| | <small>(address, city, county, state, zip code)</small> | |
| | <small>Email address, if any: _____</small> | |
| Mailing Address: <small>(if different from above)</small> | _____ | |
| | <small>(street or PO Box address, city, county, state, zip code)</small> | |
| 2. Designation of Organization's Registered Agent in the State of Florida (name): | | Phone: |
| Address: | _____ | |
| <small>(P.O. Box not permitted)</small> | <small>(street address, city, county, state, zip code)</small> | |
| 3. Registered Agent's Acceptance: I accept the appointment as registered agent for this organization: | | |
| _____ | | Date: _____ |
| <small>(Signature of registered agent or authorized person signing for an organizational registered agent)</small> | | |
| 4. Indicate the counties in which the third-party voter registration organization will operate: | | |
| [] All counties; | | |
| [] Specific counties of: _____ | | |
| _____ | | |
| _____ | | |
| _____ | | |
| 5. Listing of the third-party voter registration organization's officers: | | |
| Name | Title | Address |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

**FORM DS-DE 119
(First Page)**

Registered Agent



- 3PVRO must designate a **registered agent** on Form DS-DE 119
- Can be:
 - Individual resident in the state
 - Domestic or foreign corporation
 - Not-for-profit corporation
- **Must:**
 - Be authorized to transact business in the state
 - Be authorized to accept legal service of process on behalf of 3PVRO
 - Sign Form DE-DE 119

Registration Agents



- **What they are:**
 - Employees and volunteers who solicit for collection or collect voter registration applications from applicants for the 3PVRO.
 - One person can be both Registered Agent and a Registration Agent
- **Prior to engaging in activities registration agents must complete form DS-DE 120 before beginning duties for the 3PVRO**
- **3PVRO must:**
 - Ensure DS-DE 120 is filed with Division of Elections within 10 days
 - File amend DS-DE 119 within 10 days to reflect the change in its registration agents

THIRD-PARTY VOTER REGISTRATION ORGANIZATION
REGISTRATION AGENT'S
SWORN STATEMENT
(Section 97.0575, Florida Statutes)

Note: This form becomes a public record upon its filing

I, _____
(Print your name in format of First, Middle, and Last)

swear or affirm that I am employed by, or a volunteer for, the following third-party voter registration organization:

Print the name of third-party voter registration organization

(and if previously assigned, the third-party voter registration organization's identification number is

_____) ;
Print number, if one has been assigned at the time of completing this form

and that I will obey all state law and rules regarding the registration of voters. I understand the penalties for false registration may include a term of imprisonment up to 5 years and a fine up to \$5,000, pursuant to sections 775.082, 775.083, and 775.084, Florida Statutes. Subsequent convictions may result in greater penalties. False registration offenses include, but are not limited to, offenses constituting a felony of the third degree, such as false swearing or submission of false voter registration information (section 104.011, Florida Statutes), and giving anything of value that is redeemable in cash to any person in consideration of that person becoming a registered voter or altering a voter registration application of another person (section 104.012, Florida Statutes).

My permanent address: _____
(street address) (city) (state) (zip code)

and if applicable,
my temporary address: _____
(street address) (city) (state) (zip code)

Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true.

(Signature of registration agent)

NOTES: (1) A person who knowingly and falsely makes the above declaration is guilty of perjury by false written declaration, a felony of the third degree.
(2) This form must be completed before the registration agent begins his or her duties for the third-party voter registration organization and be submitted to the Division of Elections within 10 days of the registration agent beginning his or her duties.

FORM DS-DE 120

How to Change Information



- **Update or withdraw registration of organization:**
 - Submit Form DS-DE 119 reflecting the change within 10 days of any change
- **Termination of Registration Agent:**
 - Agent must immediately notify 3PVRO
 - 3PVRO must file amended DS-DE 119; or
 - Send an E-mail or fax to Division reflecting termination and 3PVRO's ID # and the name of agent being terminated

Responsibilities of a 3PVRO



- **Must comply with all statutory and regulatory requirements, including:**
 - **Within 48 hours or before book closing, whichever occurs first**, submit ALL voter registration applications to DOE / SOE, including those that are incomplete
 - Applications must be submitted irrespective of party affiliation, race, ethnicity, or gender
 - Serve as a fiduciary for the applications from which it collects voter registration applications
 - Ensure its ID# is on every application delivered to DOE / SOE
 - Keep its registration and registration agents' information updated within 10 days of any change

Responsibilities (continued)



- File monthly reports on FORM DS-DE 123 (Third-Party Voter Registration Organization's Accounting of Voter Registration Applications)
 - Must be submitted by the 10th of each month
 - Must be submitted even if no activity during period
 - Must be submitted electronically
 - E-mail: 3pvro@dos.state.fl.us
 - Fax: 850-245-6291

Note: This form becomes a public record upon its filing.

**THIRD-PARTY VOTER REGISTRATION ORGANIZATION'S
ACCOUNTING OF VOTER REGISTRATION APPLICATIONS**
(SECTION 97.0575, FLORIDA STATUTES)

NOTE: The form is due no later than the 10th day of each month for activities occurring the preceding month. (It is also due no later than 10 days after an organization terminates its registration as a third-party voter registration organization.) The form must be filed either as a pdf attachment in an email to 3PVRO@dos.state.fl.us or by transmission to the Division of Election's facsimile machine at 850-245-6291.

| | |
|---|---|
| 1. Third-Party Voter Registration Organization 's Name: _____ | Organization's Identification #: 3P _____ |
| 2. This form represents the organization's accounting of voter registration applications provided to and received from the organization's registration agents during the month of _____ 20____. Check, <u>if applicable</u> : <input type="checkbox"/> The organization did not provide to, or receive from, a registration agent any state or federal voter registration applications during the month. (If the above check box is applicable, skip to Block #6.) | |
| 3. Number of Voter Registration Applications <u>provided to the Organization's</u> Registration Agents: State forms: _____ Federal forms: _____ | |
| 4. Number of <u>Blank</u> Voter Registration Applications <u>received from the</u> Organization's Registration Agents: State forms: _____ Federal forms: _____ | |
| 5. Number of <u>Non-blank</u> Voter Registration Applications <u>received from the</u> Organization's Registration Agents: State forms: _____ Federal forms: _____ | |
| 6. Authorized Signature by Third-Party Voter Registration Organization: _____ Name and Title of Person Completing Form Signature Date | |

FORM DS-DE 123

Responsibilities (continued)



- **Must abide by all Florida Laws in regards to voter registration, including:**
 - May not give anything of value redeemable in cash in exchange for registration
 - May not alter the voter registration application of another person without their consent
 - May not destroy or deface a voter registration form
- **See Florida Statutes, Chapter 104 for more info**

Possible Penalties



- If applications are not promptly delivered to DOE / SOE, 3PVRO is liable for fines:
 - **\$50** per application received more than 48 hours after applicant gave form to 3PVRO
 - ✦ Increases to \$250 if act is willful
 - **\$100** per application collected by 3PVRO before book closing and received by DOE/SOE after book closing deadline
 - ✦ Increases to \$500 if act is willful
 - **\$500** per application collected by 3PVRO which is not submitted to the DOE / SOE
 - ✦ Increases to \$1,000 if act is willful
- **Maximum aggregate fine against 3PVRO in calendar year = \$1000**
- Violations may be referred to the Attorney General's Office

3PVRO Voter Registration Drives



- **3PVRO receives Voter Registration Applications from Division of Elections or a Supervisor of Elections**
 - Forms will be marked with ID#
- **3PVRO distributes Voter Registration Applications**
- **3PVRO can assist applicants become registered by having the applicants:**
 - Write clearly
 - Provide a physical residence address (not a PO Box)
 - Provide all required information
 - Sign the form with original signature
- **3PVRO ensures date/time of completion by applicant is printed on reverse side of form**
- **3PVRO forwards applications to DOE / SOE within 48 hours**



Florida Voter Registration Application

TO REGISTER, YOU MUST:

- Be a citizen of the United States of America. (Box 2)
- Be a Florida resident. (Box 8)
- Be 18 years old. (You may pre-register if you are 17 or if you have a valid driver's license before your 17th birthday) (Box 5)
- Not be adjudicated mentally incapacitated with respect to voting unless that right is restored. (Box 4)
- Not be a convicted felon unless you have had your civil rights restored. (Box 3)
- Provide your current and valid Florida driver's license number or Florida Identification card number. If you do not have a current and valid Florida driver's license or Florida Identification card, you must provide the last four digits of your Social Security number. If you do not have a Florida driver's license number, Florida Identification card number or Social Security number, write "NONE" in the box. (Box 6)
- Complete all information in the black boxes on the application. (Boxes 2, 3, 4, 5, 6, 7, 8, 16)

YOU CAN USE THIS FORM TO:

- Register to vote in the State of Florida
- Change name or address
- Replace your defaced, lost or stolen Voter Information Card
- Register with a political party or change party affiliation
- Update your signature

DEADLINE INFORMATION

If this is a new registration application in Florida, the date the completed application is postmarked or hand delivered to a driver's license office, a voter registration agency, an armed forces recruitment office, the Division of Elections, or the office of any supervisor of elections in the state will be your registration date. You must be registered for at least 29 days before you can vote in an election. If your application is complete and you are qualified as a voter, a voter information card will be mailed to you.

PARTY AFFILIATION (BOX #12)

If you wish to register with a major political party, place an "X" in the box next to the desired major party. If you wish to register with a minor political party, place an "X" in the box preceding "minor party" and then print the name of the desired minor party. For a list of all political parties registered in Florida, go to the Division of Elections' web site: <http://election.dos.state.fl.us/online/parties.shtml>. If you do not wish to

register with any political party, place an "X" in the box preceding "NONE." Florida is a closed primary election state. Therefore, to vote in a primary election for partisan candidates, you must be a registered voter in the party for which a primary is being held. Regardless of party affiliation, all registered voters can vote on issues and non-partisan candidates.

NOTICE

The office at which you register or your decision not to register, your SSN, your FL DL# and your FL ID card will remain confidential and will be used only for voter registration purposes.

NOTE

If the information on this application is not true, the applicant can be convicted of a felony of the third degree and fined up to \$5,000 and/or imprisoned for up to five years.

QUESTIONS

Contact the office of your county supervisor of elections for additional information. Contact information is on the website for the Division of Elections: <http://election.dos.state.fl.us/county/index.shtml>

INFORMACIÓN EN ESPAÑOL

Si vas llamar a la oficina del supervisor de elecciones de su condado si le interesa obtener este formulario en Español.

PLEASE COMPLETE THE APPLICATION BELOW. PLEASE PRINT USING A BLACK BALLPOINT PEN.

- 1) Black boxes must be completed on the application below for registration to be valid. 2) Return this completed application to the office of your supervisor of elections. 3) If you are a first-time voter in this state applying by mail to register to vote and you have not been issued a FL DL#, FL ID#, or SSN, include a copy of your ID with the application (see Special Identification Requirements for additional information required). 4) Mail with first-class stamp.

FLORIDA VOTER REGISTRATION APPLICATION

REVISED 1/08

OFFICIAL USE ONLY
FD-DE 26 1/08

| | | | | | | |
|---|---|--|--|---|-----------------------------|--|
| REQUIRED | 1 | Check boxes that apply: <input type="checkbox"/> New Registration <input type="checkbox"/> Address Change <input type="checkbox"/> Party Change <input type="checkbox"/> Name Change <input type="checkbox"/> Card Replacement <input type="checkbox"/> Signature Update | | | | |
| | 2 | Are you a citizen of the United States of America? Yes <input type="checkbox"/> No <input type="checkbox"/> (If NO, you cannot register to vote) | | | | |
| | 3 | <input type="checkbox"/> I affirm I am not a convicted felon, or if I am, my rights relating to voting have been restored. | | | | |
| | 4 | <input type="checkbox"/> I affirm I have not been adjudicated mentally incapacitated with respect to voting or if I have, my right to vote has been restored. | | | | |
| IF YOU ANSWERED NO TO QUESTION 2, OR IF YOU ARE UNABLE TO AFFIRM THE STATEMENTS IN BOXES 3 AND 4, YOU ARE INELIGIBLE TO REGISTER TO VOTE. DO NOT COMPLETE THIS APPLICATION. | | | | | | |
| REQUIRED | 5 | Date of Birth (MM/DD/YYYY) / / | | | | |
| | 6 | If you have a current and valid FL DL# or FL ID card#, you must provide the number in this box. If you do not have either, provide the last 4 digits of your SSN. If you have not been issued a FL DL#, FL ID card#, or SSN, write "NONE". | | | | |
| | 7 | Last Name | Suffix (circle) Jr Sr II III IV | First Name | Middle Name/Initial | |
| | 8 | Address Where You Live (Legal Residence) (over ocean): | Apt./Suite | City | County of Legal Residence | State Zip Code |
| | 9 | Mailing Address if Different from Above | Apt./Suite | City | County | State Zip Code |
| | 10 | Address Last Registered to Vote | Apt./Suite | City | County | State Zip Code |
| | 11 | Former Name if Making Name Change | | | Day Phone Number (optional) | |
| | 12 | Party Affiliation (Check only one) <input type="checkbox"/> Democratic Party <input type="checkbox"/> Republican Party <input type="checkbox"/> minor party (print registered party name): <input type="checkbox"/> NONE | | | | |
| | 13 | Race/Ethnicity (Check only one) <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black, not Hispanic <input type="checkbox"/> Hispanic <input type="checkbox"/> White, not Hispanic | | | | |
| | 14 | Sex <input type="checkbox"/> M <input type="checkbox"/> F | Do you need voting assistance at the polls? <input type="checkbox"/> Yes <input type="checkbox"/> No | Are you interested in being a poll worker? <input type="checkbox"/> Yes <input type="checkbox"/> No | State or Country of Birth | |
| 15 | Are You: <input type="checkbox"/> Active Duty Military/Merchant Marine <input type="checkbox"/> Dependent of Active Duty Military/Merchant Marine <input type="checkbox"/> U.S. Citizen Currently Residing Outside the U.S. | | | | | |
| REQUIRED | 16 | OATH: I do solemnly swear (or affirm) that I will protect and defend the Constitution of the United States and the Constitution of the State of Florida, that I am qualified to register as an elector under the Constitution and laws of the State of Florida, and that all information provided in this application is true. | | | | SIGNATURE: Sign or mark on line in box below. (Invalid without signature or mark of applicant) |
| | | X | | | | Date: |

Form DS-DE 39 Florida Voter Registration Application

Preclearance Counties



- Information in this presentation includes changes made to the election code in 2011. These changes **DO NOT YET APPLY** in the following counties, as the law is undergoing preclearance in Federal court:
 - Collier
 - Hardee
 - Hendry
 - Hillsborough
 - Monroe
- Operations in these counties still follow the 2010 law and rule

Preclearance Counties' Procedure



- **Registration is on DS-DE 119 (eff. 05/2010)**
- **File quarterly reports**
 - Instead of monthly reports
 - Use Form DS-DE 120 (eff. 05/2010)
 - Due no later than 15th day after each calendar quarter (4/15, 7/15, 10/15, 1/15)
- **Voter applications must be submitted to Supervisor of elections office within 10 days**
 - Instead of 48 hours

Statewide Operation



- If the 3PVRO operates in both regular and preclearance counties:
 - Must comply with appropriate law depending on which county the voter registration activity is taking place.

Forms



- [Form DS-DE 39](#), Uniform Statewide Voter Registration Application
- [Form DS-DE 119](#), Third-Party Voter Registration Organization Registration Form (eff. 06/2011)
- [Form DS-DE 120](#), Third-Party Voter Registration Organization Registration Agent's Sworn Statement (eff. 06/2011)
- [Form DS-DE 121](#), Form for Complaint Against Third-Party Voter Registration Organization (eff. 06/2011)
- [Form DS-DE 123](#), Third-Party Voter Registration Organization's Accounting of Voter Registration Application (eff. 06/2011)

Contact Information



- **Bureau of Voter Registration Services**
 - Virgie Madrigal
 - ✦ E-mail: Virgie.Madrigal@DOS.MyFlorida.com
 - ✦ E-mail: 3pvro@dos.state.fl.us
 - ✦ Phone: 850-245-6409
 - ✦ Fax: 850-245-6291
 - Alex Mosca
 - ✦ E-mail: Alexander.Mosca@DOS.MyFlorida.com
 - ✦ Phone: 850-245-6292

- **Third Party Voter Registration web site**
 - <http://election.dos.state.fl.us/voter-registration/third-party.shtml>

- **List of Active Third Party Voter Registration Organizations**
 - <http://tpvr.election.myflorida.com/>

- **Supervisor of Elections by County**
 - http://election.dos.state.fl.us/SOE/supervisor_elections.shtml