Checklist - Candidate Petition Validation/Signature Verification

DE Election Administration Checklist Series – 0002 (Updated 1/2018)
(SECTION 99.097, FLA. STAT. AND RULE 1S-2.045, FLA. ADMIN. CODE)

*These procedural checklists are for optional use by election offices only. Election offices are advised to consult with applicable state, federal and case law and governing rules. **Any discrepancy** or conflict between the information provided here and rules and laws is not intended and should be resolved in favor of the rules and laws.*

I. **A signature may not be verified on a candidate petition form unless all of the following exist on the form:**

☐ The voter's[1] name. **Note**: If the name is not substantially the same as the name in the statewide voter registration system, the petition may still be validated if all other requirements for the petition are met after comparing the signatures on the form, and the supervisor of Elections determines that the petition signer is the registered voter. Section 99.097(3)(a), Fla. Stat., and Rule 1S-2.045(5)(g), Fla. Admin. Code.

☐ The voter's address (including city and county). **Note**: A missing zip code will not invalidate a petition. The address may be a business or PO Box address. The address need not be the same address on the voter's registration record. If a voter lists an address other than the registration address, the supervisor shall process the petition as if the voter had listed the voter's registration address. *See* s. 99.097(3)(c), Fla. Stat. and Rule 1S-2.045(5)(h), Fla. Admin. Code.

☐ The voter's date of birth or voter registration number. **Note**: The date of birth must include the month, day, and year and match the date of birth on the voter's registration record.

☐ The voter's original, ink signature. **Note**: The only entries that must be completed by the voter are the signature and the date. An electronic signature is not valid. See Rule 1S-2.045(5)(f)4., Florida Administrative Code, A candidate or petition gathered may prefill all other information.

☐ The date (month, day, and year) the voter signed the petition. **Note**: The voter must date the petition. A petition dated after the date the candidate submitted the petition to the supervisor is invalid.

☐ The group, seat or district designation for the office is listed if the candidate is running for an office that requires a group, seat or district designation. (**Note**: In a year of apportionment, a district # is not required.)

II. **Other requirements <u>before</u> petition can be validated as verified[2]:**

☐ The candidate petition form submitted is the most current adopted Form DS-DE 104 with exact wording and format. **Note**: Exceptions to this requirement, the form: (1) Was reduced or enlarged proportionally in size; (2) Has acceptable color highlights, circles, X's, arrows, or similar markings that draw attention to items on the form, as well as cross-outs, line-throughs, or similar marking s for items that do not apply to the candidate's candidacy; (3) Is translated into a minority language (but the format and blank entries must be the same as the adopted form.) Form DS-DE 104 may be a two-sided form if one side is in a minority language. If both sides are completed, the supervisor may only verify the signature on the English side.

☐ At both the time of signing and verifying the petition, the signer, based on the address on record, was a registered voter in the county, district, or other geographical area represented by the office being sought.[3]

---

[1] A voter's inactive status does not affect the validity of an otherwise valid and verifiable petition.

[2] *See* **Rule 1S-2.045 (5)(i) for examples of items that will make a candidate petition invalid.**

[3] In a year of apportionment: (1) For any federal, state senate, or state representative candidate, the signatures may be obtained from any registered voter in Florida regardless of district boundaries; and (2) Any candidate for county or district office may obtain signatures from any registered voter in the county regardless of district boundaries. The next year of apportionment for congressional and state legislative candidates will be 2022. See sections 99.095(2) and 99.09651, F.S.

☐ The voter signed the petition on or after the date the candidate filed Form DS-DE 9 (appointment of campaign treasurer and designation of depository). The only exceptions are if the candidate is: (1) a federal candidate; or (2) a special district candidate who has not collected contributions and whose only expense is the signature verification fee or filing fee. Form DS-DE 9 is not valid until filed (received) and deemed complete by the qualifying officer. The form is not effective upon mailing. See Rule 1S-2.045(5)(f)5., Fla. Admin. Code

☐ The party affiliation listed on the petition matches the party affiliation listed on Form DS-DE 9 or if No Party Affiliation (NPA) is listed on the petition, the Form DS-DE 9 must indicate NPA. **Note**: The candidate's party affiliation as indicated in his/her registration records has no bearing on the validity of the petitions. The candidate's voter registration party affiliation does not become an issue until such time as he/she files qualifying documents during the qualifying period.

☐ The voter has not previously signed a candidate petition form (for the same candidate for the same office in the same election) that has been already verified as valid.[4] An invalid one does not invalidate a previously validated one.

☐ The form was submitted before noon of the 28th day before the first day of qualifying for the office sought to the Supervisor of Elections of the county in which the signee is a registered voter.

---

[4] See section 104.185, Fla. Stat., a person who knowingly signs a candidate petition more than one time for a candidate commits a 1st degree misdemeanor.