

Florida Department of State

2008

**Florida Voter Registration
and Voting Guide**



Division of Elections

Voter's Bill Of Rights

Each registered voter in this state has the right to:

1. Vote and have his or her vote accurately counted.
2. Cast a vote if he or she is in line at the official closing of the polls in that county.
3. Ask for and receive assistance in voting.
4. Receive up to two replacement ballots if he or she makes a mistake prior to the ballot being cast.
5. An explanation if his or her registration or identity is in question.
6. If his or her registration or identity is in question, cast a provisional ballot.
7. Written instructions to use when voting, and, upon request, oral instructions in voting from elections officers.
8. Vote free from coercion or intimidation by elections officers or any other person.
9. Vote on a voting system that is in working condition and that will allow votes to be accurately cast.

Voter Responsibilities

Each registered voter in this state should:

1. Familiarize himself or herself with the candidates and issues.
2. Maintain with the office of the supervisor of elections a current address.
3. Know the location of his or her polling place and its hours of operation.
4. Bring proper identification to the polling station.
5. Familiarize himself or herself with the operation of the voting equipment in his or her precinct.
6. Treat precinct workers with courtesy.
7. Respect the privacy of other voters.
8. Report any problems or violation of election laws to the supervisor of elections.
9. Ask questions, if needed.
10. Make sure that his or her completed ballot is correct before leaving the polling station.

NOTE TO VOTER: Failure to perform any of these responsibilities does not prohibit a voter from voting.

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The 2008 Elections Calendar

Presidential Preference Primary
January 29, 2008

Registration Closes
December 31, 2007

Primary Election
August 26, 2008

Registration Closes
July 28, 2008

General Election
November 4, 2008

Registration Closes
October 6, 2008

The polls will be open on election days from
7 a.m. to 7 p.m. local time.

(See sections 97.055 and 100.011, Florida Statutes)

Offices to Be Filled In 2008

Federal Offices

President and Vice President
Representative in Congress (all congressional districts)

Multicounty And District Offices

State Senator (odd-numbered districts) State Representative (all districts)
State Attorney (Circuits 1-19) Public Defender (Circuits 1-19)

County Offices (county offices vary from county to county, however, most will elect)

Clerk of the Circuit Court
Sheriff
Property Appraiser
Tax Collector
Supervisor of Elections
Superintendent of Schools
3 members of the Board of County Commissioners
2 members of the School Board (nonpartisan)

Office information for a particular county can be obtained from local supervisors of elections.

Judicial Retention (Nonpartisan)

Justices of the Supreme Court (only those whose terms expire January 2009)
Judges, District Courts of Appeal (only those whose terms expire January 2009)

Circuit Judges (Nonpartisan)

(only those whose terms expire January 2009)

County Court Judges (Nonpartisan)

(only those whose terms expire January 2009)

Voter Registration Information

Who Can Register And Vote

To register and vote, you must be 18 years of age, a citizen of the United States of America and a legal resident of Florida and of the county where you intend to vote. A person who is otherwise qualified may pre-register on or after that person's 17th birthday or receipt of a valid driver's license, whichever is earlier, and may vote in any election held on or after that person's 18th birthday.

(See section 97.041, Florida Statutes)

Persons Not Entitled To Register Or Vote

Persons who have been found by a court in this or another state to be mentally incapacitated with respect to voting and who have not had their right to vote restored.

Persons who have been convicted of any felony in any court and who have not had their right to vote restored.

Any person who is not a citizen of the United States of America.

A person who is not registered to vote may not vote.

(See section 97.041, Florida Statutes)

How To Register

To register to vote, you must fill out a voter registration application. Voter registration applications are available at your local supervisor of elections' office, the Division of Elections (also see our web site at <http://election.dos.state.fl.us/RegToVote/regform.shtml>), driver's license offices, state agencies that provide public assistance, state agencies that serve persons with disabilities, public libraries and many other public locations.

You will be offered the opportunity to apply to register to vote or change your voter registration when you obtain your driver's license, when you apply for public assistance at state agencies, or when you apply for services at state agencies that serve persons with disabilities.

A voter registration application is complete if it contains:

- Your name.
- Your legal residence address.
- Your date of birth.
- Your valid Florida driver's license number or Florida identification card number. If you do not have either of these, you must provide the last four digits of your Social Security number. If you have not been issued a Florida driver's license, a Florida identification card, or a Social Security number, you must indicate "none" in the box provided for this information.
- A mark in the check box affirming that you are a citizen of the United States of America.

- A mark in the check box affirming that you have not been convicted of a felony or that, if convicted, you have had your civil rights restored.
- A mark in the check box affirming that you have not been adjudicated mentally incapacitated with respect to voting or that, if so adjudicated, you have had your right to vote restored.
- You must sign the oath printed on the form swearing or affirming under the penalty for false swearing that the information contained in the registration application is true. (Power of attorney is not accepted)

Note: An applicant who fails to designate a political party affiliation will be registered without party affiliation.

(See section 97.053, Florida Statutes)

When Can You Register

You can apply to register to vote at any time either by mail or in person. However, the registration books will be closed on the 29th day before each election and will remain closed until after that election. You must be registered for at least 29 days before you can vote in an election. The date your voter registration application is postmarked or hand delivered to your county supervisor of elections, the Division of Elections, a driver's license office, a voter registration agency, or an armed forces recruitment office will be your registration date. If your application is complete and you are qualified as a voter, a registration information card will be mailed to you.

When the registration books are closed for an election, voter registration and party changes will be accepted, but only for the purpose of subsequent elections.

(See sections 97.053 and 97.055, Florida Statutes)

First-Time Voters Who Register By Mail

If you register by mail and you are a first-time voter in the State and you have not been issued a Florida driver's license number, Florida I.D. number, or a Social Security number you are required to provide additional identification. To assure that you will not have problems when you go to vote, you should provide a copy of the required identification at the time you mail your voter registration form. If you are voting an absentee ballot, you must provide the proper identification prior to 7 p.m. Election Day or your absentee ballot will not count. The following forms of identification are acceptable if they contain your name and photograph:

- United States passport
- Debit or credit card
- Military identification
- Student identification
- Retirement center identification
- Neighborhood association identification
- Public assistance Identification

Instead of the photo ID, you may provide a copy of a current and valid utility bill, bank statement, government paycheck, or other government document containing your name and current residence address. Do not send original identification documents to the supervisor of elections.

The following persons are not required to provide the identification required under the previous paragraph:

- Persons 65 years of age or older.
- Persons with a temporary or permanent physical disability.
- Members of the uniformed services on active duty and their spouses and dependants, who, by reason of such active duty, are absent from the county on Election Day.
- Members of the Merchant Marine and their spouses and dependents, who, by reason of service in the Merchant Marine, are absent from the county on Election Day.

(See section 97.0535, Florida Statutes)

Removal and Reinstatement of Names on Voter Rolls

Periodically, supervisors of elections will send address confirmation notices to voters when the post office has indicated that these voters have moved outside the supervisor's county or left a forwarding address. All voters who have been mailed an address confirmation notice and who do not return the form within 30 days will be placed on the inactive voter registration list. Voters on the inactive list can be reinstated by updating their voter registration, appearing to vote, or requesting an absentee ballot, providing their status has not changed. However, after two general elections from the date the notice was sent, all inactive voters who show no activity will be removed from the registration records and must register again in order to vote.

(See section 98.065, Florida Statutes)

Registration Is a Public Record

In Florida, voter registration records are open to the public and may be examined or copied by any person. However, the following registration information is confidential: location of voter's place of registration, location of place of registration update, Social Security number, driver's license number, and Florida identification number. A voter's signature may be viewed but may not be copied.

(See section 97.0585, Florida Statutes)

Military and Overseas Citizens

Registering And Voting Absentee

Members of the United States uniformed services on active duty and the Merchant Marine, their spouses and dependents, and United States citizens residing outside of the United States may apply for voter registration or request an absentee ballot with a Federal Post Card Application (FPCA), which may be obtained from a Voting Assistance Officer or through the Internet at www.fvap.gov. The Federal Post Card Application request for an absentee ballot will be effective for all elections through the next two regularly scheduled general elections. If the FPCA is not available, phone or send a written request by mail, fax, or e-mail to the supervisor of elections and a voter registration application or absentee ballot will be sent to you.

If you are overseas, you may have your absentee ballot either faxed or e-mailed to you, in lieu of receiving it by regular mail. Once your absentee ballot is voted, you may either return it by fax or you may mail it to the supervisor of elections so that it is received no later than 7 p.m. on Election Day. Voted ballots returned by e-mail will not be accepted. Carefully follow the instructions sent to you with your absentee ballot to ensure that it is counted. You must be sure to not only sign, but DATE the absentee ballot envelope to ensure that your ballot is counted.

If an overseas voter's request for an absentee ballot includes an e-mail address, the supervisor of elections will inform the voter of the names of candidates who will be on the ballots via e-mail. The supervisor of elections will e-mail to the voter the list of candidates for the primary and general election not later than 30 days before each election.

(See sections 101.6952 and 101.697, Florida Statutes)

Additional information for military and overseas voters is available from:

Director
Federal Voting Assistance Program
Office of the Secretary of Defense Washington Headquarters Services
1155 Defense Pentagon
Washington, D.C. 20301-1155
FVAP Fax 703-588-0108
Email: vote@fvap.ncr.gov
Toll-free: 800-438-8683

State Write-in Ballot

An overseas voter may request, not earlier than 180 days before a general election, a state write-in absentee ballot from the supervisor of elections in the county of registration. For the 2008 General Election that date is May 8, 2008. In the request, the voter must indicate that due to military or other contingencies that preclude normal mail delivery, the voter cannot vote an absentee ballot during the normal absentee voting period. In completing the ballot, the overseas voter may designate his or her choice by writing in the name of the candidate or by writing in the name of a political party, in which case, the ballot must be counted for the candidate of that political party, if there is such a party candidate on the ballot.

(See section 101.6951, Florida Statutes)

Late Registration

An individual or accompanying family member who has been discharged or separated from the uniformed services, Merchant Marine, or from employment outside the territorial limits of the United States, after the book closing for an election pursuant to section 97.055, Florida Statutes, who is otherwise qualified, may register to vote in such election at the office of the supervisor of elections until 5:00 p.m. on the Friday before that election. Such persons must produce sufficient documentation showing evidence of qualifying for the late registration pursuant to this section.

(See section 97.0555, Florida Statutes)

Changes in Address, Name, or Party

When Voters Move

If you move your residence outside your assigned precinct, you must vote in the precinct to which you have moved. If you move, you must notify the supervisor of elections by providing a signed voter registration application indicating the address change.

Generally, you cannot vote in any precinct other than the one in which you live and are registered. However, if you are temporarily living outside your home county, you can apply to be registered and vote in the precinct that contains the main office of the supervisor of elections. These voters will not be registered to vote in municipal elections.

If you move to another county in Florida, you must vote in your new county.

If you have not already provided change of address information to the supervisor of elections prior to the election, you will be required to provide that information before you can vote. In order to avoid delays at the polling place, you should update your address whenever you move.

(See sections 97.1031 and 101.045, Florida Statutes)

When Voters Change Their Name

If you change your name by marriage or other legal process, you must provide notice of such change to a voter registration official using a voter registration application signed by the voter. If you have not provided this information prior to going to vote, you will be allowed to update this information prior to voting.

(see section 97.1031, Florida Statutes)

When Voters Want To Change Their Party Affiliation

If you want to change your party affiliation, you must provide the notice of such change to a voter registration official using a signed voter registration application. A party change request cannot be accepted at the polling place on election day.

(See section 97.1031, Florida Statutes)

Election Day Information

Poll Workers

On election days, the supervisors of elections are among the largest employers of their counties, hiring many workers to conduct the election. Election days can sometimes be demanding, but it is a rewarding experience to assist Florida's citizens in the important process of casting their votes. Supervisors of elections are looking for friendly, dedicated people to work at the polls on Election Day. Contact your local supervisor of elections if you are interested.

(See sections 102.012 and 102.014, Florida Statutes)

What To Expect At The Polls

Polls will be open on election day from 7 a.m. until 7 p.m. local time. To determine your polling place, check your voter information card or contact your supervisor of elections.

You will be asked to show a photo and signature identification when you go to the polls to vote. Acceptable forms of photo identification include:

- Florida driver's license
- Florida identification card issued by the Department of Highway Safety and Motor Vehicles
- United States passport
- Debit or credit card
- Military identification
- Student identification
- Retirement center identification
- Neighborhood association identification
- Public assistance identification

If your photo identification does not contain your signature, you will be required to show an additional identification that provides your signature.

If you do not have the proper identification, you will be allowed to vote a provisional ballot.

If you voted a provisional ballot solely because you did not bring photo and signature identification to the polls, you do not have to present further evidence of eligibility. The local canvassing board will simply compare your signature on the provisional ballot certificate with your signature on the voter registration record. If the signatures match, your provisional ballot will count (provided you were in the proper precinct). At the time that you vote, you will be given a written notice of your rights as a provisional ballot voter. The notice will include a statement as to whether or not and by when you have to present further evidence of eligibility and information as to how to find out if the voter's provisional ballot was counted, and if not the reason(s) why.

Once your identity has been established, you will be asked to sign the precinct register or electronic device and then you will be allowed to vote.

If you need assistance in marking your ballot, please inform the poll worker.

If you make a mistake when voting on a paper ballot, ask for a replacement. You may receive up to two replacements, or a total of three ballots.

If your eligibility to vote cannot be determined, you will be allowed to vote a provisional ballot. A person casting a provisional ballot may present written evidence supporting his or her eligibility to vote to the supervisor of elections by no later than 5 p.m. on the second day following the election.

All voters who vote provisionally regardless of the reason are to be given a written notice of rights that includes:

1. A statement that the provisional ballot voter has until 5 p.m. of the second day to bring to the Supervisor of Elections written evidence of his or her eligibility.
2. A statement that a voter who votes a provisional ballot because he or she did not bring in identification does not need to bring in further evidence of eligibility. If the voter voted in the right precinct and the signature on the provisional ballot certificate matches the signature on the voter registration record, the provisional ballot will be counted.
3. Instructions as to how the provisional ballot voter may find out if his or her provisional ballot was counted, and if not, the reason(s) why.
4. A statement that if this is a primary election, the person should contact the supervisor of elections' office immediately to confirm that the person is registered and can vote in the general election.

(See sections 101.048 and 101.043, Florida Statutes, and Rule 1S-2.037, Florida Administrative Code)

Primary Election

Only voters who are registered members of political parties may vote for their respective party's candidates in a primary election. Voters without party affiliation are not eligible to vote for major party candidates in a primary election.

However, Article VI, Section 5(b), Florida Constitution, provides that if all candidates have the same party affiliation and the winner will have no opposition in the general election, all qualified voters, regardless of party affiliation, may vote in the primary election for that office. This is known as a Universal Primary Contest.

Nonpartisan judicial and school board offices, nonpartisan special districts, and local referendum questions are included in some primary elections. All registered voters, including those without party affiliation are entitled to receive and vote these ballots. At general elections, all voters receive the same ballot and may vote for any candidate or question on the ballot.

(See sections 100.051, 100.061 and 101.021, Florida Statutes, and Article VI, Section 5(b), Florida Constitution)

Assistance in Voting

A person who is unable to read or write or who, because of a disability, needs assistance in voting, may designate someone of his or her own choice, other than an employer or an officer or agent of the person's union, to provide such assistance. Election officials may also provide assistance.

(See sections 97.061 and 101.051, Florida Statutes)

Nonpartisan Judicial Elections

Candidates for the Florida Supreme Court and District Courts of Appeal will appear on the ballot in the general election for a vote on their retention. Candidates for circuit and county court judge will appear on the primary ballot and on the general election ballot, if necessary.

(See section 105.041, Florida Statutes)

Poll Watchers

Each political party, each political committee with issues on the ballot that they are registered to support or oppose, and each candidate may have one poll watcher in each polling room or early voting area at any one time during an election. Poll watchers must be registered voters in the county and cannot be candidates or law enforcement officers. Each political party, each political committee, and each candidate requesting to have poll watchers must designate, in writing to the supervisor of elections, poll watchers for each precinct prior to noon of the second Tuesday preceding the election. Poll watchers for early voting shall be requested in writing to the supervisor at least 14 days before early voting begins.

Election	Poll Watcher Designation Due	
	Early Voting	Election Day
Presidential Preference Primary	December 31, 2007	January 15, 2008
Primary Election	July 28, 2008	August 12, 2008
General Election	October 6, 2008	October 21, 2008

(See section 101.131, Florida Statutes)

Absentee Voting

Who Can Vote Absentee

All qualified voters are permitted to vote absentee under Florida law.

(See sections 97.021(1) and 101.62, Florida Statutes)

How To Vote Absentee

A voter, or, if directly instructed by the voter, a member of the voter's immediate family or the voter's legal guardian, may request an absentee ballot from the supervisor of elections in person, by mail or by telephone. One request can cover all elections through the next two general elections. The person requesting an absentee ballot must disclose:

- The name of the voter for whom the ballot is requested;
- The voter's address;
- The voter's date of birth;
- The requester's name;
- The requester's address;
- The requester's driver's license number, if available;
- The requester's relationship to the voter; and,
- The requester's signature (written request only).

A designee may pick up an absentee ballot for a voter on Election Day or up to 5 days before Election Day. A designee may only pick up two absentee ballots per election, other than his or her own ballot or ballots for members of his or her immediate family. Designees must have written authorization from the voter, present a picture I.D. and sign an affidavit.

Marked ballots must be mailed or delivered in person reaching the supervisor of elections' office not later than 7 p.m. on the day of the election. Do not return your voted absentee ballot to a polling place.

If you have obtained an absentee ballot but want to vote in your precinct on Election Day, you must take the absentee ballot with you to the polls, whether or not it has been marked so that it can be cancelled. However, if you are unable to return the ballot, you may vote a provisional ballot.

Early Voting

(See sections 101.62 and 101.69, Florida Statutes)

Early voting will begin 15 days before an election and end on the 2nd day before an election. Call your supervisor of elections to find out the times and locations this service is offered in your county.

(See section 101.657, Florida Statutes)

Violations

How to Report Election Law Violations

Violations relating to chapters 104 and 106 and section 105.071, Florida Statutes, should be reported by sworn written complaint to the Florida Elections Commission, Suite 224 Collins Building, 107 West Gaines Street, Tallahassee, Florida 32399-1050, 850-922-4539.

The Florida Elections Commission is an entity not aligned or affiliated with the Department of State, Division of Elections.

(See section 106.25, Florida Statutes)

Violations of either the National Voter Registration Act of 1993, or the Help America Vote Act of 2002, or any irregularities or fraud involving voter registration, candidate or issue petitions, removal procedures, or voting under the Florida Election Code should be reported in writing to the Division of Elections, Room 316, R.A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399-1050, 850-245-6200.

All other violations should be reported to the local state attorney.

(See sections 97.012(15), 97.023, and 97.028, Florida Statutes)

Florida's Supervisors of Elections

Alachua

Pam Carpenter
P O Box 1496
Gainesville, FL 32602-1496
Phone: 352-374-5252
Fax: 352-374-5264
E-mail: pwc@alachua.fl.us

Baker

Nita Crawford
P O Box 505
MacClenny, FL 32063-0505
Phone: 904-259-6339
Fax: 904-259-2799
E-mail: vote@bakercountyfl.org

Bay

Mark Andersen
205 Mosley Drive
Lynn Haven, FL 32444
Phone: 850-784-6100
Fax: 850-784-6141
E-mail: bayinfo@bayvotes.org

Bradford

Terry L. Vaughan
P O Box 58
Starke, FL 32091-0058
Phone: 904-966-6266
Fax: 904-966-6165
E-mail: bradsoe@bradford-co-fla.org

Brevard

Hubert C. Childress, Jr.
P O Box 1119
Titusville, FL 32781-1119
Phone: 321-264-6740
Fax: 321-264-6741
E-mail: bchildress@brevardelections.org

Broward

Dr. Brenda C. Snipes
P O Box 029001
Fort Lauderdale, FL 33302-9001
Phone: 954-357-7050
Fax: 954-357-7070
E-mail: Elections@browardsoe.org

Calhoun

Margie C. Laramore
20859 Central Avenue East, Room G-10
Blountstown, FL 32424-2264
Phone: 850-674-8568
Fax: 850-674-2449
E-mail: soecalco@fairpoint.net

Charlotte

Mac V. Horton
P O Box 511229
Punta Gorda, FL 33951-1229
Phone: 941-833-5400
Fax: 941-637-833-5422
E-mail: soe@charlottevotes.com

Citrus

Susan A. Gill
120 North Apopka Avenue
Inverness, FL 34450-4238
Phone: 352-341-6740
Fax: 352-341-6749
E-mail: vote@elections.citrus.fl.us

Clay

Barbara A. Kirkman
P O Box 337
Green Cove Springs, FL 32043-0337
Phone: 904-284-6350
Fax: 904-284-3975
E-mail: bkirkman@clayelections.com

Collier

Jennifer Edwards
3301 Tamiami Trail East, MLK Jr. Bldg.
Naples, FL 34112-4907
Phone: 239-252-8450
Fax: 239-774-9468
E-mail: supervisorofelections@colliergov.net

Columbia

Elizabeth P. Horne
971 W. Duval Street, Suite 102
Lake City, FL 32055-3734
Phone: 386-758-1026
Fax: 386-755-7233
E-mail: election@votecolumbia.com

DeSoto

Mark Negley
P O Box 89
Arcadia, FL 34265-0089
Phone: 863-993-4871
Fax: 863-993-4875
E-mail: info@votedesoto.com

Dixie

Starlet Cannon
P O Box 2057
Cross City, FL 32628-2057
Phone: 352-498-1216
Fax: 352-498-1218
E-mail: dixiecountysoe@bellsouth.net

Duval

Jerry Holland
105 East Monroe Street
Jacksonville, FL 32202-3215
Phone: 904-630-7777
Fax: 904-630-2920
E-mail: jholland@coj.net

Escambia

David H. Stafford
P O Box 12601
Pensacola, FL 32591-2601
Phone: 850-595-3900
Fax: 850-595-3914
E-mail: David_Stafford@escambiavotes.com

Flagler

Peggy R. Border
P O Box 901
Bunnell, FL 32110-0901
Phone: 386-313-4170
Fax: 386-313-4171
E-mail: pborder@flaglerelections.com

Franklin

Doris S. Gibbs
47 Avenue F
Apalachicola, FL 32320-2311
Phone: 850-653-9520
Fax: 850-653-9092
E-mail: dorisg@votefranklin.com

Gadsden

Shirley G. Knight
P O Box 186
Quincy, FL 32351-0186
Phone: 850-627-9910
Fax: 850-627-6144
E-mail: info@gadsdensoe.com

Gilchrist

Connie Sanchez
112 South Main Street, Room 128
Trenton, FL 32693-3249
Phone: 352-463-3194
Fax: 352-463-3196
E-mail: elections@votegilchrist.com

Glades

Holly G. Whiddon
P O Box 668
Moore Haven, FL 33471-0668
Phone: 863-946-6005
Fax: 863-946-0313
E-mail: holly@embarqmail.com

Gulf

Linda Griffin
401 Long Avenue
Port St. Joe, FL 32456-1707
Phone: 850-229-6117
Fax: 850-229-8975
E-mail: gulfsoe@fairpoint.net

Hamilton

Laura Dees
1153 US Highway 41 NW, Suite 1
Jasper, FL 32052-5856
Phone: 386-792-1426
Fax: 386-792-3205
E-mail: elect@alltel.net

Hardee

Jeffrey Ussery
311 North 6th Avenue
Wauchula, FL 33873-2361
Phone: 863-773-6061
Fax: 863-773-6813
E-mail: hardeesoe@yahoo.com

Hendry

Lucretia A. Strickland
P O Box 174
LaBelle, FL 33975-0174
Phone: 863-675-5230
Fax: 863-675-7803
E-mail: supervisor@hendryelections.org

Hernando

Annie D. Williams
20 North Main Street, Room 165
Brooksville, FL 34601-2864
Phone: 352-754-4125
Fax: 352-754-4425
E-mail: awilliams@hernandocounty.us

Highlands

Joe A. Campbell
P O Drawer 3448
Sebring, FL 33871-3448
Phone: 863-402-6655
Fax: 863-402-6657
E-mail: soe@hcbcc.org

Hillsborough

Buddy Johnson
2514 Falkenburg Road
Tampa, FL 33619-0917
Phone: 813-744-5900
Fax: 813-744-5843
E-mail: voter@hillsboroughcounty.org

Holmes

Debbie W. Morris
201 North Oklahoma Street, Ste 102
Bonifay, FL 32425-2243
Phone: 850-547-1107
Fax: 850-547-4168
E-mail: Debbie@holmeselections.com

Indian River

Kay Clem
4375 43rd Avenue
Vero Beach, FL 32967-1067
Phone: 772-226-3440
Fax: 772-770-5367
E-mail: kclem@voteindianriver.com

Jackson

Sylvia D. Stephens
P O Box 6046
Marianna, FL 32447-6046
Phone: 850-482-9652
Fax: 850-482-9102
E-mail: email@jacksoncountysoe.org

Jefferson

Marty Bishop
380 West Dogwood Street
Monticello, FL 32344-1470
Phone: 850-997-3348
Fax: 850-997-6958
E-mail: soejeffersonco@aol.com

Lafayette

Lana B. Morgan
P O Box 76
Mayo, FL 32066-0076
Phone: 386-294-1261
Fax: 386-294-2164
E-mail: lafayettesoe@alltel.net

Lake

Emogene W. Stegall
P O Box 457
Tavares, FL 32778-0457
Phone: 352-343-9734
Fax: 352-343-3605
E-mail: elections@lakecountyfl.gov

Lee

Sharon L. Harrington
P O Box 2545
Fort Myers, FL 33902-2545
Phone: 239-533-8683
Fax: 239-533-6310
E-mail: sharrington@leeelections.com

Leon

Ion Sancho
P.O. Box 7357
Tallahassee, FL 32314-7357
Phone: 850-606-8683
Fax: 850-606-8601
E-mail: vote@leoncountyfl.gov

Levy

Connie Asbell
421 South Court St.
Bronson, FL 32621-6520
Phone: 352-486-5163
Fax: 352-486-5146
E-mail: elections@votelevy.com

Liberty

Marcia A. Wood
P O Box 597
Bristol, FL 32321-0597
Phone: 850-643-5226
Fax: 850-643-5648
E-mail: vote@libertyelections.com

Madison

Jada W. Williams
229 SW Pinckney St., Room 113
Madison, FL 32340-2466
Phone: 850-973-6507
Fax: 850-973-3780
E-mail: elections@votemadison.com

Manatee

Bob Sweat
P O Box 1000
Bradenton, FL 34205-1000
Phone: 941-741-3823
Fax: 941-741-3820
E-mail: info@votemanatee.com

Marion

Dee Brown
P O Box 289
Ocala, FL 34478-0289
Phone: 352-620-3290
Fax: 352-620-3286
E-mail: Elections@VoteMarion.com

Martin

Vicki Davis
P O Box 1257
Stuart, FL 34995-1257
Phone: 772-288-5637
Fax: 772-288-5765
E-mail: elections@martinvotes.com

Miami-Dade

Lester Sola
P.O. Box 521550
Miami, FL 33152-1550
Phone: 305-499-8509
Fax: 305-499-8501
E-mail: solal@miamidade.gov

Monroe

Harry L. Sawyer
530 Whitehead Street, Suite 101
Key West, FL 33040-6577
Phone: 305-292-3416
Fax: 305-292-3406
E-mail: info@keys-elections.org

Nassau

Vicki P. Cannon
96135 Nassau Place, Suite 3
Yulee, FL 32097-8625
Phone: 904-491-7500
Fax: 904-432-1400
E-mail: vcannon@votennassau.com

Okaloosa

Patricia M. Hollarn
302 Wilson Street North, Suite 102
Crestview, Florida 32536-3440
Phone: 850-689-5600
Fax: 850-689-5644
E-mail: phollarn@co.okaloosa.fl.us

Okeechobee

Gwen Chandler
307 NW 2nd Street
Okeechobee, FL 34972-4120
Phone: 863-763-4014
Fax: 941-763-0152
E-mail: elections@voteokeechobee.com

Orange

Bill Cowles
P O Box 562001
Orlando, FL 32856-2001
Phone: 407-836-2070
Fax: 407-254-6596
E-mail: voter@ocfelections.com

Osceola

Connie Click
2509 E. Irlo Bronson Memorial Hwy
Kissimmee, FL 34744-4909
Phone: 407-742-6000
Fax: 407-742-6001
E-mail: conn@osceola.org

Palm Beach

Arthur W. Anderson
P O Box 22309
West Palm Beach, FL 33416-2309
Phone: 561-656-6200
Fax: 561-656-6287
E-mail: administration@pbcelections.org

Pasco

Brian E. Corley
P O Box 300
Dade City, FL 33526-0300
Phone: 352-521-4302
Fax: 352-521-4319
E-mail: feedback@pascovotes.com

Pinellas

Deborah Clark
13001 Starkey Road
Largo, FL 33773
Phone: 727-464-6108
Fax: 727-464-6239
E-mail: election@votepinellas.com

Polk

Lori Edwards
P O Box 1460
Bartow, FL 33831-1460
Phone: 863-534-5888
Fax: 863-534-5899
E-mail: info@polkelections.com

Putnam

Susan C. McCool
107 N 6th Street
Palatka, FL 32177-3603
Phone: 386-329-0224
Fax: 386-329-0455
E-mail: electionoffice@putnam-fl.com

St. Johns

Penny Halyburton
4455 Avenue A, Suite 101
St. Augustine, FL 32095-5200
Phone: 904-823-2238
Fax: 904-823-2249
E-mail: pennyh@sjcvotes.us

St. Lucie

Gertrude Walker
4132 Okeechobee Road
Fort Pierce, FL 34947-5412
Phone: 772-462-1500
Fax: 772-462-1439
E-mail: elections@slcelections.com

Santa Rosa

Ann W. Bodenstein
6495 Caroline Street, Suite F
Milton, FL 32570-4592
Phone: 850-983-1900
Fax: 850-626-7688
E-mail: soe-bodenstein@co.santa-rosa.fl.us

Sarasota

Kathy Dent
P O Box 4194
Sarasota, FL 34230-4194
Phone: 941-861-8600
Fax: 941-861-8609
E-mail: kdent@srqelections.com

Seminole

Michael Ertel
P O Box 1479
Sanford, FL 32772-1479
Phone: 407-585-8683
Fax: 407-708-7705
E-mail: ertel@voteseminole.org

Sumter

Karen S. Krauss
900 North Main St.
Bushnell, FL 33513-5008
Phone: 352-793-0230
Fax: 352-793-0232
E-mail: Kkrauss@sumterelections.org

Suwannee

Glenda B. Williams
220 Pine Ave SW
Live Oak, FL 32064-2315
Phone: 386-362-2616
Fax: 386-364-5185
E-mail: gwilliams@suwanneevotes.com

Taylor

Molly H. Lilliot
P O Box 1060
Perry, FL 32348-1060
Phone: 850-838-3515
Fax: 850-838-3516
E-mail: taylorelections@gtcom.net

Union

Deborah Osborne
55 West Main Street, Room 106
Lake Butler, FL 32054-1654
Phone: 386-496-2236
Fax: 386-496-1535
E-mail: unionsoe@circuit8.org

Volusia

Ann McFall
125 W. New York Ave.
DeLand, FL 32720-5415
Phone: 386-736-5930
Fax: 386-822-5715
E-mail: elections@co.volusia.fl.us

Wakulla

Sherida S. Crum
P O Box 305
Crawfordville, FL 32326-0305
Phone: 850-926-7575
Fax: 850-926-8104
Email: scrum@wakullaelection.com

Walton

Bobby Beasley
571 US Hwy 90 East
DeFuniak Springs, FL 32433-2852
Phone: 850-892-8112
Fax: 850-892-8113
Email: bbeasley@co.walton.fl.us

Washington

Carol F. Griffin
1331 South Blvd, Suite 900
Chipley, FL 32428-2233
Phone: 850-638-6230
Fax: 850-638-6238
Email: cgriffin@wcsoe.org



FLORIDA DEPARTMENT OF STATE
Division of Elections
500 S. Bronough St., The R.A. Gray Building, Room 316
Tallahassee, FL 32399-0250
850-245-6200
Email: DivElections@dos.state.fl.us