

Broward County Supervisor of Elections List Maintenance Definitions and Procedures

List maintenance activities are conducted in accordance with state and federal laws to identify changes in either the voter's eligibility or residence to keep voter records current and accurate.

List maintenance procedures are outlined in Florida Statutes 98.065 and 98.075.

List Maintenance Definitions

Active voter – A registered voter who has either voted, updated his/her voter record, or requested a mail ballot within the last two federal general elections.

Inactive voter – A voter who was sent an address confirmation final notice and did not return the postage prepaid confirmation form within 30 days or for whom the final notice was returned as undeliverable. Inactive voters remain in the voter file and are still eligible to vote.

Changing from Inactive Status to Active Status – An inactive voter may be restored to active status by updating his/her voter record, requesting a mail ballot or voting.

Changing from Inactive Status to Ineligible Status – If a voter does not update his/her voter registration record, request a mail ballot, or vote by the second federal general election after being designated inactive, the voter's name shall be removed from the statewide voter registration file, and the voter shall be required to re-register to have his/her name restored to the statewide voter registration file.

List Maintenance Frequency

Florida Statutes require supervisors of elections to conduct comprehensive list maintenance at least once during every odd-numbered year, but not less than 90 days before a federal election.

All Florida counties are required to use one of three options to meet this list maintenance requirement:

- Mailing notices to all registered voters who have not voted, requested a ballot, or updated their registration records in the past two years
- Identifying registered voters whose addresses may have changed through change-of-address information provided by the United States Postal Service
- Mailing Voter Information Cards to all registered voters in the county

However, address list maintenance continues as the Supervisor of Elections receives mail returned undeliverable from the Post Office or receives address updates from third-party sources such as Jury Notice lists from the Division of Elections, Department of Highway Safety and Motor Vehicles driver license lists.

In addition, ongoing list maintenance is conducted for the following reasons:

- A voter is deceased
- A voter has moved out of state
- A voter was convicted of a felony
- A voter was adjudicated mentally incapacitated
- A voter is not a U.S. citizen
- A voter is not of legal age
- A voter lives at a false address
- A voter requests to be removed from the voter file

List Maintenance Details

Three types of forms are mailed for address list maintenance:

- Address Confirmation Request (ACR) – non-forwardable form; U.S. Postal Service will return with forwarding information if undeliverable; used to verify names and addresses of voters; also used to verify addresses when a mailing address is provided by a third-party source
- Address Change Notice (ACN) – forwardable form sent to new address with preaddressed postage-paid return form; sent to voter when Supervisor of Elections receives updates from a third-party source that the voter may have moved within the state
- Address Confirmation Final Notice (ACFN) – forwardable form sent to newly recorded address with preaddressed postage-paid return form; sent to voter when Supervisor of Elections receives notice from third-party source that voter may have moved out of state; also used when Supervisor receives undeliverable mail from a voter’s legal residence; voter has 30 days to respond to remain in active status

Voter is notified of any ineligibility issue by certified letter, return receipt requested, and by first-class mail

- If certified letter is returned undeliverable, Supervisor of Elections publishes a legal notice listing names and addresses of voters who may be ineligible to vote, providing instructions and deadline of 30 days to update his/her voter record to avoid removal from voter registration file
- If voter responds to certified letter or legal notice and concurs with information provided, voter is removed from voter file and sent a notice by certified letter, return receipt requested
- If voter fails to respond to certified letter or legal notice, voter is removed from voter file and sent a notice by certified letter, return receipt requested. If voter disagrees with the information provided regarding ineligibility:
 - If voter does not request a hearing, voter is removed from voter file and sent a notice by certified letter, return receipt requested
 - If voter requests a hearing, hearing is conducted, and Supervisor determines voter’s eligibility based on evidence
 - If evidence proves eligibility, voter remains in voter file
 - If evidence proves ineligibility, voter is removed from voter file
 - Voter is sent a notice of the Supervisor decision by certified letter, return receipt requested

Once a voter is designated ineligible or removed from the voter file, the voter must re-register to become eligible to vote.

Voter registration statistics are updated nightly and posted across the top of the Supervisor of Elections home

page at www.browardsoe.org. These statistics reflect only active registered voters.

List Maintenance Activity Reports

Twice a year, on January 31 and July 31, the Supervisor of Elections is required to certify to the Division of Elections the list maintenance activities conducted during the six months prior. Certification forms must include the number of Address Confirmation Requests sent, the number of voters designated inactive, and the number of voters removed from the statewide voter registration file.