

POLLING LOCATION BASICS

The 150-foot radius no-solicitation zone

Know your rights and responsibilities to ensure that voters have a positive experience and their right to unfettered access to vote is respected *F.S. 101.031(2)*.

Who this document covers

Pursuant to Florida Statute 102.031, the **Supervisor of Elections** (SOE) has the legal authority to maintain order within the polling place and within 150 feet of the entrance to the polling place. The SOE and election deputy or clerk are responsible for ensuring all election laws are followed at the location.

The **Facility Owner/Manager** ensures the parking lot/area at the premises is clear of all obstructions that would impede voter access and that all parking area lights are operational and in good working order, disability permit-only parking spaces will be available to voters, and no other events will be planned that will affect or limit the amount of available parking for persons coming to vote.

The **Solicitors** possess guaranteed First Amendment rights, including but not limited to, free speech, association, petition, assembly and solicitation of voters during polling hours outside of the no-solicitation zone, while abiding by civic law.

The no-solicitation zone

Under Florida law, the no-solicitation zone is the area 150 feet in all directions from the entrance to the polling place, early voting site or SOE office where vote-by-mail ballots are requested and printed on demand. The no-solicitation zone includes areas inside the polling place that are accessible and/or visible to voters *F.S. 102.031(4)(a)*.

Solicitation is any activity that intends to influence a voter. This includes but is not limited to asking someone for their vote or opinion; displaying political advertisements, literature or campaign materials; distributing or selling any goods or asking someone to sign a petition *F.S. 102.031(4)(b)*.

An SOE official, election deputy or clerk measures and marks the no-solicitation zone and marks the boundaries in all directions, if possible. The election official manages the area within the no-solicitation zone and will respond to actions that are contrary to election law.

Outside of the no-solicitation zone

Outside of the no-solicitation zone, the election official ensures that informational and directional SOE sig-

nage is visible and that voters can safely enter and exit the polling location parking lot.

Solicitors may station themselves in the area outside of the no-solicitation zone; however, voters and patrons of the facility must be able to safely enter and exit the parking lot, clearly see SOE signage and have access to an unobstructed path to the polling place entrance.

The owner, operator or lessee of the property, or an agent or employee thereof, may not prohibit the solicitation of voters outside the no-solicitation zone during voting hours *F.S. 102.031(4)(e)*. He or she may request city or county enforcement of local codes so that voters and other patrons are able to safely enter and exit the parking lot or to maintain order outside of the zone.

Frequently asked questions

Can a solicitor talk to a voter within the no-solicitation zone or follow them to the polling place?

No. Solicitation must remain outside the designated no-solicitation zone. Exit polling by media or others is the only exception; exit pollsters may approach voters only after voters leave the polling place.

Can a facility used as a polling place display political advertisements and campaign materials or distribute handouts, food or water? No, all of these actions are considered forms of solicitation.

Can a parked vehicle within the no-solicitation zone display political signage? No, this is considered solicitation, except for voters who, without loitering, directly enter and exit the polling place when they are present to vote.

Who is responsible for measuring and maintaining the 150-foot radius no-solicitation zone? The election deputy and clerk (or SOE official) are responsible for measuring, marking and maintaining the no-solicitation zone in all directions from the entrance of the polling place, including inside the polling place.

Who should respond to an emergency or disturbance outside the no-solicitation zone? Individuals should respond as they would in any other public place when seeking help. For emergencies please call 911 first, then inform the elections deputy so the elections office can be made aware. For non-emergency disputes between solicitors, the Supervisor of Elections does not have authority to regulate, mediate, or adjudicate a dispute occurring outside the no-solicitation zone unless the dispute impedes voting.

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Everyone has a role to play during early voting and on election day. Do your part by respecting the 150-foot radius no-solicitation zone to help ensure a safe, efficient and positive voting experience for all.

Polling location

The no-solicitation rule applies to areas accessible or visible to voters, which may include restrooms and common areas.

F.S. 102.031(4)(b) defines solicitation to include distributing political or campaign materials seeking signature on a petition; and engaging in any activity with the intent to influence a voter.

F.S. 102.031(3)(a) limits who may enter a polling place during voting hours.

The **Supervisor of Elections / Election Deputy or Clerk** is responsible for enforcement.

No-solicitation Zone

Extends 150 feet in all directions from the entrance to the polling location.

Voters and non-voting patrons of the facility may enter.

Solicitors may not enter the zone and may not engage in solicitation while within the no-solicitation zone.

The **Supervisor of Elections / Election Deputy or Clerk** is responsible for enforcement.



150'

Outside of the no-solicitation zone

Solicitors may station themselves in the area outside of the 150-foot radius no-solicitation zone. The facility owner may not prohibit the solicitation of voters outside the no-solicitation zone.

Voters must be able to safely enter and exit the parking lot, clearly see SOE signage and have access to an unobstructed path to the polling place entrance.

The **facility owner/manager** may request city or county enforcement of local codes so that voters (and other patrons) are able to safely enter and exit the parking lot or to maintain order.