

Voting While Transgender

Adapted from Nat'l Ctr. for Transgender Equal., *Voting While Trans*, (2018).



Voting is a key part of our participation in society. Our vote is how our voices are heard on the issues that affect us, and we have the right to vote regardless of gender identity. Having ID that doesn't match your gender identity or presentation should not affect your right to cast a ballot. Unfortunately, trans people face barriers when trying to cast their ballots – both because of difficulties in obtaining an ID that's accepted, and because of bias or misunderstandings of the law when it comes to their gender.

CHECKLIST FOR TRANS VOTERS IN FLORIDA BEFORE ELECTION DAY

- Are you registered to vote? Visit **RegistertoVoteFlorida.gov** to submit a new registration.
- Already registered? Verify your name and address information is accurate at **registration.elections.myflorida.com**. If it is not current, update your information at **RegistertoVoteFlorida.gov**
- Would you like to vote by mail? Florida allows voting by mail. You can request a vote-by-mail ballot online at your county Supervisors of Elections' website, or by writing (e.g., by email, fax, mail), going in person, or calling your county Supervisor of Elections.
- Florida requires you to provide a picture ID with a signature when you go to the polling place to vote from the following list pursuant to Section 101.403, F.S:
 - 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;
 - veteran health identification card issued by the US Dept of Veterans Affairs;
 - license to carry a concealed weapon or firearm issued pursuant to F.S. 790.06; or
 - an employee identification card issued by any branch, department, agency, or entity of the Federal Government, the state, a county, or a municipality

CHECKLIST FOR TRANS VOTERS IN FLORIDA ON ELECTION DAY

- Remember to bring your ID that includes a signature. It is also helpful to bring your voter registration card, additional IDs, if you have them available, and this flyer.
- If poll workers question your identity or eligibility to vote, show them your additional IDs and the information for poll workers provided on this handout.

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- If you are still not allowed to vote, look for a volunteer attorney at the polling place who may be there assisting voters who are being told they cannot vote. If no one is available, you may call **1-833-Vote-FLA** (1-833-868-3352) for assistance. This helpline is staffed 24 hours a day and was created by the Florida Democratic Party. You can also call the National Election Protection Hotline at 1-866-OUR-VOTE (1-866-687-8683) for help.
- If you are still not allowed to vote on a regular ballot, request a provisional ballot. Ask for any follow-up instructions, as you may still need to provide your identity in order for your ballot to county. Feel free to call **1-833-Vote-FLA** (1-833-868-3352) for assistance. You can also call the National Election Protection Hotline at 1-866-OUR-VOTE (1-866-687-8683) for help with your provisional ballot.

INFORMATION FOR POLL WORKERS AND ELECTION OFFICIALS

The voter you are talking to is transgender, meaning that their gender identity is different than the gender that was recorded on their birth certificate. Transgender people may not have been able to update their IDs to reflect their identity for a number of reasons. This is not illegal. **As long as the relevant voter data (name and address) matches one of the acceptable forms of ID, the voter has the right to vote.** Please do not be distracted by gender presentation when you are evaluating a voter's identity and eligibility to vote.

Here is some additional information that might be useful to you:

- **Gender discrepancies on ID are not a valid reason to deny a regular ballot.** Transgender voters may have ID that indicates a different gender than what they look like. They may not have had an opportunity to update their ID yet, or may not be able to do so at this time (due to COVID, due to loss of employment, etc.) This does not mean their ID is invalid or fraudulent for voting.
- Different clothing, makeup or hairstyle on an ID photo is not a valid reason to deny a regular ballot. Voters may look different today than on their photo ID for many reasons. The photo on their ID may show a different gender presentation. **As long as you can identify the voter from their picture, the ID is valid for voting.**
- A voter's transgender status and medical history is private. Although you may be curious or confused by a voter's appearance, asking personal questions is offensive, inappropriate, and not relevant to their right to vote.
- **Transgender voters are not doing anything wrong or trying to deceive you - they are just being themselves.** Transgender people have the right to vote just like everyone else, and it is your responsibility to ensure they are able to do so without hassle. If confusion about this person's right to vote persists, please speak to an election supervisor or election judge in your area to resolve any remaining questions.

This resource was adapted from material created by the National Center for Transgender Equality on behalf of protecting the voting rights of Transgender Floridians by the Florida LGBTQ+ Democratic Caucus.