

Florida Canvassing Guidelines

Canvassing is protected political speech and an important means for political parties and candidates to get their message to voters. The U.S. Supreme Court has repeatedly reaffirmed the right of individuals to go door-to-door for political activity. Court decisions date to 1938, 1940, 1943, 1945, and 2002.

The Court's rulings supersede any state or local law or the rules of any homeowners' association, both gated and non-gated communities, even those that state "No Soliciting."

There is a significant difference between election canvassing and soliciting. Florida Statute 501, which deals with "home solicitation," focuses solely on the sale of consumer goods or services. "Soliciting" is generally understood to mean "seeking the business of potential customers." Citizens canvassing for political purposes are not selling an item or service.

Having said all this, however, it is one thing to quote U.S. Supreme Court rulings, state statutes, and definitions of "solicitation." It is another thing to go into a gated community with a "no solicitation" sign and expect the people in that community to understand these distinctions.

This is why the Sarasota County Democratic Party recommends trying to find a fellow Democrat who lives in any gated community that canvassers go into, if possible, so that one can say one is there at the invitation of Mr./Mrs. So-and-So. Even without such an "invitation," canvassers can legally go door-to-door in such communities, but should always be polite and pleasant and be prepared to leave if someone threatens to call the police. Note: As opposed to "no soliciting" signs, you must always respect "no trespassing" signs.

In a perfect world, these guidelines would be all you would need to know. However, issues with canvassing arise every year in our local communities because the Florida courts have never clearly resolved questions about the practice. All we can do is ask you to do your best with the important work of canvassing and to let the SCDP know if problems arise.

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