

**The statute addressed in this opinion has changed.
Please consult current Florida law.**

DE 076-33—October 28, 1976

**SECTION 101.131,
FLORIDA
STATUTES**

*To: Honorable Mary E. Smith, Supervisor of Elections, Flagler County Courthouse, Annex,
Bunnell, Florida 32010*

Prepared by: Division of Elections

Your letter of October 22, 1976, whereby you pose several questions regarding poll watchers has been received by this office. I believe that the following discussion will provide you with answers to the matters about which you inquire.

Poll watchers are both authorized and regulated by Section 101.131, Florida Statutes. A poll watcher must be a qualified and registered elector of the county of which he/she wishes to serve. Upon qualifying he/she may be designated as a poll watcher in any precinct within the county.

Any qualified registered elector of the county is eligible to be designated as a poll watcher. This, of course, would include candidates as well as their relatives. However, please note that Section 101.131, Florida Statutes, states that —

"the watchers shall not be permitted to come closer to the officials' table or the voting booths than is reasonably necessary to properly perform their functions, but are allowed within the polling room to watch and observe the conduct of electors and officials. .."

and shall not obstruct the orderly conduct of an election.

With respect to the number of poll watchers which may be designated by a candidate, Section 101.131, Florida Statutes, provides that -

"all political parties and all individual candidates for office shall be permitted by the election officials to have one watcher for each candidate or political party in all polling places. .."

Although the matter is not completely free from doubt, I am of the opinion that the foregoing provision contemplates that a candidate may not designate more than one poll watcher for each precinct.