EXTRATERRITORIAL POWER OF 
SUPERVISOR OF ELECTIONS

To: Honorable Sandra S. Goard, Supervisor of Elections, Seminole County Services 
Building, 1101 East First Street, Sanford, Florida 32771

Prepared by: Division of Elections

Pursuant to your request, this is a formal elections opinion under Section 
106.23(2), Florida Statutes, on essentially the following question:

Can the Supervisor of Elections for Seminole County provide voter registration 
services for Seminole County residents outside of the boundaries of Seminole 
County?

A supervisor of elections is a county officer and is elected every four years by the 
electors of his or her county. Article VIII, Section 1(d), Florida Constitution; Section 
98.161(1), Florida Statutes. The powers of an officer are limited to the political 
subdivision of which he is an officer, and he is powerless to perform any official duties 
behind the boundaries of that subdivision. Markham v. Cornell, 18 P. 2d 158 (Kan. 
1933); 67 C. J. S., Officers Section 190. “Beyond the territorial jurisdiction of the 
government under which he holds his grant of power, he is not an officer at all.” Ex. Parte 
Dillon, 29 S. W. 2d 236, 239 (Mo. Ct. App. 1930). A supervisor of elections of a 
particular county, therefore, is an officer of that county alone, and cannot perform any 
official acts beyond the boundaries of that county.

The registration of elections is an official duty of the supervisor of elections. 
Section 98.041, Florida Statutes, provides for a single registration system in the state and 
mandates that electors shall be registered pursuant to that system by the supervisor or by 
a deputy supervisor of elections. Section 98.271(2), Florida Statutes, authorizes the 
supervisor of elections to appoint volunteer deputy voter registrars “for the purpose of 
registering voters and accepting changes in registration.” These volunteers are required to 
be registered electors in the county in which they seek appointment. The registration of 
electors, therefore, is an official function delegated only to certain statutorily authorized 
persons. In McCullough v. Scott, 109 S. E. 789, 794 (N. C. 1921), the North Carolina 
Supreme Court stated: “It is elementary that when the law confers upon a person powers 
that he as a natural person does not possess, that power cannot accompany his person 
beyond the bounds of the sovereignty which has conferred the power.” Inasmuch as the 
power to register electors is an official power granted only to certain public officials, and 
is not a power conferred upon every citizen, a supervisor of elections cannot enter 
another county in which he is not considered an officer and in which he has no authority 
and provide voter registration services for any electors, including residents of his own 
county.
SUMMARY

The Supervisor of Elections of Seminole County has no authority to provide voter registration services for Seminole County residents outside the boundaries of Seminole County.