

Obsolete. Please consult current Florida law.

DE 77-04 - January 31, 1977

Voting Machines Chapter 101, F.S.

To: Honorable Kathleen M. Burnette, Supervisor of Elections, Madison County Courthouse, Madison, Florida 32340

Prepared by: Division of Elections

By letter of January 20, 1977, you have asked whether Madison County might purchase voting machines on a serial basis, progressively adding machines as the budget will permit in the course of which progression the county would use machines in some districts and paper ballots in others.

Section 101.29, Florida Statutes, declares, in pertinent part:

"If it is impracticable to supply each election district with voting machines at any election, as many may be supplied as it is practicable to procure, and these may be used in the districts as the officers adopting the machine may direct."

In the absence of contrary authority, which our research has failed to reveal, your question is answered in the affirmative.

Section 101.32(2), Florida Statutes, further supports this interpretation by authorizing the use of voting machines at any and all elections held in the county "or any part thereof.