

Obsolete. Please consult current Florida law.

DE 77-06 - February 15,1977

Polling Places and Precincts Chapter 101, F.S.

To: Honorable Charles Kaniss, Supervisor of Elections, Pinellas County, 315 Haven Street, Clearwater, Florida 33516

Prepared by: Division of Elections

You have asked whether you, with the approval of the Board of County Commissioners and the concurrence of the subject municipality may designate one polling place to accommodate more than one precinct.

Section 101.71(1), Florida Statutes provides that —

"there is in each precinct in each county one polling place..."

This has been held by the Attorney General to preclude the designation of one polling place to serve two precincts. Attorney General Opinion 058-107 (March 25,1958).

However, subsection (2) of Section 101.171 declares an exception to the foregoing subsection as well as to Section 98.031 (which requires that precincts and polling places to be co-existent) whenever the Board of County Commissioners shall determine that the accommodations for holding any elections at a polling place designated for any precinct in the county are inadequate for the reasons stated therein. In such a case Section 101.71(2), Florida Statutes, establishes a procedural requirement obligatory upon such county commission. Where that requirement is discharged and a polling place is made to accommodate more than one precinct impermanently "the voting places for the several precincts involved shall be established and maintained separate and apart from each other" in the building designated to accommodate them.