



Poll Watcher Information

Title 2 Elections
Chapter 7 Procedure at the Polling Place

Tenn. Code Ann. § 2-7-104 (2013)

2-7-104. Poll watchers.

(a) Each political party and any organization of citizens interested in a question on the ballot or interested in preserving the purity of elections and in guarding against abuse of the elective franchise may appoint poll watchers. The county election commission may require organizations to produce evidence that they are entitled to appoint watchers. Each candidate in primary elections and each independent candidate in general elections may appoint one (1) or more poll watchers for each polling place; provided, however, at any given time, each such candidate shall have not more than one (1) such poll watcher on duty at each polling place. All appointments of watchers shall be in writing and signed by the persons or organizations authorized to make the appointment. All poll watchers' names shall be submitted to the county election commission no later than twelve o'clock (12:00) noon of the second working day before the election. All appointed poll watchers must have reached the age of seventeen (17) by election day.

(b) Each political party which has candidates in the election and each citizens' organization may have two (2) watchers at each polling place. One (1) of the watchers representing a party may be appointed by the chair of the county executive committee of the party and the other by a majority of the candidates of that party running exclusively within the county in which the watchers are appointed. If the candidates of a party fail to appoint the watchers by twelve o'clock (12:00) noon on the third day before the election, the chair of the county executive committee of the party may appoint both watchers representing the chair's party. In addition, each candidate in a general election may appoint one (1) or more poll watchers for each polling place; provided, however, at any given time, each such candidate shall have not more than one (1) such poll watcher on duty at each polling place.

(c) Upon arrival at the polling place, a watcher shall display such watcher's appointment to the officer of elections and sign the register of watchers. Poll watchers may be present during all proceedings at the polling place governed by this chapter. They may watch and inspect the performance in and around the polling place of all duties under this title. A watcher may, through the judges, challenge any person who offers to vote in the election. A watcher may also inspect all ballots while being called and counted and all tally sheets and poll lists during preparation and certification. A poll watcher who wishes to protest any aspect of the conduct of the election shall present such protest to the officer of elections or to the county election commission or to an inspector. The officer of elections or county election commission shall rule promptly upon the presentation of any protest and take any necessary corrective action.

(d) No watcher may interfere with any voter in the preparation or casting of such voter's ballot or prevent the election officials' performance of their duties. No watcher may observe the

giving of assistance in voting to a voter who is entitled to assistance. Watchers shall wear poll watcher badges with their names and their organization's name but no campaign material advocating voting for candidates or positions on questions.

(e) Poll watchers observing the duties of the absentee counting board shall not leave the room, or place of counting, after the actual counting of the ballots has begun. Poll watchers observing the duties of the absentee counting board are prohibited from possessing any electronic device, including a cellular telephone or pager, capable of transmitting election results to a location outside the room where the ballots are being tabulated.

HISTORY: Acts 1972, ch. 740, § 1; 1978, ch. 754, § 3; T.C.A., § 2-704; Acts 1981, ch. 478, § 16; 1988, ch. 933, § 11; 1997, ch. 558, §§ 19, 31, 32; 2000, ch. 756, § 13; 2001, ch. 413, § 4; 2007, ch. 125, § 5.

Poll Watchers
T.C.A. § 2-7-104

I. Who May Appoint Poll Watchers?

- A. Each political party - Political Party means an organization which nominates candidates for public office.
- B. Each candidate in a general or primary election
- C. Any citizens' organization interested in a question on the ballot
- D. Any citizens' organization interested in preserving the purity of elections and in guarding against abuse of the elective franchise

II. How Many Poll Watchers May be Appointed?

- A. Political parties may appoint two (2)
- B. Each candidate may appoint one (1) or more (Although multiple poll watchers may be appointed, only one (1) of the poll watchers may be in a polling place at any given time.)
- C. Each citizens' organization may appoint two (2)

III. How are Poll Watchers Appointed?

- A. Appointments must be submitted to the county election commission
- B. Appointments must be written and signed by the appointing authority
- C. Appointments may designate the same person to serve in more than one polling location

IV. To Which Locations May Poll Watchers be Appointed?

- A. Early Voting
 - 1. County election commission office; and/or
 - 2. Satellite location(s)
 - 3. Nursing home(s)
 - 4. Penal institution(s)
- B. Election Day
 - 1. Polling site
 - 2. Absentee counting board

V. When Must Appointments be Made?

A. Early Voting

1. No later than 12:00 noon two (2) business days before the first day of early voting; or
2. No later than 12:00 noon two (2) business days before the poll watcher will be present at the early voting site

B. Election day

1. Appointments must be submitted no later than 12:00 noon two (2) business days before the election

VI. Who May Not be Appointed as a Poll Watcher?

- A. Anyone who will be or who is a candidate for an office on the ballot
- B. County election commission members

VII. What Must Poll Watchers Do Upon Arriving at the Polls?

- A. Upon arrival at the polling place, a poll watcher shall display his appointment to the Officer of Elections.
- B. The poll watcher shall sign the poll watcher register.
- C. The poll watcher shall wear a badge displaying their "name" and the words "POLL WATCHER". The County Election Commission should provide the badges (labels) for candidates or campaign committees to use so the precinct officials know they have been duly appointed.

VIII. What May Poll Watchers Do?

- A. Watch and inspect performance in and around polling place
- B. Speak to the judges and the Officer of Elections
- C. Through judges, challenge voters
- D. During preparation and certification, inspect the poll lists
- E. Inspect the ballots while being called and counted
- F. During preparation and certification, inspect the tally sheets
- G. Present a protest of any aspect of the conduct of the election to the Officer of Elections, county election commission or inspector

IX. What Poll Watchers May Not Do?

- A. Interfere with any voter in preparing or casting voter's ballot
- B. Prevent election official from performing his or her duties
- C. Inspect signature lists during the election hours
- D. Observe the giving of assistance to a voter
- E. Wear campaign material of any kind during the performance of his or her duties
- F. Exit the room of the counting board after the actual counting of ballots begins until completion of the counting and the polls close.
- G. Possess electronic devices when they are observing the duties of the absentee counting board
- H. Speak to the voters; this includes greeting the voter or standing in the doorway where the voter enters

X. May Poll Watchers Engage in Campaign Activities?

- A. In the polling place - **NO**
- B. Outside the 100' boundary -
 - 1. Yes; *after removing the poll watcher badge or credentials*, he or she may engage in campaign activity outside of the campaign free zone.
 - 2. **NOTE:** Once the poll watcher resumes his or her duties as a poll watcher, he or she must cease the campaign activity.

POLL WATCHER ACTIVITY CHART

- Poll watchers may be appointed by each political party; each candidate in a general or primary election; any citizen's organization interested in a question on the ballot; and any citizen's organization interested in preserving the purity of elections and in guarding against abuse of the elective franchise;
- Poll watchers may be appointed at whatever location where voting occurs; and
- Poll watchers must be appointed no later than 12:00 noon two (2) business days before the day of voting.

PERMITTED ACTIVITIES	PROHIBITED ACTIVITIES
<ul style="list-style-type: none"> ✓ Watch and inspect performance in and around polling place ✓ Through judges, challenge voters ✓ During preparation and certification, inspect the poll lists ✓ Inspect the ballots while being called and counted ✓ During preparation and certification, inspect the tally sheets ✓ Present a protest of any aspect of the conduct of the election to the officer of elections, county election commission or inspector 	<ul style="list-style-type: none"> ✗ Interfere with any voter in preparing or casting voter's ballot ✗ Prevent election official from performing his or her duties ✗ Observe the giving assistance to a voter ✗ Wear campaign material of any kind during the performance of his or her duties ✗ Engage in any campaign activity within the 100' boundary ✗ Exit the room of the counting board after the actual counting of ballots begins ✗ Possess electronic devices when they are observing the duties of the absentee counting board.