

Provisional & Spoiled Ballot Outline

Some voters are required to vote a provisional ballot. Also, there are certain reasons why a ballot must be spoiled. Provisional ballots are only considered at canvass, and are NOT counted on election night. Spoiled ballots are not counted at all.

Practice Tip:

To aid in the counting process, poll workers should keep a list of who ALL voters who voted provisional ballots along with the reasons why the voter had to vote provisions. This helps the County Clerk (or town recorder/clerk) research any issues before canvass so they can provide the necessary information to the Board of Canvassers to consider and make a decision of whether to count each provisional ballot at canvass.

Reasons a Voter MUST Vote a Provisional Ballot

A voter must vote a provisional ballot in any of the following situations:

- Voter is on early voting/absentee voters list
- Voter is not in the poll book
- Signature of the voter does not match signature in the computerized poll book
- Voter asked for assistance & doesn't need assistance
- A poll worker is voting, but is not working in their home precinct
- The poll book indicates next to the voter's name that the voter "Needs to show ID," but the voter does not have the proper form of first-time voter ID. Valid ID for first time voters include the following documents that show their current name and address:
 - Valid Photo ID
 - Current Utility Bill
 - Current Bank Statement
 - Current Pay Check
 - Current Government Issued Pay Check
- Voter does not have a valid form of photo ID (*see Voter ID Training Outline for details*).

Processing a Provisional Ballot for a Voter

1. Issue a regular ballot to the voter, along with a Provisional Ballot Tracking Form. The tracking form is used by the voter to determine if their ballot was counted
 - a. DO NOT sign the back of the ballot
 - b. DO NOT remove the ballot stub from a provisional ballot
2. After voter has voted, place the ballot into Envelope #1 (the smallest envelope)
3. Then, the poll worker must fill out the required information on Envelope #2 (medium sized envelope), listing why voter cast a provisional ballot. Be sure the voter signs and that Envelope #2 is filled out completely
4. After the polls close, the poll workers must place ALL provisional ballot envelopes into Envelope #3 (the largest envelope)
5. Finally, place Envelope #3 with all provisional ballots into the secured ballot box (either in the precinct scanner or traditional locked ballot box) at the end of the night.

Reasons for Spoiling a Ballot

Ballots can be spoiled for many reasons. Some examples include:

- A voter tells a poll worker that the ballot is defaced
- A regular ballot was not signed by two poll workers
- The voter has voted incorrectly or for a candidate(s) by mistake
- The voter was issued the wrong ballot

Processing a Spoiled Ballot

If a poll worker must spoil a ballot, the poll clerk shall:

1. Write in pen or permanent marker “SPOILED” across the front of the ballot
2. Place the ballot in the Spoiled Ballot Envelope
3. Issue the voter another ballot

NOTE: if a new ballot is issued to a voter, DO NOT issue a new poll slip. Rather, put a line through the ballot stub number of the spoiled ballot on the poll slip, and write the new ballot number on the poll slip.