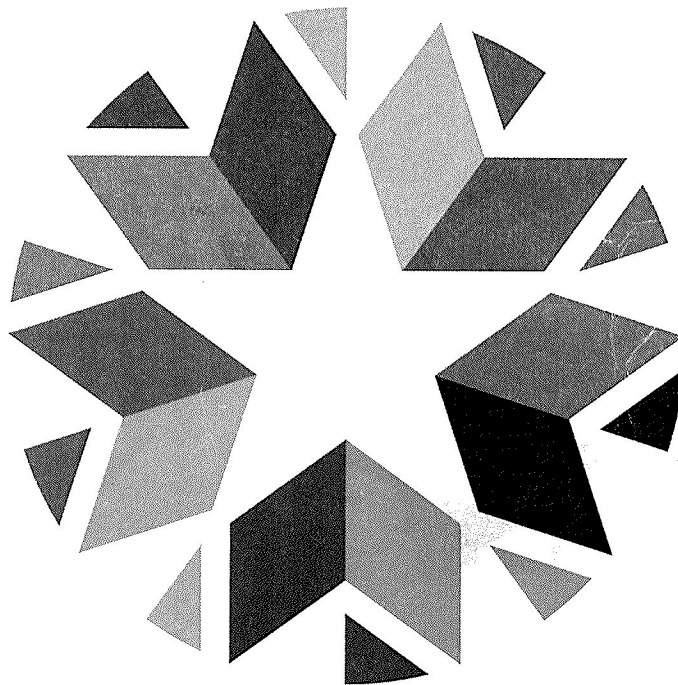


**2023**

**THE HANDBOOK FOR  
COUNTY ELECTION BOARD  
CHAIR AND VICE CHAIR**



**Paul Ziriaux, Secretary**

**Oklahoma State Election Board**

**State Capitol**

**Oklahoma City, Oklahoma**

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# THE HANDBOOK FOR COUNTY ELECTION BOARD CHAIR AND VICE CHAIR

## Membership and Organization of the County Election Board

### **1. Membership**

The County Election Board is composed of three (3) members – a Chair, Vice Chair, and Secretary. Each is required to file an Oath of Office and a Loyalty Oath with the County Clerk and each will receive a Certificate of Appointment from the State Election Board. [Title 26 OS § 2-110]

### **2. Appointment of Secretary**

The Secretary of the County Election Board is appointed by the State Election Board for a term of four (4) years beginning May 1, 2023, and every four (4) years thereafter. [Title 26 OS § 2-111.1] The Secretary is a voting member of the Board.

### **3. Appointment of County Election Board members and alternate members**

No later than April 15, 2023, and every four (4) years thereafter, the County Central Committee of the two (2) recognized political parties with the largest number of registered voters in the state each shall submit to the State Election Board the name of a nominee for County Election Board member and the name of a nominee for alternate member. The State Election Board provides forms to the County Central Committee chairpersons to use to submit the nominations. The nomination form must be signed by at least two (2) members of the County Central Committee. The State Election Board is limited to these nominees to appoint one (1) County Election Board member and one (1) alternate member from each party. If a party fails to submit nominations, the State Election Board will appoint from the ranks of the party. The County Election Board members and alternate members serve four (4)-year terms, beginning on May 1<sup>st</sup> of the year following a General Election for Governor, and every four (4) years thereafter. If a County Election Board member is unable to attend a meeting, the alternate member of the same party shall serve on the County Election Board at that meeting. [Title 26 OS § 2-111]

#### 4. Organization

On the first Monday in June, after Board members are appointed and every four (4) years thereafter, the Secretary shall call a meeting of the County Election Board, at which time the County Election Board will elect a Chair and Vice Chair. [Title 26 OS § 2-111.2]

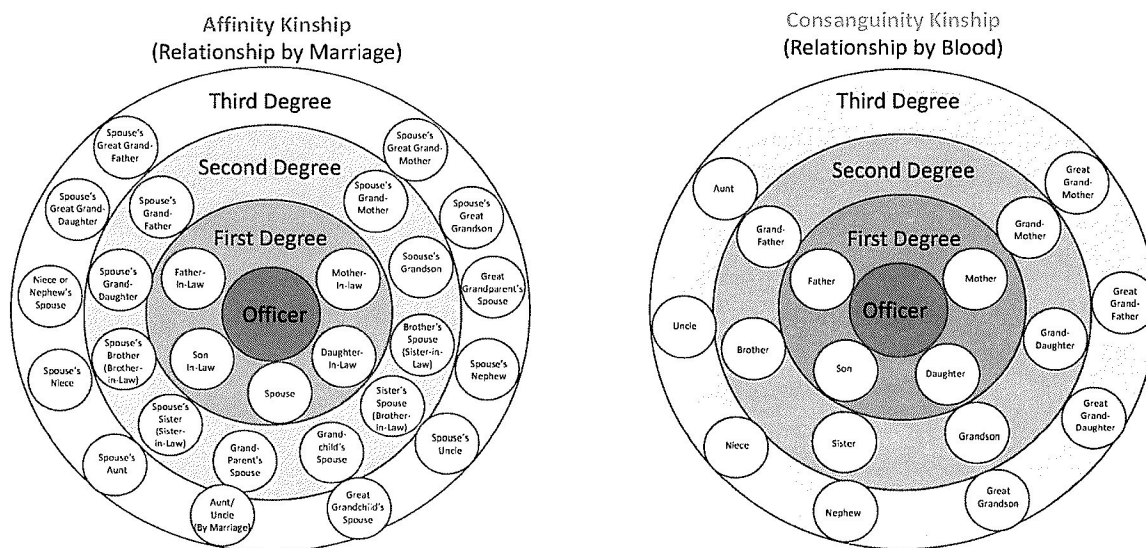
#### 5. Eligibility

To be eligible to serve on the County Election Board, one must be a registered voter of the county and must demonstrate competence to perform their duties. A member of the County Election Board may hold no other office under the laws of the State of Oklahoma. The latter qualification includes not only such offices as State Representative or County Sheriff, but also such offices as member of the Board of Education or City Council. [Title 26 OS § 2-131]

#### 6. Disqualification of County Election Board Member or Secretary

No person shall serve on a County Election Board at any election in which they are a candidate for office or a deputy or regular employee of a candidate for office. Any person so disqualified shall resign from the County Election Board no later than ten (10) days after the close of the filing period at which such candidacy was filed. The resignation must be submitted in writing to the Secretary of the State Election Board. No person shall serve as a member, alternate member, or Secretary of the County Election Board at any election in which they are related within the second degree by either consanguinity or affinity to a candidate for office on the ballot in the county. [Title 26 OS § 2-132]

### Affinity and Consanguinity



## 7. Creation of vacancies

Vacancies on the County Election Board may be created in the ways listed below. Notification can be made to the State Election Board using the 'Vacancy on the County Election Board' or 'Disqualification of County Election Board Member' forms which can be obtained from the Assistant Secretary (preferred method) or any written form.

DISQUALIFICATION OF COUNTY ELECTION BOARD MEMBER	
<p>County: _____</p> <p>Board Member Name: _____</p> <p>Board Member Position: _____</p> <p>Reason for Disqualification:</p> <p><input type="checkbox"/> Candidate for office</p> <p><input type="checkbox"/> Deputy or registered employee at candidate's election</p> <p><input type="checkbox"/> Disqualified by the board because of ineligibility to candidate</p> <p><input type="checkbox"/> Retired or not in good standing by ability to participate</p> <p>Reason Date Disqualified: _____</p> <p>Candidate(s) related to: _____</p> <p>Address: _____</p> <p>Secretary: _____      Republican Alternate: _____</p> <p>Chair: _____      Democratic Alternate: _____</p> <p>Site Chair: _____</p>	<p style="text-align: center; border-bottom: 1px solid black;">VACANCY ON THE COUNTY ELECTION BOARD</p> <p style="text-align: right;">Date: _____</p> <p>Board Member Name: _____</p> <p>Board Member Position: _____</p> <p>Reason for vacancy:</p> <p><input type="checkbox"/> Resignation</p> <p><input type="checkbox"/> Death</p> <p><input type="checkbox"/> Attended five (5) consecutive meetings as follows: _____</p> <p><input type="checkbox"/> _____</p> <p><input type="checkbox"/> _____</p> <p><input type="checkbox"/> Change of Political Affiliation</p> <p><input type="checkbox"/> Approval of the County</p> <p><input type="checkbox"/> Renewed by State Election Board</p> <p>Address: _____</p> <p>Secretary: _____      Republican Alternate: _____</p> <p>Chair: _____      Democratic Alternate: _____</p> <p>Site Chair: _____</p>

- (a) **Resignation.** A member of the County Election Board who desires to resign must submit a written resignation to the Secretary of the State Election Board. The resignation letter need not be long; however, an oral resignation is not acceptable. If at all possible, a one-month notice should be given.
- (b) **Death.** If a member of the County Election Board dies, the other two (2) members of the County Election Board shall notify the Secretary of the State Election Board, in writing, as soon as possible. The notice shall simply set forth the fact that the member has died.
- (c) **Attendance.** A vacancy occurs if a member of the County Election Board fails to attend five (5) consecutive meetings. In that event, the other two (2) members shall notify the Secretary of the State Election Board, in writing, at the conclusion of the fifth meeting. The notice shall set forth the fact that the member has missed attending five (5) consecutive meetings, listing the dates of the missed meetings. [Title 26 OS § 2-101.4] [Title 26 OS § 2-111]
- (d) **Change of political affiliation.** A vacancy occurs if a County Election Board member or alternate member changes their political affiliation. In that event, the other two (2) members shall notify the Secretary of the State Election Board, in writing, as soon as possible. The notice shall set forth the fact that the member or

alternate member has changed political affiliation. [Title 26 OS § 2-101.4] [Title 26 OS § 2-111]

- (e) **Moves out of the county.** A vacancy occurs when a County Election Board member or alternate member moves out of the county. In that event, the other two (2) members shall notify the Secretary of the State Election Board, in writing, as soon as possible. The notice shall set forth the fact that the member or alternate member has moved from the county.
- (f) **Removal.** A board member or alternate may be removed from office by the State Election Board at any time. [Title 26 OS § 2-114] A board member who fails to perform their lawful duties or who fails to properly follow laws and procedures should be reported to the Secretary of the State Election Board.

## **8. Filling vacancies**

Vacancies for Chair and Vice Chair are filled in the same manner as the appointments were made originally. The County Central Committee has thirty (30) days to submit a nominee after the vacancy occurs, and the State Election Board has sixty (60) days after the vacancy occurs to appoint a new member. If the County Central Committee fails to submit a nominee within the required thirty (30) days, the State Election Board fills the vacancy from the ranks of the party within the county. [Title 26 OS § 2-111]

## **9. Compensation of the Chair and Vice Chair**

The Chair and Vice Chair are each paid \$35.00 for each meeting of the County Election Board. In addition, the Chair and Vice Chair are paid a mileage reimbursement at the rate currently allowed by the State of Oklahoma to and from their home to the county seat. If a member lives in the county seat, no mileage reimbursement is allowed. A member can receive no more than \$35.00 and mileage for any single meeting of the County Election Board, and only one (1) such meeting may be held on any calendar day. [Title 26 OS § 2-115]

## **10. Training**

Every two (2) years, the State Election Board will provide training for the County Election Board Chair, Vice Chair and alternate members. Participation at such training is mandatory. [OAC 230:10-5-1]

## County Election Board Meetings

### **11. When meetings shall be called**

The County Election Board shall meet as often as is necessary to transact the business required. However, the Chair and Vice Chair can be reimbursed for only forty (40) meetings during any fiscal year (July 1 to June 30). There are certain statutorily mandated meetings that must be held, such as meetings to canvass returns of elections, meetings to certify the results of elections, etc. Other meetings shall be held when necessary, to perform such functions as Contests of Candidacy. [OAC 230:10-7-1] [Title 26 OS § 2-115]

### **12. Scheduling meetings**

There are certain dates for meetings that are required by state law. Additionally, because the Secretary of the County Election Board is responsible for the day-to-day administration of the agency, the Secretary will know when meetings of the Board are necessary. When the Secretary determines that a meeting should be called, the Secretary will instruct the Assistant Secretary to contact the Board members to inform them of the need for a meeting. Ordinarily, meetings will be held in the County Election Board office. The time and date of the meeting shall be as convenient as possible for all three (3) members. The Assistant Secretary may send a written notice by mail or email to the Chair and Vice Chair when a meeting is scheduled. [OAC 230:10-7-2]

### **13. Types of meetings; terms defined**

Three (3) types of meetings that are common for the County Election Board to conduct are:

- (a) **Regular meeting.** A regularly scheduled meeting, or a "regular meeting," shall include all meetings at which the regular business of the County Election Board is conducted, including meetings to canvass returns of elections, meetings to certify the results of elections, meetings to organize the County Election Board, etc. Secretaries shall schedule regular meetings only when there is specific business to be considered.
- (b) **Special meeting.** A special meeting shall include any meeting of the County Election Board other than a regular meeting. Secretaries shall schedule a special meeting only when there is **specific** business to be considered that cannot wait until the next regular meeting.
- (c) **Continued or reconvened meeting.** A continued or reconvened meeting shall include all meetings held to finish business appearing on an agenda of a previous meeting. (Generally, only used during an Election Contest or Contest of Candidacy meeting.) [Title 25 OS § 304]



## 14. Public notice required

All meetings of the County Election Board must be preceded by the filing of a written notice with the County Clerk. A copy of the written notice shall be permanently retained in the Minutes book. [Title 25 OS § 311]

**Annual Notice of Regularly Scheduled Meetings**

As required by Title 25, Section 311 of the Oklahoma Statutes, notice is hereby given that the Douglas County Election Board will hold regularly scheduled meetings during calendar year 2024 according to the following schedule:

<u>DATE</u>	<u>TIME</u>	<u>PLACE OF MEETING</u>
February 13	4:00 p.m.	Douglas County Election Board
February 16	1:00 p.m.	Douglas County Election Board
March 5	1:00 p.m.	Douglas County Election Board
March 8	1:00 p.m.	Douglas County Election Board
April 2	4:00 p.m.	Douglas County Election Board
April 5	1:00 p.m.	Douglas County Election Board
June 18	10:00 a.m.	Douglas County Election Board
June 21	1:00 p.m.	Douglas County Election Board
August 27	10:00 a.m.	Douglas County Election Board
August 30	1:00 p.m.	Douglas County Election Board
November 5	10:00 a.m.	Douglas County Election Board
November 8	1:00 p.m.	Douglas County Election Board

LOCATION: The Douglas County Election Board is located in Room 3 of the Douglas County Courthouse. The Courthouse is located at East Main and U.S. Highway 59, Lawrence, Oklahoma.

Filed this 13<sup>th</sup> day of December 2023, at 2:00 p.m. with the Douglas County Clerk.

Name of person filing this Notice: Louise Absentee

***Louise Absentee*** Secretary, Douglas County Election Board

Posted in the following locations:  
Douglas County Clerk's office  
Douglas County Election Board office  
Douglas County Election Board website: [www.douglascountyelectionboard.gov](http://www.douglascountyelectionboard.gov)  
Douglas County Election Board social media

- (a) **Regularly Scheduled Meetings.** No later than December 15<sup>th</sup> of each year, the Secretary must provide written notice to the County Clerk showing the date, time, and place of the regularly scheduled meetings of the County Election Board for the following calendar year.
- (b) **Special Meetings.** The Secretary must provide notice to the County Clerk at least forty-eight (48) hours prior to any special meeting of the County Election Board. Such notice must include the date, time, and place of the special meeting.
- (c) **Continued Meetings.** In the event a meeting is to be continued, notice of the continuance shall be given by an announcement at the original meeting. The announcement shall include the date, time, and place of the continued meeting.

## **15. Changes in regular meetings**

In the event any change must be made in the date, time, or place of a regular meeting, the Secretary must give notice in writing to the County Clerk at least ten (10) days prior to the date of the changed meeting. [Title 25 OS § 311]

## **16. Agendas required**

In addition to the advance notice of each meeting, the Secretary must post an agenda for each meeting at least twenty-four (24) hours prior to the beginning of the meeting, excluding Saturdays, Sundays and legally declared state holidays. The agenda must contain the date, time, and place of the meeting and must list the specific items of business to be considered at the meeting. Items listed on the agenda shall be referred to in such a manner that a citizen can be expected to understand the business to be considered at the meeting. All items to be discussed must appear on the agenda. Items not appearing on the agenda may not be discussed. The agenda must be posted in the office of the County Election Board (and at the location of the meeting, if different) in a prominent location easily viewed by the public, and on any County Election Board website or face book, if the county has one; the agenda does not need to be filed with the County Clerk. A copy of the agenda shall be retained permanently in the Minute book. [OAC 230:10-7-7]

## **17. Agenda for continued meetings**

At a continued meeting, only items on the agenda of the original meeting at which the announcement of the continuance was made may be discussed.

## **18. Meetings must be open**

- (a) All meetings of the County Election Board must be open to the public and are subject to the requirements of the Oklahoma Open Meeting Act, Title 25, §§ 301-314.
- (b) The County Election Board may meet in closed or "executive" session when the Board is advised by the District Attorney that an "executive session" is required. The executive session must be included on the agenda, and any action that results from it must be taken in open session. [Title 25 OS § 303]
- (c) To maintain the Open Meeting Act requirements, it is recommended that the board members leave the County Election Board office immediately after the board meeting adjourns.

## **19. Informal meetings prohibited**

No informal gatherings or meetings (including group email discussions, telephone conversations, or texts) of members may be used to discuss, decide any action, or to take any

vote on any business of the County Election Board. Business may be conducted only on items that are listed on the meeting agenda in an open meeting. [Title 25 OS § 306]

## 20. Quorum necessary

A quorum is the minimum number of members of an assembly or society that must be present at any of its meetings to make the proceedings of that meeting valid. For the purposes of the County Election Board, a quorum is the presence of two (2) or more members (including the Secretary). [OAC 230:10-7-11]

## ? 21. Chair presides -

The Chair of the County Election Board shall preside at meetings of the Board. In the absence of the Chair, the Vice Chair shall preside. In the absence of both the Chair and Vice Chair, the Secretary shall preside. ~~An alternate County Election Board member shall not preside at a County Election Board meeting unless all three (3) regular County Election Board members — the Chair, the Vice Chair, and the Secretary — are absent.~~ After calling the meeting to order, the Chair (or other board member designated to preside) may delegate the presiding duties to the Secretary. [OAC 230:10-7-12]

## 22. Parliamentary procedure to be observed

- (a) Parliamentary procedure shall be observed in meetings of the County Election Board.
- (b) The County Election Board's actions are limited to the business stated on the meeting agenda. Each action that is taken shall require a motion made by one member of the Board, seconded by another, then voted upon by all members by roll call vote. Any Board member, including the Chair, may make a motion or second a motion. A motion that is not seconded shall not be considered by the Board.
- (c) Typically, motions are either affirmative (to adopt or approve an agenda item) or negative (to reject or disapprove an agenda item). It is also a proper motion that an agenda item be "laid upon the table" to defer its consideration to a later time or date.
- (d) Any Board member may ask questions, discuss, or debate a motion upon recognition by the Chair for that purpose. Such questions, discussion and debate are limited to the matter listed on the meeting agenda.
- (e) All motions must be approved by a majority of the three (3)-member board to be adopted. [OAC 230:10-7-13]
- (f) No person shall address the Board, including the members of the Board, unless recognized by the Chair. In general, members of the public shall not be

recognized for comments to the Board unless the meeting agenda explicitly includes an agenda item for public comments.

### **23. Method of voting**

In all meetings of the County Election Board, each member's vote shall be publicly cast and recorded. In taking the vote on any motion that has been properly seconded, the roll of members of the County Election Board must be called orally, and the vote of each member must be announced orally. The roll call may be conducted by the Secretary or by County Election Board staff designated by the Secretary. [OAC 230:10-7-14] [Title 25 OS § 305]

### **24. Minutes of meetings required**

The Secretary must keep accurate minutes of each meeting of the County Election Board. Such minutes must be an official summary of the proceedings showing clearly the members of the County Election Board present and absent, the method of providing notice, all matters considered by the County Election Board, and all actions taken by the County Election Board – including the individual vote of each member on each action. [Title 25 OS § 312] [Title 26 OS § 3-124] Minutes of each meeting are subject to public inspection through the Open Records Act.

### **25. Retention of minutes**

The Secretary shall be responsible for preparing the minutes of each meeting of the County Election Board. The minutes shall be approved by the County Election Board at its next meeting. Upon approval, the minutes, together with a copy of the written notice, a copy of the agenda and any other pertinent documents, shall be permanently retained in the Minute book. Audio or electronic recordings are not required, but must also be retained permanently if made. [OAC 230:10-7-16]

## Operation of the County Election Board Office

### 26. General duties of the Secretary

"County Election Board" refers to both the agency and the board itself. The Secretary of the County Election Board is charged with the operational responsibilities of the County Election Board agency including, but not limited to: [Title 26 OS § 2-117]

- Hiring and supervising personnel
- Defining job positions and responsibilities of the employees
- Appointing precinct officials
- Preparing the annual budget
- Preparing and filing all reports
- Voter registration and outreach
- Implementing laws enacted by the State Legislature
- Implementing policies, findings, and actions prescribed or determined by the Secretary of the State Election Board
- Other general duties of the office

### 27. General duties of the Board

The 3 (three) member, bipartisan County Election Board shall perform duties as may be prescribed by law, including, but not limited to:

- Attending all meetings
- Notifying the Assistant Secretary if unable to attend a meeting and arranging for an alternate to be present
- Examining absentee ballot Affidavits, determining the sufficiency of those Affidavits, and counting absentee ballots
- Canvassing unofficial election results on election night
- Making substitute ballots for Oklahoma Military and Overseas Ballots Online (MOAB) ballots, Federal Write-in ballots, Electronic Accessibility Delivery System (EADS), or mutilated or defaced ballots
- Observing the counting of provisional ballots prior to 5:00 p.m. on Friday following the election
- Certifying final election results at 5:00 p.m. on Friday following the election
- Conducting contest of candidacy hearings
- Observing recounts in an official meeting and certifying recount results
- Approving precinct boundaries adopted by the Secretary
- Approving removal of precinct Inspectors, Judges and Clerks

Alternate members shall serve on the County Election Board at any meeting that the member for whom the person is an alternate is unable to attend.

## 28. Vacancy

~~In the event of a vacancy, the State Election Board shall, within sixty (60) days after such vacancy occurs, appoint a member or alternate member of the same party to fill the unexpired term, based on a nomination submitted by the party's county central committee in the manner hereinbefore provided within thirty (30) days after the vacancy occurs.~~

## 29. Keeping Chair and Vice Chair briefed

The operation of the County Election Board is the responsibility of the Secretary and does not require approval or direction from the Board itself. However, the Secretary of the County Election Board, through the Assistant Secretary, will keep the Chair and Vice Chair up to date on ongoing operations from time to time, such as any change in office hours or personnel, so that the Chair and Vice Chair will be knowledgeable about operations of the election system in the county. [OAC 230:10-7-17]

## 30. Nepotism prohibited

Type your text  
Type your text

\* (a) The Secretary is prohibited by law from employing any person related to her/him or to the Chair or Vice Chair of the County Election Board within the third degree by either consanguinity or affinity. Relatives of members of the County Election Board may volunteer for election night duties, but they may not be reimbursed for their services. OAC 230:10-3-17]


Emergency → (b) A Secretary of a County Election Board may temporarily appoint as a Precinct Official, Counter or Absentee Voting Board member, an otherwise qualified person who is related to the Secretary within the second or third degree by consanguinity or affinity. Provided, the Secretary of the County Election Board must receive written permission from the Secretary of the State Election Board in order to make such an appointment. Refer to the chart on page 2.

## 31. Public records

\* Most records of the County Election Board, subject to a few exceptions in the law, must be made available for public inspection, copying, and/or mechanical reproduction during regular office hours. The County Election Board must provide prompt, reasonable access to its records; but may establish reasonable procedures to protect the integrity and organization of its records and to prevent excessive disruptions of its essential functions. [OAC 230:10-7-59]

### 32. Restricted Records

The Secretary, Assistant Secretary, employees and members of a County Election Board or the State Election Board, and the spouses and dependents of the members of such classes; are entitled by law to apply to the Secretary of the County Election Board for restricted records status. Voter registration information for restricted records voters shall be available only to authorized County Election Board personnel for administrative purposes, with the exception that it may be provided to a candidate or a candidate's representative or other lawful authority in connection with a Contest of Candidacy, a Contest of Election, or a petition challenge as provided by law. Restricted records status shall remain in effect until the voter chooses to end it by notifying the Secretary in writing. [OAC 230:15-9-25] [Title 26 OS § 4-115.2]

**OKLAHOMA**  
State Election Board

**Request for Restricted Records Status**

Members of the judiciary, district attorneys, assistant district attorneys, Uniformed Services members, law enforcement personnel and the immediate family of law enforcement personnel, correctional officers; the secretary, assistant secretary, employees, and members of a county election board or the State Election Board; and persons covered by victim's protection orders are entitled by 26 O.S. § 4-115.2 to apply for restricted records status.

The spouse and/or dependent of the members of such classes listed above may also apply for restricted records status. The law defines "immediate family of law enforcement personnel" to mean "a spouse, child by birth or adoption, stepchild or parent living at the same residence as the law enforcement personnel."

**Completing this form causes a qualified applicant's residence and mailing address to be kept confidential from public voter registration data. However, if an applicant should file to become a candidate for office, such address information may be provided in anticipation or as a part of a contest of candidacy or contest of election.**

---

Name (as it appears on the voter registration form): \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Last four SSN: \_\_\_\_\_ OK DL No: \_\_\_\_\_

Reason for application for restricted records status (select all that apply):

- Member of the Judiciary
- District Attorney or Assistant District Attorney
- Uniformed Services member
- Law enforcement personnel or the immediate family of law enforcement personnel
- Correctional officer
- Secretary, assistant secretary, employee, or member of a county or State Election Board
- Individual covered by a victim's protection order
- Spouse or dependent of a member of a class listed above. Please specify: \_\_\_\_\_

By signing below, I swear of affirm that I am entitled to apply for restricted records status under the laws of Oklahoma. See 26 O.S. § 4-115.2.

\_\_\_\_\_  
Voter's Signature

\_\_\_\_\_  
Date

**Note:** Restricted Records Status continues until cancelled by the voter (or until the voter registers in another county).

**Return this form to your County Election Board Office for processing.**

Rev. July 2023

### **33. Establishment of precincts**

Every ten years, based on the most recent collected census data, the County Election Board Secretary will establish voting precincts throughout the county that the County Election Board shall approve. A large map showing the precinct boundaries must be maintained in the County Election Board office at all times. [Title 26 OS § 3-115]

### **34. Boundary limitations**

No precinct boundary line may cross the boundary line of any District Court Judicial district electoral division or any Congressional, Legislative or County Commissioner district. Boundaries of all precincts shall enclose a contiguous area. All precinct boundaries shall follow clearly visible, definable and observable physical boundaries which are based upon criteria established and recognized by the Bureau of the Census of the United States Department of Commerce for the purposes of defining census blocks for the decennial census. No municipal boundary that is not such a visible, definable and observable boundary shall be used as a precinct boundary. [Title 26 OS § 3-116]

### **35. Precincts designated by number**

All precincts within a county shall be designated by a number only. Names and ward designations shall not be used.



## Precinct Officials

### 36. Appointment of Precinct Officials

Each precinct in the county shall have at least three (3) precinct officials — the Inspector, the Judge, and the Clerk. The County Election Board Secretary shall appoint the Inspector, Judge, and Clerk of each precinct to serve terms of four (4) years each. The appointees shall be registered voters in the county. [Title 26 OS § 2-124]

- X
- (a) No later than June 15<sup>th</sup> of the year following a General Election for Governor, the County Central Committee of the two political parties with the highest number of registered voters in the state shall submit a list of nominees to the Secretary of the County Election Board.
  - (b) The Secretary of the County Election Board utilizes the lists of nominees submitted by each party to appoint one (1) Precinct Official for each precinct from each party no later than July 1<sup>st</sup>.
  - (c) If no list is submitted by a County Central Committee, if the nominees are unable or unwilling to serve, or if the nominees do not meet the eligibility requirements, the Secretary appoints from the ranks of the party within the county.
  - (d) Terms begin July 1<sup>st</sup> of the year following a General Election for Governor.

### **NOTICE OF APPOINTMENT TO PRECINCT ELECTION BOARD**

is hereby appointed as

Inspector       Judge       Clerk

For Precinct \_\_\_\_\_ by the \_\_\_\_\_ County Election Board.  
Said appointment shall be effective as of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
*Secretary, County Election Board*

### **37. Precinct Officials at the polling place**

One (1) of the Precinct Officials shall be a registered voter from the political party with the largest number of registered voters in the state and shall be appointed from the list submitted by that political party.

Another of the Precinct Officials shall be a registered voter from the political party with the second largest number of registered voters in the state, and shall be appointed from the list submitted by that political party.

The other Precinct Official, and any additional Precinct Officials that are appointed pursuant to law, ~~may be a member of any political party recognized under the laws of this state, or may be a registered voter with no declared party affiliation,~~ and shall be appointed from the ranks of registered voters within the county. [Title 26 OS § 2-123]

### **38. Precinct Official vacancies at the polling place**

When an assigned Precinct Official creates a vacancy at a polling place, the County Election Board Secretary fills the vacancy in the same way the original appointment was made. The Secretary may appoint from the last list of nominees submitted by the appropriate political party. [Title 26 OS § 2-124]

### **39. Substitute Precinct Officials**

In the event that an appointed Precinct Official assigned as an Inspector, Judge, or Clerk is unable to work in a specific election due to illness or other conflict, the Secretary shall be authorized to name a substitute to that position for the affected election. This substitute Precinct Official shall be a registered voter in the same political party and shall be trained in the duties of the position in the same manner as the appointed official. [OAC 230:10-3-27.1]

### **40. Auxiliary and additional Precinct Officials**

- (a) ~~The Secretary of the State Election Board may authorize the Secretary of any County Election Board to appoint or employ Auxiliary Precinct Officials, as needed to assist the regular Precinct Officials in processing voters. Auxiliary Precinct Officials usually shall be reserved for elections at which a large turnout is anticipated or at which an unusually large number of voters may need to update their voter registrations or vote provisionally. [Title 26 OS § 2-128.1]~~
- (b) Auxiliary Precinct Officials may include additional Inspectors, Judges, Clerks or other Precinct Officials authorized by the Secretary of the State Election Board.
- (c) When authorized, additional Inspectors shall be compensated at the same rate as regular Inspectors and other additional Precinct Officials shall be compensated at the same rate as the regular Judges and Clerks.

#### 41. Eligibility

- (a) To be eligible to serve as a Precinct Official, one must be a registered voter of the county in which they will serve and demonstrate competence to perform their duties. [Title 26 OS § 2-131]
- (b) Persons thus qualified and appointed shall be trained in their duties in a manner prescribed by the Secretary of the State Election Board.

#### 42. Disqualification of a Precinct Official

- (a) A Precinct Official may not serve at an election if they are a candidate for office on the ballot in the precinct; a deputy or regular employee of a candidate for office on the ballot in the precinct; or related within the second degree by consanguinity or affinity to a candidate for office on the ballot in the precinct. [Title 51 OS § 5]
- (b) A Precinct Official who becomes a candidate for office must resign their position within ten (10) days following the close of the filing period during which such candidacy was filed.
- (c) A Precinct Official who is employed by, or related to, a candidate for office must notify the Secretary of the County Election Board within ten (10) days following the close of the filing period at which the candidacy was filed. The Secretary shall appoint a suitable replacement for the Precinct Official for the election(s) involving the Precinct Official's employer or relative. [Title 26 OS § 2-132]
- (d) A Precinct Official disqualified by (a), (b) or (c) of this section may be reassigned to a different precinct not affected by that election.

#### 43. Removal of Inspectors, Judges, and Clerks

- (a) The Secretary of the County Election Board shall have the authority to remove any Inspector in the county at any time, subject to the approval of the County Election Board. Written notice shall be provided to an Inspector so removed. [Title 26 OS § 2-130]
  - (b) The Secretary of the County Election Board shall have the authority to remove any precinct Judge, Clerk, other Precinct Official, or Absentee Voting Board member at any time. The removal of a precinct Judge, Clerk, other Precinct Official, or Absentee Voting Board member shall be subject to the approval of the County Election Board. Written notice shall be provided to the person so removed. [Title 26 OS § 2-130]
-

hand delivered  
no later than  
reg. bus. hrs on day prior  
to election

shall be returned  
to board no later  
than 7pm on day of  
election

### Appointing Absentee Voting Boards

#### 44. Secretary appoints Absentee Voting Boards -



The Secretary of the County Election Board has the sole authority to appoint members of the Absentee Voting Board(s) - this includes the In-Person Absentee Board and the Nursing Home Absentee Board. [OAC 230:30-7-1]

Read up on this

#### 45. Parties submit lists of names by June 1<sup>st</sup>

No later than June 1<sup>st</sup> of each even-numbered year, the Chairs of the County Central Committees of the two (2) recognized political parties with the largest number of registered voters in the state are required to submit a list of ten (10) names to the Secretary of the County Election Board. The list must contain the names of registered voters in the county and can include appointed Precinct Officials. The list cannot contain the name of the Secretary or members of the County Election Board. [Title 26 OS § 14-115.5B]

#### 46. Secretary to utilize lists of names

The Secretary of the County Election Board shall utilize the lists described in **Section 45** in appointing members of the In-Person Absentee Voting Board and Nursing Home Absentee Boards. Each In-Person Absentee Voting Board and Nursing Home Absentee Board consists of two (2) members - one (1) member from each political party. If a party fails to submit a list of names, or if all persons on a party's list are unwilling or unable to serve, the Secretary shall appoint In-Person Absentee Voting Board and Nursing Home Absentee Board members from the ranks of that party. Under no circumstance shall both members of an In-Person Absentee Voting Board or Nursing Home Absentee Board be members of the same political party. [Title 26 OS § 14-115.5C]

#### 47. Appointments shall be made promptly

After June 1<sup>st</sup>, the Secretary of the County Election Board shall appoint an In-Person Absentee Voting Board and a Nursing Home Absentee Board, and shall consult with the members to make certain that they are willing and able to serve. It is a good practice to appoint more than one (1) In-Person Absentee Voting Board and Nursing Home Absentee Board.

appears numerous people

absentee ballots must be requested no later than 5pm on ~~Wed~~ preceding ~~an election~~ the 3rd Monday preceding an election



- (e) Two (2) properly notarized ballot Affidavits may **NOT** be mailed in a single return envelope. If this happens, only the ballot(s) contained inside the ballot Affidavit envelope that bears the same name as the return envelope may be counted.

**50. Standard absentee ballot Affidavit (yellow)**

The signature on a standard absentee ballot Affidavit envelope (yellow) submitted by an absentee voter **MUST** be witnessed by a Notary Public. Affidavits notarized from states other than Oklahoma may be notarized by persons other than a Notary Public if that person is similarly authorized by law to administer oaths.

- (a) For the ballot Affidavit to be properly notarized, the Notary must provide:
  - (1) Jurisdiction information
  - (2) Notarization date
  - (3) Notary seal (either stamped or impressed)
  - (4) Notary signature
- (b) The number and expiration date of a Notary Public commission in Oklahoma should be included in the attestation. However, the attestation shall be considered valid even if this commission information is missing. - AS LONG AS ON a seal
- (c) No one who is a candidate for an office on the ballot may notarize a standard absentee ballot Affidavit.
- (d) No one who is the Chair or Treasurer of the campaign of a candidate for an office on the ballot may notarize a standard absentee ballot Affidavit.
- (e) No one who is related within the third degree of consanguinity or affinity to a candidate may notarize a standard absentee ballot Affidavit. Refer to the chart on page 2.
- (f) If it appears that a single Notary Public is witnessing a large number of absentee ballot Affidavits, the Secretary shall notify the proper authorities.

**Title 26 OS § 16-104 FALSE NOTARIZATION.** Any person, notary public or other official authorized to administer oaths who notarizes, verifies, acknowledges or attests to the signature on the Affidavit of an absent voter or on the attestation of an incapacitated voter, without the person whose Affidavit or attestation is being taken actually appearing in person before said person, notary public or official authorized to administer oaths, shall be deemed guilty of a felony.

*Handwritten attorney*

Two properly notarized Affidavits may NOT be mailed in a single outer return envelope. A voter's absentee ballot Affidavit must be sealed inside the return envelope that was provided to the voter by the County Election Board. In an instance where multiple otherwise valid ballots (enclosed in properly executed Affidavit envelopes) are returned inside a single return envelope, only the ballots contained inside the Affidavit envelope that bears the same name as the return envelope may be counted.

**AFFIDAVIT**

**WARNING: Ballots cannot be counted unless voter signs below and the signature is notarized.**

I, Jack Marshall  
Print Voter's Name

swear or affirm that I am qualified to vote in the election or elections for which ballots are enclosed; I have marked these ballots myself; and I have not shown these marked ballots to any other person.

X Jack Marshall  
Voter's Signature

8-17-24  
Date Signed

A Notary Public in Oklahoma may not charge a fee to notarize an absentee ballot Affidavit.

**NOTARY**

State of OKLAHOMA


County of OKLAHOMA

Subscribed and sworn before me on this date of 8/17/24  
Date Notarized

[Signature]  
Signature of Notary

12-15-26  
My Commission Expires

072483  
Commission Number



Voter's printed name  
*mandatory*

Voter must sign and date  
*mandatory*

*Mandatory*

These two dates SHALL be the same

Notary jurisdiction information must be completed

Notary must sign

Notary should include commission number and expiration date, but the lack of those two fields does not render the entire notarial act invalid

*Can be left off if seal contains internet*

Verify the expiration date falls after the signature date

Notary seal must be present – either stamped or impressed  
*mandatory*



## 51. Physically Incapacitated absentee ballot Affidavit (*pink*)

The signature on an absentee ballot Affidavit submitted by a physically incapacitated voter, a voter charged with the care of a physically incapacitated person, or an emergency incapacitated voter must be witnessed by two (2) other persons and the voter must have ALL blanks filled out, which includes:

- (a) the voter's name
- (b) one (1) box checked indicating how the ballots were marked (by the voter themselves or by an assistant)
- (c) if helped by an assistant, the assistant's name, address, and signature must be included
- (d) the voter's signature *not if voter cant sign?*
- (e) the date signed
- (f) signature, printed name, and full address of TWO witnesses

(1) No one (1) person may witness signatures on more than five (5) physically incapacitated ballot Affidavits per election. If a person signs as a witness on more than five (5) physically incapacitated ballot Affidavits, the absentee ballots shall be counted but the witness shall be reported to the District Attorney.

(2) No one who is a candidate for an office on the ballot may witness a physically incapacitated absentee ballot Affidavit.

(3) No one who is related within the third degree by consanguinity or affinity to a candidate for an office on the ballot may witness a physically incapacitated absentee ballot Affidavit.

- (g) The signature on a physically incapacitated absentee ballot Affidavit submitted by a Nursing Home or Veteran Center voter must be witnessed by two (2) members of the Nursing Home Absentee Voting Board, who shall NOT be required to provide their addresses. *- has to be signed but no address required*

**Title 26 OS § 16-123.1 LIMITATION ON WITNESSING AFFIDAVITS OF PHYSICAL INCAPACITY – MISDEMEANOR. Any person, except members of Absentee Voting Boards, who witnesses the signature of more than five (5) Affidavits of persons who swear they are physically incapacitated and unable to vote in person at their precinct on election day shall, upon conviction, be deemed guilty of a misdemeanor.**



PHYSICALLY INCAPACITATED

witnessed

Two properly ~~received~~ Affidavits may NOT be mailed in a single outer return envelope. A voter's absentee ballot Affidavit must be sealed inside the return envelope that was provided to the voter by the County Election Board. In an instance where multiple otherwise valid ballots (enclosed in properly executed Affidavit envelopes) are returned inside a single return envelope, only the ballots contained inside the Affidavit envelope that bears the same name as the return envelope may be counted.

Voter's name printed

If this box is checked, the assistant section will be blank

One box must be checked

If this box is checked, the assistant must print name, sign, and provide their address

Voter must sign and date

No date required

### AFFIDAVIT

**WARNING: Ballots cannot be counted unless the Affidavit is witnessed by two persons.**

I, Elizabeth Bailey  
Print Voter's Name

swear or affirm that I am qualified to vote in the election or elections for which ballots are enclosed.  
I am unable to vote at my precinct on election day because I am physically incapacitated; or I care for a physically incapacitated person who cannot be left unattended; or I am physically incapacitated and confined to a nursing home.

I have marked these ballots myself  
or  
 I have directed an assistant to mark them.

**Assistant's Oath -** This voter cannot mark their own ballot. I swear or affirm that I am not the voter's employer or an agent of the employer; I am not an officer or agent of the voter's union; and that I marked the ballots as directed by the voter.

Eimer Bailey Eimer Bailey  
Print Name of Assistant Assistant's Signature

169 HAPPY TRAILS Sunshine, OK  
Assistant's Address of Residence

The voter's assistant cannot serve as a witness for this Affidavit.

x E. Elizabeth Bailey 8/27/23  
Voter's Signature Date

**Two Witnesses Required for Voter Signature**

First Witness	Second Witness
<u>Suzie Q. Dullins</u> <small>Signature of Witness 1</small>	<u>Claude Dullins</u> <small>Signature of Witness 2</small>
<u>Suzie Q. Dullins</u> <small>Print Name of Witness 1</small>	<u>Claude Dullins</u> <small>Print Name of Witness 2</small>
<u>42 Poplar St.</u> <small>Address of Witness 1</small>	<u>42 Poplar St.</u> <small>Address of Witness 2</small>
<u>Sunshine, OK 74123</u> <small>City, State, Zip of Witness 1</small>	<u>Sunshine, OK 74123</u> <small>City, State, Zip of Witness 2</small>

NO Spectator who signs the Assistant Com-SYS Affid

Two witnesses. Both must sign, print their names, and provide their full addresses of residence

NURSING HOME VOTING BOARD

AFFIDAVIT

WARNING: Ballots cannot be counted unless the Affidavit is witnessed by two persons.

Voter's name printed

I, Martha Sawhill  
Print Voter's Name

If this box is checked, the assistant section will be blank

swear or affirm that I am qualified to vote in the election or elections for which ballots are enclosed. I am unable to vote at my precinct on election day because I am physically incapacitated; or I care for a physically incapacitated person who cannot be left unattended; or I am physically incapacitated and confined to a nursing home.

One box must be checked

I have marked these ballots myself  
or

If this box is checked, the assistant must print name, sign, and provide their address

I have directed an assistant to mark them.

Assistant's Oath - This voter cannot mark their own ballot. I swear or affirm that I am not the voter's employer or an agent of the employer; I am not an officer or agent of the voter's union; and that I marked the ballots as directed by the voter.

Voter must sign and date

Print Name of Assistant      Assistant's Signature

Assistant's Address of Residence

The voter's assistant cannot serve as a witness for this Affidavit.

Martha Sawhill      8/23  
Voter's Signature      Date

Two Witnesses Required for Voter Signature



<p>First Witness</p> <p><u>Judy Jenkins</u> <small>Signature of Witness 1</small></p> <p><u>Judy Jenkins</u> <small>Print Name of Witness 1</small></p> <p>_____ <small>Address of Witness 1</small></p> <p>_____ <small>City, State, Zip of Witness 1</small></p>	<p>Second Witness</p> <p><u>Edith Watkins</u> <small>Signature of Witness 2</small></p> <p><u>Edith Watkins</u> <small>Print Name of Witness 2</small></p> <p>_____ <small>Address of Witness 2</small></p> <p>_____ <small>City, State, Zip of Witness 2</small></p>
--	---

Two witnesses. Nursing Home Voting Board witnesses must sign and print their names. They are not required to provide their addresses of residence



UNIFORM SERVICES/OVERSEAS

Voter must print their name

Date of the election

Name John Woodward DECLARATION Date of Election 11-5-24  
(Print. Use Your Name)

I swear or affirm, under penalty of perjury, that:

- 1. I am a Uniformed Service Voter or a spouse of such a member, or an Overseas Voter residing outside the United States, and
- 2. I am a U.S. citizen, at least 18 years of age (or will be by the day of the election), and, except for a state residency requirement, otherwise satisfy this state's voter eligibility requirements.
- 3. I am not registered, requesting a ballot, or voting in any other jurisdiction in the U.S., except for the state of Oklahoma.
- 4. I am not disqualified to vote due to having been convicted of a felony or other disqualifying offense, nor have I been adjudicated mentally incompetent; or if so, my voting rights have been reinstated.
- 5. At the time of completing my ballot and balloting materials, my ballot was timely submitted. My signature and date below indicate when I completed this document.
- 6. In voting, I have marked and sealed this ballot in private and have not allowed any person to observe the marking of this ballot, except those authorized to assist voters under State and Federal law.
- 7. The information on this form is true, accurate, and complete to the best of my knowledge.

I understand that a material misstatement of fact in completing the ballot and this form may constitute grounds for a conviction of perjury under the laws of the United States or the State of Oklahoma.

Signed: John Woodward Date 10-21-24  
Month/Day/Year



Voter must sign

Date voter signed

### **53. Opening and storing properly executed ballot Affidavits prior to election day**

The County Election Board may meet publicly prior to election day to open return envelopes. It is permissible for the County Election Board members to also examine and remove properly executed ballot Affidavit envelopes. Upon removing the ballot Affidavits, the County Election Board members shall place the white ballot secrecy envelopes in a ballot box locked with three keys. The County Election Board members shall affix a long white State Election Board seal across the opening on the top of the box so that the opening is entirely obstructed. The County Election Board members each shall sign and date the seal. Each member of the County Election Board shall retain the key to only one (1) of the locks on each ballot box. The Secretary shall store the ballot box in a secure place until it is time to count the absentee ballots on Election Day. The ballot Affidavits shall be set aside in a secure place and shall be retained as prescribed. If a voter enclosed an Oklahoma Voter Registration Application form inside the ballot Affidavit envelope, set aside the Oklahoma Voter Registration Application to be processed later.

### **54. Procedure for counting absentee ballots on election day**

On the day of the election at such time as the Secretary of the County Election Board may prescribe, the County Election Board shall meet to count absentee ballots. The following procedure shall be followed to count ballots received by mail and from the Nursing Home Absentee Board. The County Election Board members shall be present during the count.

- (a) The return envelopes first shall be removed and the ballot Affidavit envelopes examined.
- (b) The properly executed ballot Affidavit envelopes shall be opened by the County Election Board, and the white ballot secrecy envelopes shall be removed.
- (c) The unopened white ballot secrecy envelopes shall be placed inside the ballot box. The ballot box shall be shaken to mix the white ballot secrecy envelopes.
- (d) The white ballot secrecy envelopes shall be removed from the ballot box. The white ballot secrecy envelopes shall be opened, and the ballots removed.
- (e) If a voter enclosed an Oklahoma Voter Registration Application form inside the ballot Affidavit envelope, set aside the Oklahoma Voter Registration Application to be processed later.
- (f) The mutilated, faxed, Electronic Accessibility Delivery System (EADS), military/overseas (MOAB) and/or federal write-in ballots that the County Election Board remade can also be processed through the voting device. Proceed to the next step.
- (g) The Secretary shall assign an employee of the County Election Board to each voting device or high-speed scanner to be used to count the mail and Nursing Home absentee ballots.

(h) The employee assigned to operate the voting device shall insert the mail and Nursing Home absentee ballots, one (1) at a time, into the voting device until all absentee ballots received to that point have been counted. This procedure shall be repeated, as necessary, as additional absentee ballots are received until 7:00 p.m. Counties using high-speed scanners to count mail and Nursing Home absentee ballots shall follow the specific instructions provided for operation of those machines to scan ballots and to resolve, if possible, any problems with ballots the scanner rejects. The following factors shall be considered:

- (1) In no event shall fewer than twelve (12) absentee ballots be counted at any one (1) time, unless fewer than twelve (12) ballots are received in total or after the first count is completed.
- (2) If the voting device returns a ballot because of an overvote or any other error made by the voter when marking the ballot, the ballot must be accepted.
- (3) In the event that a ballot is damaged or defaced to the extent that it cannot be read and counted by the voting device, the procedure described in Section 56 to remake the ballot shall be observed.
- (4) If the first count of absentee ballots is completed prior to 7:00 p.m., the MBB shall be removed from the voting device and sealed inside an envelope. The employee operating the voting device, the Chair, Vice Chair and Secretary each shall sign the envelope flap. The employee operating the voting device shall indicate on the envelope flap the time the count was completed as follows:

*"Absentee ballot count ended at 5:20 p.m. 11/05/24."*

- (i) The envelope shall be placed in the Sheriff's custody until it is needed to count additional absentee ballots received before 7:00 p.m. or until it is time to read and tabulate the MBB after 7:00 p.m.
- (j) As soon as possible after 7:00 p.m. and after all absentee ballots received prior to 7:00 p.m. have been processed through the voting device, the MBB shall be removed from each voting device or high-speed scanner used to count mail and Nursing Home absentee ballots, as well as In-Person absentee ballots. The MBB(s) used during early In-Person Absentee voting shall be returned to the Secretary of the County Election Board by the Sheriff.
- (k) The MBBs shall be given to the tabulation computer operator to be read and tabulated as soon as possible after 7:00 p.m. The tabulation computer operator may print both a Cumulative Report and a Precinct Report from Tally after reading and tabulating the election results for Early In-Person Absentee voting

and for mail (including mutilated, faxed, EADS, MOAB and/or write-in ballots that were remade by the County Election Board) and Nursing Home absentee ballots. The tabulation computer operator shall verify that each report displays columns for "Absentee," "Early," and "Election" results and that results appear in both the Absentee and Early columns of both reports. Once this verification has been made, a copy of each report shall be posted on the door of the County Election Board office and ~~additional copies shall be made available to the news media and other interested persons as requested.~~

- (l) The employee assigned to operate the voting device shall open the main compartment of the ballot box, remove the counted ballots, and place them inside a ballot transfer case. The ballot transfer case shall be sealed with a long white State Election Board seal and the seal shall be signed by the employee who operated the voting device and the County Election Board members. The ballot transfer box shall be clearly labeled to indicate that it contains counted mail and Nursing Home absentee ballots.

OFFICIAL OKLAHOMA STATE ELECTION BOARD SEAL		
COUNTY	DATE	PRECINCT NO.
SIGNATURES OF PRECINCT ELECTION BOARD MEMBERS		
INSPECTOR		
JUDGE		
CLERK		
Check one or both boxes: <input type="checkbox"/> Voted ballots <input type="checkbox"/> Unvoted ballots		
PRIOR TO APPLYING SEAL, REMOVE BACKING PAPER... USE PRESSURE TO AFFIX THE SEAL		

**55. Mutilated, damaged or defaced absentee ballots**

- (a) A mutilated, damaged, or defaced ballot cannot be read by the voting device. The County Election Board members shall make a substitute ballot that can be read by the voting device by following the procedure in Section 56. Some examples of mutilated, damaged, or defaced ballots include, but are not limited to, the following:
- (1) The ballot is mutilated or damaged by a paper jam inside the voting device during the counting process.
  - (2) The ballot is damaged when the ballot envelope is opened.
  - (3) The ballot is defaced because the voter altered the ballot's original size and/or shape, marked through or removed a bar code, or attempted to correct an error by using correction fluid.
- (b) If the ballot was mutilated, damaged or defaced, County Election Board members shall make a substitute ballot to replace the mutilated, damaged or defaced ballot. The substitute ballot shall be made exactly as the mutilated, damaged or defaced ballot was marked insofar as it is possible to determine. If the ballot is mutilated,

and for mail (including mutilated, faxed, EADS, MOAB and/or write-in ballots that were remade by the County Election Board) and Nursing Home absentee ballots. The tabulation computer operator shall verify that each report displays columns for "Absentee," "Early," and "Election" results and that results appear in both the Absentee and Early columns of both reports. Once this verification has been made, a copy of each report shall be posted on the door of the County Election Board office and ~~additional copies shall be made available to the news media and other interested persons as requested.~~

- (l) The employee assigned to operate the voting device shall open the main compartment of the ballot box, remove the counted ballots, and place them inside a ballot transfer case. The ballot transfer case shall be sealed with a long white State Election Board seal and the seal shall be signed by the employee who operated the voting device and the County Election Board members. The ballot transfer box shall be clearly labeled to indicate that it contains counted mail and Nursing Home absentee ballots.

OFFICIAL OKLAHOMA STATE ELECTION BOARD SEAL		
COUNTY	DATE	PRECINCT NO.
SIGNATURES OF PRECINCT ELECTION BOARD MEMBERS		
INSPECTOR		
JUDGE		
CLERK		
Check one or both boxes: <input type="checkbox"/> Voted ballots <input type="checkbox"/> Unvoted ballots		
PRIOR TO APPLYING SEAL, REMOVE BACKING PAPER...USE PRESSURE TO AFFIX THE SEAL		

**55. Mutilated, damaged or defaced absentee ballots**

- (a) A mutilated, damaged, or defaced ballot cannot be read by the voting device. The County Election Board members shall make a substitute ballot that can be read by the voting device by following the procedure in Section 56. Some examples of mutilated, damaged, or defaced ballots include, but are not limited to, the following:
- (1) The ballot is mutilated or damaged by a paper jam inside the voting device during the counting process.
  - (2) The ballot is damaged when the ballot envelope is opened.
  - (3) The ballot is defaced because the voter altered the ballot's original size and/or shape, marked through or removed a bar code, or attempted to correct an error by using correction fluid.
- (b) If the ballot was mutilated, damaged or defaced, County Election Board members shall make a substitute ballot to replace the mutilated, damaged or defaced ballot. The substitute ballot shall be made exactly as the mutilated, damaged or defaced ballot was marked insofar as it is possible to determine. If the ballot is mutilated,





process of making a substitute ballot begins. The Chair, Vice Chair, and Secretary of the County Election Board shall work together to make substitute ballots according to the following procedure:

- (1) The County Election Board shall keep a detailed written record of each substitute ballot made.
  - (2) The Secretary shall provide a blank absentee ballot for the voter's precinct.
  - (3) The Chair shall read the voter's choice for each office and question on the ballot and the Vice Chair shall make the ballot.
    - i. In the event that a federal write-in ballot is marked for a candidate or a political party not on the ballot in Oklahoma, no substitute ballot shall be made. The written record shall indicate both that the ballot could not be counted and the reason.
    - ii. In the event that a ballot received by fax is illegible and the voter's markings cannot be discerned, no attempt shall be made to make a substitute ballot. The written record shall indicate both that the ballot could not be counted and the reason.
  - (4) The Chair, Vice Chair, and Secretary shall review each substitute ballot and shall agree that the substitute ballot is made exactly as is the original ballot submitted by the voter.
  - (5) The Secretary shall write identical numbers on the back of each original ballot and on the back of the substitute ballot, being careful to avoid the areas of the voting targets. For example, the first such original ballot and its substitute shall be marked "1," the second, "2," etc.
  - (6) The Secretary shall set the substitute ballot aside in a secure location until it is time to scan and count all substitute ballots through the appropriate voting device.
  - (7) The Secretary shall cause the written record of the process of making substitute ballots to be attached to the minutes of the County Election Board meeting. The total number of substitute ballots made and counted shall be noted in the minutes of the meeting.
  - (8) Each original ballot for which a substitute ballot is made shall be retained, attached to a copy of the written record of the substitute ballot process, with all other materials used to cast and count absentee ballots for twenty-four (24) months following the election.
- (c) When the number of ballots for which the County Election Board must make substitute ballots is high, the County Election Board may use one (1) or more two

(2)-member Absentee Voting Boards to assist with the process of making substitute ballots. The Absentee Voting Board members must represent different political parties and shall be required to follow the procedures outlined in (b) of this Section. In the event the Absentee Voting Board members making substitute ballots cannot agree how the substitute ballots shall be made for a specific race, the matter immediately shall be submitted to the full County Election Board which shall examine the original ballot and shall determine by a vote how to make the substitute ballot. The Absentee Voting Board shall keep a written record of each substitute ballot made. A County Election Board member shall closely supervise each Absentee Voting Board making substitute ballots. A substitute ballot shall not be scanned and counted unless it first has been reviewed for accuracy by at least one (1) County Election Board member. [OAC 230:30-19-6] [Title 26 OS § 7-129.2]

### 57. Rules for counting federal write-in absentee ballots

A federal write-in absentee ballot may be counted for federal and/or statewide offices in Presidential Preferential Primary, Primary, Runoff Primary, and General Elections. The following are federal offices that may appear on the federal write-in absentee ballot: Presidential Electors pledged to candidates for President and Vice President, United States Senator, and United States Representative. The following are the statewide offices that may appear on the federal write-in absentee ballot: Governor, Lieutenant Governor, State Auditor and Inspector, Attorney General, State Treasurer, State Superintendent of Public Instruction, Commissioner of Labor, Insurance Commissioner, and Corporation Commissioner.

- (a) On a federal write-in absentee ballot submitted for the Primary, Runoff Primary, or Presidential Preferential Primary Election, the voter may designate a candidate by writing the name of a candidate.
- (b) On a federal write-in absentee ballot submitted for the General Election, the voter may write either the name of a candidate or the name of a political party. If the voter has written the name of a political party, the ballot shall be counted for all the candidates of that party for federal and statewide offices in the General Election.
- (c) In the case of the offices of President and Vice President, a vote for a named candidate or a vote by writing the name of a political party shall be counted as a vote for the electors supporting the candidate involved.
- (d) Any abbreviation, misspelling or other minor variation in the form of the name of a candidate or a political party shall be disregarded in determining the validity of the ballot, so long as the voter's choice can be ascertained.
- (e) In the event that the voter's choice cannot be determined, the federal write-in absentee ballot shall not be counted for the office(s) in question.

transfer cases - are the  
card board boxes

## Election Night Duties

### 58. Smooth flow of returns necessary

Prior to the election, the County Election Board shall make plans for canvassing returns on election night. The Secretary will be the point of contact for any news media outlet on election night and will make election night assignments. [OAC 230:35-3-83]

### 59. Assembly line required for receiving returns and materials from Inspectors

An assembly line can be established for receiving the returns. The Chair, Vice Chair, Secretary and employees of the County Election Board MAY be involved in the receiving of voting devices, election supplies, and ballot transfer cases from Inspectors. The County Election Board members MAY be canvassing returns on behalf of the Secretary. When receiving returns, the following procedure shall be observed:

- (a) Representatives of the news media shall be assigned to a separate office or area. If available, a computer shall be placed in the media area to display the county's election results.
- (b) Appropriate receptacles shall be prepared and arranged for receiving precinct materials from Inspectors.
- (c) Precinct materials shall be processed one (1) precinct at a time.
- (d) Receive the voting device. Verify that the luggage tag (or other means of identification if the luggage tag is not used) showing the precinct number is attached to the voting device.
- (e) Receive the Envelope for Tally Report. Open the envelope, verify that the following items are present, and examine them as necessary.

- (1) Original voting device tape, which includes all information printed from the time the polls were opened, including the Zero Report and the first Detail and Tally Report printed when the polls were closed. If the Detail and Tally Report is not included on the tape, open the voting device case, turn on the power and print the report. Attach the 'Detail and Tally' Report to the voting device tape received in the envelope.

- (2) The voting device key envelope shall be examined to be certain that the precinct number is written on it. The

Precinct: \_\_\_\_\_

**ENVELOPE FOR  
DETAIL AND TALLY REPORT**

Inspector: Place a checkmark beside each item listed below as you put it inside this envelope.

- 1.  The eScan tape that includes the Power-Up Report and the Zero Report, all other reports and/or messages printed during the day, and the first Detail and Tally Report printed after the polls close.
- 2.  Voting device key envelope with keys.
- 3.  ATU Session Log.
- 4.  Uncounted ballots left in the emergency bin after the polls are closed on the eScan.
- 5.  Other forms or items as instructed by the County Election Board Secretary.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

white  
letter  
envelope

key envelope shall be set aside in a secure place. The polling place key may also be in this envelope.

- (3) If uncounted ballots from the emergency compartment are found in the Envelope for Tally report, an election night recount will need to be performed.



- (f) If an election night recount of all the ballots cast in a precinct is required as outlined in **Section 60**, the Secretary will ask the Inspector to step aside and wait until an election night recount can be completed. Ask the Inspector if the ATI device was used by any voter to cast an audio ballot during the day. Examine the 'Detail and Tally Report' and the 'ATI Session Log' form to verify that an ATI ballot was cast. If the ATI device was used, make note on the front of the Envelope for Tally Report. Follow procedures for election night recount.

- (g) Once all the necessary items from the Envelope for Tally Report are accounted for, transfer the MBB from the voting device and the voting device tape to the tabulation computer operator.

- (h) The sealed ballot transfer boxes shall be received and transferred to secure storage.

- (1) Examine the ballot transfer boxes to ensure that they have been properly sealed. If the long white State Election Board seal is missing or broken, immediately affix a short turquoise State Election Board seal to the ballot transfer box. The new seal shall be signed by the County Election Board members and the Sheriff representative, if available. The box for "Other" shall be checked. Write the reason the seal is being applied in the space provided.

*Example: "Original seal from precinct 102 was broken upon arrival at County Election Board."*

OFFICIAL OKLAHOMA STATE ELECTION BOARD SEAL		
COUNTY	DATE	PRECINCT NO.
SIGNATURES OF COUNTY ELECTION BOARD MEMBERS		
CHAIRMAN		
VICE CHAIRMAN		
SECRETARY		
COUNTER		
<input type="checkbox"/> Election Night Recount	<input type="checkbox"/> Counted Provisional Ballots	<input type="checkbox"/> Counted Telephone Ballots
<input type="checkbox"/> Other _____		
PRIOR TO APPLYING SEAL, REMOVE BACKING PAPER...USE PRESSURE TO AFFIX THE SEAL		

- (2) In the event that the County Election Board must open a ballot transfer box on election night to retrieve an item enclosed in error inside the box by Precinct Officials, the Board members shall affix a short turquoise

State Election Board seal to the box. The new seal shall be signed by the County Election Board members and the Sheriff representative, if available. The box for "Other" shall be checked. Write the reason the seal is being applied in the space provided.

*Example: "Board opened transfer box to retrieve original print out tape that included zero reports in Precinct 103."*

(i) Receive the sealed orange provisional ballot bags.

- (1) Remove the provisional ballot roster from the clear plastic pocket on the outside of the provisional ballot bag. Make certain that the precinct number is written on the Provisional Ballot Roster before separating it from the bag.
- (2) Place the provisional ballot bags in a secure receptacle. Access to the provisional ballot bags shall be restricted to authorized County Election Board personnel only.
- (3) Paperclip or staple the provisional ballot roster pages together and set aside in a secure location. Access to these forms shall be restricted to authorized County Election Board personnel only.

Precinct		Election Date	
Provisional Ballot Roster			
	Voter's Name (PRINT)	Voter's Signature	Ballots Issued (CODES)
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			

PROVISIONAL VOTING OFFICER: \_\_\_\_\_

(j) Receive the Precinct Registries.

(k) Receive the Election Day Expense Claims and verify all Precinct Officials have signed and listed mileage, if applicable.

(l) Receive the election supply containers and the *Precinct Official Notebooks* and place them in the appropriate receptacles.

(m) If the Secretary asks for assistance, receive and sort Election day forms into batches. These forms may include:

Precinct #		Election Date:		
Position	Name (Print)	Miles Driven	Compensation Amount	Signature
Judge			\$100	
Clerk			\$100	
PVO			\$100	
Aux. Official (Judge)			\$100	
Aux. Official (Clerk)			\$100	
Aux. Official (PVO)			\$100	
Inspector			\$110	
Mileage from home to precinct parking place Mileage from home to County Election Board				

Every voter must sign the above Expense Claim to receive a voucher. If you do not sign the Expense Claim, you will not be issued a voucher and you must return to the County Election Board to sign the claim form.

You may pick up your voucher in person at the County Election Board office by Friday following the election. In the event of a tie, the election, unclaimed vouchers will be mailed. If you have not received your voucher two weeks after the election, please call the County Election Board Office at \_\_\_\_\_.

Inspector (Print) \_\_\_\_\_ Date \_\_\_\_\_

For this receipt of mileage to qualify, you must have driven from your home to the precinct parking place and back to your home. The mileage must be for the election day. The mileage must be for the election day. The mileage must be for the election day. The mileage must be for the election day. The mileage must be for the election day.





## 60. Election night recounts

- (a) **Precinct ballots.** Election night recounts are allowed only under the following circumstances:
- (1) Precinct Officials failed to remove and count ballots in the emergency compartment of the ballot box before closing the polls on the voting device.
    - i. If Precinct Officials properly segregated the uncounted ballots from the counted ballots by placing the uncounted ballots inside the Envelope for Tally Report, only the uncounted ballots need to be included in the election night recount. The entire precinct can be recounted, but it is not required.
    - ii. If Precinct Officials mixed uncounted ballots from the emergency compartment with the counted ballots from the main compartment of the ballot box by placing them in the ballot transfer case, all ballots cast at the polling place will be included in the election night recount.
  - (2) The Secretary of the County Election Board is directed by the State Election Board to conduct an election night recount of all ballots cast at a precinct polling place in order to resolve an issue not referenced in this Section.
- (b) **Procedure for election night recount.** An election night recount shall be conducted on a voting device specifically designated and **prepared** for election night recounts. (Counties with a high-speed ballot scanner for counting mail and Nursing Home absentee ballots also may perform election night recounts on the high-speed scanner.) If all the ballots for a large precinct or for a precinct where voters received more than one (1) ballot must be included in an election night recount, more than one (1) voting device may be prepared and used. The ballots shall be divided as evenly as possible among the voting devices being used to perform the election night recount. The election night recount shall be conducted in public view and in the presence of the County Election Board members and a representative of the Sheriff's office, if available. Members of the news media may also be present. Before beginning the recount, the Secretary shall determine whether any ballots were cast using the ATI device. The Secretary and the County Election Board Chair and Vice Chair shall use the printed cast vote record of the ATI ballot to make a substitute ballot to be inserted in the voting device during the election recount. The recount shall be conducted according to the following procedure:
- (1) The Secretary shall designate one (1) person to insert the ballots included in the election night recount, one (1) at a time, into the voting



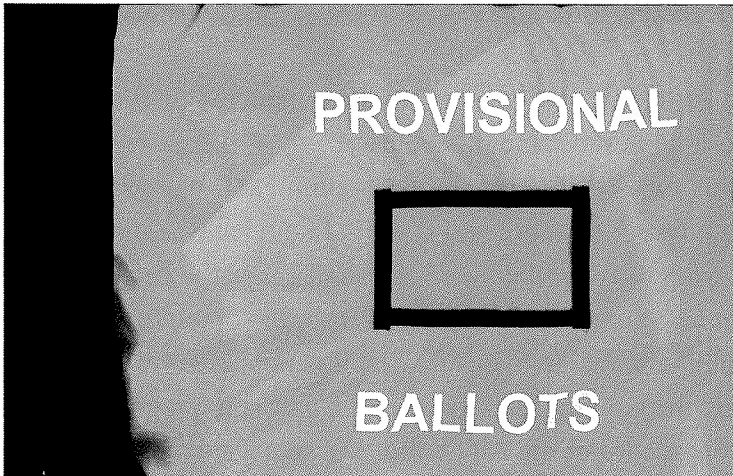
device designated for election night recounts. The designee shall be an election board employee, ~~NOT a County Election Board member.~~

- (2) After all the ballots included in the election night recount for the precinct have been inserted into the device, the ballots shall be removed from the main compartment of the ballot box and shall be replaced into the original ballot transfer case.
  - (3) The ballot transfer case shall be resealed and a short turquoise State Election Board seal shall be affixed to the box. The new seal shall be positioned so that it can be distinguished from the broken long white State Election Board seal signed by the Precinct Officials. The members of the County Election Board, the Inspector of the precinct with the recount, the employee who fed the ballots into the voting device and the Sheriff representative, if available, shall all sign the short turquoise State Election Board seal. The Secretary shall check the "Election Night Recount" box on the seal. [OAC 230:35-3-85.1] [Title 26 OS § 7-134.1]
  - (4) Any additional election night recounts shall be conducted on the same voting device, following the same procedure.
- (c) **Obtaining cast vote records for ATI ballots.** In the event that all ballots from a precinct must be recounted on election night and if the ATI device was used by any voter to cast a ballot during the day, the Secretary shall cause the cast vote record for each audio ballot to be retrieved and printed from the precinct MBB. The precinct MBB then shall be set aside to ensure that it is not read and tabulated. The Secretary and the County Election Board Chair and Vice Chair shall use the printed cast vote record of the ATI ballot to make a substitute ballot to be inserted in the voting device during the election night recount. The printed cast vote record report shall be sealed in an envelope and shall be handed over to the Sheriff along with other voted ballots to be secured as required by law. In the event of a recount, the Sheriff shall deliver the envelope to the courtroom along with all other ballots. [OAC 230:35-3-85.4]

# Provisional Ballots

## 61. Provisional voting required for all elections

Provisional voting is a procedure which permits a voter whose eligibility cannot be determined to cast a ballot at the precinct polling place on Election Day or at an Absentee In-Person voting site on an In-Person Absentee Voting day. Such a provisional ballot shall be kept separate from regular ballots and counted and included in the final election results only if the voter's eligibility is confirmed after the election. Provisional voting shall be available for all offices and questions appearing on all ballots for all elections conducted by the County Election Board. The ballots used for provisional voting shall be identical to regular ballots for the precinct.



**OKLAHOMA PROVISIONAL BALLOT AFFIDAVIT**  
 I, the undersigned, being a duly qualified elector in the County of \_\_\_\_\_, State of Oklahoma, do hereby certify that the information furnished herein is true and correct to the best of my knowledge and belief. I understand that the information furnished herein will not be used for any purpose other than to determine the eligibility of the voter to cast a provisional ballot. I understand that the information furnished herein will not be used for any purpose other than to determine the eligibility of the voter to cast a provisional ballot. I understand that the information furnished herein will not be used for any purpose other than to determine the eligibility of the voter to cast a provisional ballot.

**SECTION 1: VOTER INFORMATION**  
 Name: \_\_\_\_\_ Election Date: \_\_\_\_\_  
 Precinct: \_\_\_\_\_  
 Home Address: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_  
 Social Security Number: \_\_\_\_\_

**SECTION 2: VOTER'S SIGNATURE**  
 I, \_\_\_\_\_, do hereby certify that the information furnished herein is true and correct to the best of my knowledge and belief. I understand that the information furnished herein will not be used for any purpose other than to determine the eligibility of the voter to cast a provisional ballot.

**SECTION 3: WITNESSES**  
 Witness 1 Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
 Witness 2 Name: \_\_\_\_\_ Signature: \_\_\_\_\_

**Provisional Ballots Cast**

Election Date: \_\_\_\_\_ Precinct: \_\_\_\_\_  
 Entity: \_\_\_\_\_

**ZERO BALLOTS WERE CAST THROUGH THE VOTING DEVICE IN THIS PRECINCT.**

THERE WERE \_\_\_\_\_ PROVISIONAL BALLOTS CAST.

For information regarding the provisional ballot results, please call the County Election Board at \_\_\_\_\_

Inspector: Fill out and sign 3 copies of this notice. Post one copy on the polling place door; put one copy inside the ballot transfer case; and put one copy in the clear pocket of the orange Provisional Ballot Bag.

Inspector: \_\_\_\_\_  
 Judge: \_\_\_\_\_  
 Clerk: \_\_\_\_\_

Precinct: \_\_\_\_\_ Election Date: \_\_\_\_\_

**Provisional Ballot Roster**

Ballot Number	Voter's Name (PRINT)	Voter's Signature	Ballots Issued (CODES)
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
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25			

PROVISIONAL VOTING OFFICER: \_\_\_\_\_

## 62. Voters who may cast a provisional ballot

Voters in the circumstances described as follows may cast provisional ballots:

- (a) **Persons not listed in the precinct registry.** Persons who are not listed in the Precinct Registry for the precinct of their residence but who believe themselves to be registered voters eligible to vote in the election shall be entitled to cast a provisional ballot.
- (b) **Voters required to show proof of identity.** All registered voters who appear to vote in-person at a precinct polling place on Election Day or during In-Person absentee voting are required to show proof of identity before receiving a ballot (as voted for by the voters of Oklahoma). [OAC 230:35-5-172]

**November 2, 2010 General Election**

**State Question No. 746**

**Legislative Referendum No. 347**

**YES 74.34%**

**NO 25.66%**

Voters who do not have or who refuse to provide valid proof of identity are entitled by law to cast a provisional ballot. A voter whose name on their otherwise valid proof of identity document does not substantially conform to their name as listed in the precinct registry is entitled to cast a provisional ballot.

- (c) **Voters who dispute political affiliation indicated in precinct registry.** In the event a voter in the Primary or Runoff Primary Election or in any other partisan primary casts a provisional ballot after disputing the political affiliation indicated in the precinct registry, the provisional ballot shall be counted only if evidence of a timely and valid change of political affiliation is found. [OAC 230:35-5-173]
- (d) **Uniformed services voters.** Uniformed services voters who have been honorably discharged or who are on authorized leave, and the spouses and eligible dependents of such voters, and who returned home too late to register to vote shall be entitled to cast a provisional ballot. Provisional ballots cast by these voters shall be counted if they are cast in the correct precinct for the voter's residence address. [OAC 230:35-5-175]
- (e) **Overseas voters.** Overseas voters who have been terminated or are on leave from their overseas service or employment, and the spouses and eligible dependents of such voters, and who returned home too late to register to vote are entitled to cast a provisional ballot in the precinct of their residence and to have that ballot counted.

- (f) **School district or municipal assignment dispute.** Voters listed in the precinct registry who disagree with their assignment to a particular school district or municipality may cast a provisional ballot for their preferred school district or municipality. Provisional ballots cast by these voters shall be counted only if evidence is found that the assignment indicated in the precinct registry is incorrect. [OAC 230:35-5-174]

### 63. Counting provisional ballots

The County Election Board members shall meet on Friday next following the election at such time as the Secretary may prescribe to count the verified provisional ballots. Meeting times should be scheduled at 1:00 on Fridays for a state or federal election; the meeting can be recessed if needed. A copy of the "Provisional Ballot Detail and Tally Report" shall be made available for inspection in the County Election Board after 1:00 p.m. on Friday and may be used by a candidate considering a contest. [OAC 230:35-3-125] The County Election Board members do not determine whether or not the ballots will be counted, the Board members examine the verified ballot Affidavit(s) and open the ballot secrecy envelopes. No vote or approval on the provisional ballots is necessary by the County Election Board. **The provisional ballots must be presented to the County Election Board to be counted in an open meeting, and the County Election Board must observe that count.** The County Election Board members shall follow these steps to process the verified ballot Affidavits, to separate the ballot Affidavits from the ballot secrecy envelopes, and to open the ballot secrecy envelopes.

- (a) The County Election Board members shall receive the verified provisional ballot Affidavits and ballot secrecy envelopes from the Secretary or a designated County Election Board employee.
- (b) The County Election Board members shall examine the verified provisional ballot Affidavits. If all the ballots cast are to be counted, set the ballot Affidavit aside and place the ballot secrecy envelope in an appropriate container.
- (c) If a provisional voter received and voted two (2) or more ballots and, upon verification of the voter's information, it is determined that one (1) or more of the individual ballots cannot be counted, the County Election Board members shall follow these steps before separating the ballot Affidavit from the sealed ballot secrecy envelope.
- (1) Remove the ballot secrecy envelope from the ballot Affidavit envelope ~~from the ballot secrecy envelope~~ and write "Count (BALLOT TYPE OR CODE) ballot only" on the secrecy envelope in red ink.
  - (2) Place secrecy envelope in the container with other secrecy envelopes.
  - (3) When opening the secrecy envelopes, remove from the envelopes only the specific ballot(s) to be counted. Put the ballot(s) that cannot be

- counted back in the secrecy envelope and set it aside with the other ballot Affidavit envelopes.
- (d) When all the ballot Affidavits have been examined and separated from the secrecy envelopes, the secrecy envelopes shall be mixed together inside the container.
  - (e) The County Election Board members shall open the ballot secrecy envelopes, remove the ballots, and set the opened secrecy envelopes aside. The ballot shall be unfolded and laid flat inside a designated container.
  - (f) When all the ballot secrecy envelopes have been opened, the ballots shall be counted. The following procedure shall be observed.
    - (1) The Secretary shall assign a County Election Board employee to count the provisional ballots using a voting device designated and **prepared** for this purpose. The County Election Board meeting shall remain in session and the members shall observe the counting process.
    - (2) The employee assigned to count the provisional ballots shall take the following steps.
      - i. Insert the ballots, one at a time, into the device.
      - ii. After all the provisional ballots have been counted, close the polls on the voting device and print the Detail and Tally Reports. An additional number of Detail and Tally Reports shall be printed as instructed by the Secretary – a minimum of two additional.
    - (3) The employee who counted the ballots and the members of the County Election Board each shall sign all copies of the Detail and Tally Reports.
    - (4) The employee shall remove the counted provisional ballots from the ballot box and place them in a ballot transfer case. If ballots from more than one precinct and/or more than one entity are placed in the same ballot transfer case, the ballots should be sorted and separated by precinct and/or by entity. One signed copy of the Detail and Tally Report shall also be placed in the ballot transfer case. The ballot transfer case shall be sealed with a short turquoise State Election Board seal signed by the County Election Board members and the employee who counted the ballots. The Secretary shall check the "Counted Provisional Ballots" box on the seal and shall indicate the precinct numbers included in the ballot transfer case.
    - (5) The sealed ballot transfer case shall be given to the Sheriff, who shall provide security for the counted ballots until 5:00 p.m. on Friday following the election or until the ballots are delivered to the district courtroom for a recount.

- (6) One copy of the provisional ballots 'Detail and Tally Report' shall be made available for inspection in the County Election Board office after 1:00 p.m. on Friday following the election.

## Certifying Elections

### 64. Certifying county election results

- (a) **Election night activities.** On election night, the County Election Board shall canvass the precinct and absentee results for all elections, including elections for which the county is an affected county. The County Election Board shall not, under any circumstances, certify election results on election night.
- (b) **Friday following election.** The County Election Board shall meet on Friday following each election at the time set by the Secretary to count verified provisional ballots and to certify the final election results. If the count finishes before 5:00 p.m., the meeting may be recessed and reconvened at 5:00 p.m. After the close of the contest period at 5:00 p.m., the Board shall certify the final election results for all candidate races and all propositions, providing no contests have been filed. The Secretary shall prepare the required number of copies of the Official Certification Report for each entity involved in the election.
  - (1) The County Election Board members shall sign each copy of the Official Certification Report in the area provided for signatures.
  - (2) The Secretary shall affix the official County Election Board seal to each signed copy of the Official Certification Report.

- (c) **List of nominees.** Following Primary and Runoff Primary Elections, the County Election Board shall authorize the Secretary to certify a list of the nominees of each party for each county office on the ballot. The original copy of the list of nominees shall be signed by the Secretary and maintained in the minutes of the County Election Board meeting at which the election results were certified. A copy of the list of nominees shall be posted on the door of the County Election Board office.

LIST OF NOMINEES FOR _____ COUNTY OFFICES	
List of County Office Nominees for: <input type="checkbox"/> Primary <input type="checkbox"/> Runoff Primary	
<u>ALLEGANY</u>	County Clerk: _____
	County Clerk: _____
	County Sheriff: _____
	County Commissioner, #2: _____
	County Assessor: _____
	County Treasurer: _____
	County Commissioner, #3: _____
	County Commissioner, #3: _____
<u>BALTIMORE</u>	County Clerk: _____
	County Clerk: _____
	County Sheriff: _____
	County Commissioner, #2: _____
<u>BOEING</u>	County Assessor: _____
	County Treasurer: _____
	County Commissioner, #1: _____
	County Commissioner, #3: _____
<u>BUTLER</u>	County Clerk: _____
	County Clerk: _____
	County Sheriff: _____
	County Commissioner, #2: _____
<u>CLATSOP</u>	County Assessor: _____
	County Treasurer: _____
	County Commissioner, #1: _____
	County Commissioner, #3: _____
Date: _____ Secretary: _____	

- (d) **List of successful candidates and Certificates of Election.** Following General Elections, the Secretary shall compile a list of successful candidates for each county office on the ballot and shall issue a Certificate of Election to each successful candidate. The list shall include all candidates who were unopposed and who therefore did not appear on the General Election ballot as well as all successful candidates in the General Election. [OAC 230:35-3-91] [Title 26 OS § 8-103]

## **65. Tie votes**

When a tie vote is certified in the nomination or election of any candidate for county office in any Primary, Runoff Primary or General Election, the County Election Board shall, at a public meeting of the County Election Board and in the presence of the tied candidates or the tied candidates' designees if they desire to be present, select the nominee or electee by lot. When there are three (3) or more candidates in a Primary Election for which a Runoff Primary will be held and a tie occurs for first place, the names of the tied candidates shall be placed on the Runoff Primary ballot. Title 26 OS § 8-105]



## Candidate filing and Contest of Candidacy

### 66. Candidates filing with Secretary of County Election Board

Candidates for the following county offices file with the Secretary of the County Election Board: County Assessor, County Clerk, County Commissioner, County Court Clerk, County Sheriff, and County Treasurer. Candidates for elective office in independent, elementary, and technology center school districts; in all statutory municipalities; in some home rule charter cities; and for fire protection districts file with the Secretary of the County Election Board. [Title 26 OS § 5-117]

### 67. Who may file contest; "Petitioner" and "Contestee" defined

Any candidate (referred to as Petitioner) may contest the candidacy of any other candidate for the same office (referred to as Contestee) by filing a written petition with the Secretary of the County Election Board who accepted their Declarations of Candidacy. In the event of an unopposed candidate, a petition contesting their candidacy may be filed by any registered voter who is eligible to vote for the candidate. [Title 26 OS § 5-117]

PETITION FOR CONTEST OF CANDIDACY

I, the undersigned, am a candidate for the Office of \_\_\_\_\_  
by virtue of having lawfully filed a Declaration of Candidacy during the filing period held  
\_\_\_\_\_. I hereby contest the candidacy of  
\_\_\_\_\_ (herein referred to as contestee) for the  
same office, pursuant to Title 26, Section 5-118 of the Oklahoma Statutes. I accompany this  
petition with a cashier's check or certified check in the amount of \$250.00.

As the basis for this contest, I allege that the contestee was not qualified by law to  
become a candidate for the office for the reasons listed below.

List all reasons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_, Petitioner

\_\_\_\_\_  
Petitioner's Printed Name

\_\_\_\_\_  
Date

### 68. Time for filing contest

A Contest of Candidacy petition must be filed no later than 5:00 p.m. on the second business day following the close of the filing period. [Title 26 OS § 5-118]

### 69. Grounds for contest

A candidacy may be contested only if the Petitioner alleges that the Contestee was not qualified by law to become a candidate for the office. The reasons must be stated in the petition. [Title 26 OS § 5-120]

### 70. Deposit required

A contest of candidacy petition must be accompanied by a deposit of \$250.00, which must be in the form of either a certified check or cashier's check. [Title 26 OS § 5-121]

## 71. Date for hearing contest

When a Contest of Candidacy petition is filed, the Secretary shall set a date and time for a hearing and shall have the Assistant Secretary notify the other two (2) members of the County Election Board of the hearing. The Secretary shall prepare a written 'Notice of Hearing', setting out the date, hour and subject of the hearing. The contest shall be heard as quickly as possible. However, the hearing may not be held earlier than the fourth day after the petition is filed. The following are examples of contest date calculations: [OAC 230:20-5-5] [Title 26 OS § 5-122]

April 2018						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

Candidate Filing Period - April 11 - 13

Contest of Candidacy may be filed at any time during the filing period and until 5 p.m. on Tuesday, April 17

A contest of candidacy petition cannot be heard earlier than the fourth day after it is filed. While it is possible for contests of candidacy to be filed during the filing period, it is not common. It is regular practice for the State Election Board to schedule contest hearings on the earliest possible date following the close of the contest period. In this example from 2018, the SEB set a tentative hearing date of Monday, April 23.

**BEFORE THE COUNTY NAME COUNTY ELECTION BOARD  
STATE OF OKLAHOMA**

In the matter of the Contest of the Candidacy of )  
 Name of Contestee )  
 Filed by Name of Petitioner with the ) Cause No.  
 Secretary of the County Election Board on )  
 Month Day, Year )

**NOTICE OF HEARING**

To: Name of Contestee  
 Street Address of Contestee  
 City, State, ZIP Code

You are hereby notified that a Petition in the above-styled cause has been duly filed with the County Name County Election Board as prescribed by law, and a hearing has been set to be held on January 18, 2017, at 10:00 a.m. at the following location:

Location  
 Street Address  
 City

A copy of the petition is attached.

Secretary's Name  
 \_\_\_\_\_, Secretary  
 County Name County Election Board

## 72. Contest of Candidacy hearing

- (a) **Conducting the hearing.** The County Election Board shall convene on the scheduled date of the hearing. The Secretary shall request the presence of the District Attorney or their representative. The County Election Board shall follow the advice of the District Attorney in receiving evidence, hearing testimony and conducting the hearing. The Secretary can administer oaths to witnesses.

Do you swear (or affirm) that the testimony you will give today is true?

- (b) **Decision of County Election Board.** At the conclusion of the hearing, the County Election Board must make its decision by means of a roll call vote taken. The Board then must issue a written decision which reflects the individual vote of each member. A copy of the Findings and Order shall be attached to the County Election Board's minutes of the meeting. [OAC 230:20-5-7]

BEFORE THE County Name COUNTY ELECTION BOARD	
CEB Address	
City, State	
Date	
In the matter of the	) Cause No.
Petition to Contest the Candidacy	)
of Contestee's Name for Title of Office,	)
)	)
County Name County	)
State of Oklahoma	)
<b>FINDINGS AND ORDER</b>	
The above-styled matter was heard by the County Name County Election Board of the State of Oklahoma this Numeral day of Month, Year, meeting pursuant to lawful notice.	
Indicate whether Petitioner was present and represented by counsel and whether Contestee was present and represented by counsel.	
Indicate whether service was performed on the contestee or whether constructive service occurred	
If contestee answers the petition, note that the Answer was filed and a deposit was posted	
The Board admitted evidence and heard arguments in said cause. After having considered all evidence and testimony offered and admitted, and after having heard and considered arguments of Contestee and Petitioner, the Board made the following findings:	
List all findings of the Board in this matter and the Board's decision	
Done this Numeral day of Month, Year, upon the unanimous decision of the County Name County Election Board of the State of Oklahoma as witnessed by their signatures appearing hereafter.	
Printed Name, Chairman	
Printed Name, Vice Chairman	
Printed Name, Secretary	

## 73. Striking a candidacy

If the Board determines that the Contestee was not qualified by law to become a candidate for the office, the Board may order that their candidacy be stricken and that their name not be placed on the ballot. If the Board determines that the candidacy support petition submitted by the Contestee with the Declaration of Candidacy contains enough invalid signatures to render it insufficient, the Board may order the Contestee's name stricken and that their name not be placed on the ballot. [Title 26 OS § 5-127]

## 74. Declaration may be amended

If the Contestee's Declaration of Candidacy may be amended or corrected to conform to law, the Election Board may order the same to be done, if the Board determines such amendment or correction to be proper at the time of its order or decision. [Title 26 OS § 5-128]

## **75. Contestee may answer**

- (a) If the Contestee desires to appear in opposition to the petition, they may file a written answer, or they may appear in person at the hearing. In the event that occurs, the Contestee must post a deposit of \$250.00 in the form of either a cashier's check or certified check at the time they either file the written answer or appear in person. [Title 26 OS § 5-129]
- (b) Neither the State Election Board nor any County Election Board shall hear any Contestee's answer unless the appropriate deposit is provided prior to or at the time of the hearing.
- (c) In the event that more than one (1) Contest of Candidacy is filed against a Contestee, said Contestee shall be required to post only one (1) deposit to answer any or all such petitions. [OAC 230:20-5-10]

## **76. Burden of proof on Petitioner**

The burden of proof shall be upon the Petitioner to sustain the allegations in their petition. However, failure of the Contestee to appear or answer thereto shall be deemed to place her/him in default, and shall constitute an admission of the allegations of the petition. If the board determines that the factual allegations of the petition constitute appropriate grounds for disqualification, such Contestee's candidacy shall be stricken. [Title 26 OS § 5-130]

## **77. Open Meeting Act applies**

A Contest of Candidacy hearing conducted by the State Election Board or by a County Election Board is an official meeting of that board. A meeting to conduct a contest of candidacy hearing shall be called and public notice shall be provided pursuant to the requirements of the Oklahoma Open Meeting Act. [Title 26 OS 2011, Section 301 et seq.]

**Recounts**

**78. Filing for recount; petition, deposit required**

- (a) A recount of the ballots cast in an election may be requested by any candidate in the election. A recount of the ballots cast in a question election may be requested under certain circumstances by any registered voter who voted in the election. A person requesting a recount in a county, school district, municipal or other local election shall file a written petition with the Secretary of the County Election Board before 5:00 p.m. Friday following the election. A person requesting a recount in a state election shall file a written petition with the Secretary of the State Election Board before 5:00 p.m. on Friday following the election. A petition requesting a recount of a candidate race may only be filed by a candidate whose name was printed on the ballot for that election.
- \* (b) A petition requesting a recount shall specify the precincts and absentee ballots to be recounted. The petition also shall specify whether the ballots shall be recounted manually or electronically. Failure to specify a manual recount in the petition shall result in the ballots being recounted by electronic voting device.
- \* (c) A petition requesting a recount shall be accompanied by a deposit in the form of either a cashier's check or a certified check.
- \* (d) A petition requesting a recount of ballots in a question election in which no candidates are involved and a majority is required for approval also shall be accompanied by an appropriate number of signatures of registered voters who voted in the election.
- \* (e) A petition requesting a recount of ballots in a question election in which no candidates are involved and more than a majority is required for approval also shall be accompanied by the appropriate number of signatures of voters who voted in the election as outlined. [Title 26 OS § 8-111]

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\* \* \*

**79. Procedure for Secretary**

At least one (1) week prior to an election, the Secretary of the County Election Board shall set a tentative date and time for a recount hearing to be held and shall consult with the county's District Judge and Associate District Attorney concerning the tentative date and time of a recount hearing. The Secretary shall instruct the Assistant Secretary to notify the Chair and Vice Chair of the County Election Board of the tentative date and time for the hearing.

**80. District Judge's duties**

\* At the time of the recount in the District Courtroom, it is the duty of the presiding District Court Judge to determine whether or not the ballots have been preserved according to law. If the

presiding Judge determines that the ballots have not been preserved according to law, then no recount can be held. [Title 26 OS § 8-112]

### **81. County Election Board assumes jurisdiction**

If the presiding District Court Judge determines that the ballots have been preserved according to law, then the County Election Board assumes jurisdiction to begin the recount as requested in the petition. [Title 26 OS § 8-112]

### **82. Candidate may appoint agent**

Each candidate affected by the recount may commission one (1) agent to represent her/him at each place where a recount is being made. The commission must be filed in writing with the Secretary of the County Election Board. The agent has full authority to act on behalf of the candidate they represent in the absence of the candidate. The candidate or the agent must be present for the recount to begin and must remain in attendance for the recount to proceed. [Title 26 OS § 8-113]

### **83. Conducting the recount**

- (a) **Manual recount.** The County Election Board shall open the ballot transfer box from each requested precinct or for absentee ballots individually and shall assign the ballots to a group of Counters. In the event that provisional ballots were counted in a precinct included in the recount, the provisional ballots shall be recounted with the precinct ballots. Disputed ballots shall be referred to the County Election Board, and its decision shall be final in all cases. Each candidate affected by the recount is entitled to have a Watcher present at each place where a recount is being made.
- (b) **Electronic recount.** The County Election Board shall open the ballot transfer box from each requested precinct or for absentee ballots individually and shall delegate the ballots to the employee assigned to operate the voting device. In the event that provisional ballots were counted in a precinct included in the recount, the provisional ballots shall be recounted with the precinct ballots. Disputed ballots shall be referred to the County Election Board, and its decision shall be final in all cases. Each candidate affected by the recount is entitled to have a Watcher present at each place where a recount is being made. [Title 26 OS § 8-114]

### **84. All ballots must be counted**

When a recount in a particular precinct is initiated, all ballots in the precinct, including any counted provisional ballots, must be counted. The recount shall not be terminated by any party

involved until all ballots for the precinct being recounted have been counted. This provision shall apply to all elections. [Title 26 OS § 8-116.1]

### **85. Stopping the recount**

Should the Petitioner, at any time during the proceeding, desire that the recount be terminated, they may announce the same to the County Election Board. However, should any other candidate desire that the recount continue, their agent may petition the Board immediately, in writing, asking that the recount continue. The petition must be accompanied by a cashier's check or certified check in an amount equal to the deposit made by the Petitioner to conduct the recount. In such event, the recount shall continue without delay until all ballots in the contested race in the county have been counted. **Once a precinct recount has begun, it can NOT be stopped until that precinct has been fully counted.** [Title 26 OS § 8-116]

### **86. Securing the ballots**

After the recount is completed, the ballots shall be replaced in the original ballot transfer box(es). Any provisional ballots counted with a precinct will be included in that precinct ballot transfer box. The Secretary shall seal each transfer box(es) with a short turquoise State Election Board seal. The members of the County Election Board, including the Secretary, shall sign the seal. If ballots from the precinct are to be involved in another recount at a later time, the ballot transfer box shall be returned to the custody of the County Sheriff. [Title 26 OS § 8-110]

### **87. When the recount is finished**

When the recount is complete, the County Election Board shall recess its meeting and shall reconvene in the County Election Board office. The Secretary shall enter the recounted results manually in MESA so that Official Certification Reports for the recounted race can be printed. When these reports have been printed and proofed, the County Election Board members shall certify the recounted election results. [OAC 230:45-3-12] [Title 26 OS § 8-115]

*Software Program - Voter registration*

### **88. Recount results in tie**

In the event that a recount results in a tie vote, the tie shall be resolved as outlined in **Section 65.** [Title 26 OS § 8-115]





## Glossary

**Abandoned Ballot** – In the event the eScan rejects and returns a voter's ballot after the voter leaves the election enclosure, press the Cast Ballot button on the device console to accept the ballot.

**Absentee Ballot** – A ballot that is provided at a voter's request by the County Election Board to be marked and returned to the County Election Board prior to election day. Any voter may request an absentee ballot. The voter is not required to vote the absentee ballot. If a voter brings an absentee ballot to the polling place on election day, the ballot may not be inserted into the voting device and should be destroyed.

**Absentee Ballot Requested** – The words "Absentee Ballot Requested" appear in the signature line in the Precinct Registry beside the name of a voter who requested absentee ballots for the election.

**ATI (Audio Tactile Interface)** – A device attached to the eScan voting device that allows a user to vote without a paper ballot. A headphone jack and adaptive devices jack allow the use of headphones and personal adaptive devices supplied by the voter such as sip and puff device and tactile input switches.



**Audio Tactile Interface (ATI)** – A device attached to the eScan voting device that allows a user to vote without a paper ballot. A headphone jack and adaptive devices jack allow the use of headphones and personal adaptive devices supplied by the voter such as sip and puff device and tactile input switches.

**Auxiliary Precinct Official** – An additional election official who may be assigned as a clerk, judge, provisional voting officer, or other duties as defined by the Secretary of the County Election Board.

**Ballot Issued or Ballot Code** – The County Election Board provides a list of codes to be used at the polling place. The code(s) for the ballot(s) issued to the voter are written in the Ballot Issued column of the Precinct Registry by the Judge and on other forms.

**Ballot Selfie** – A photo of a marked ballot or an individual holding a marked ballot. It is unlawful to post a ballot selfie while in the election enclosure.

**Ballot Transfer Case** – The box used to transport ballots to and from the County Election Board to the polling place. The ballot transfer case(s) are sealed after all ballots (voted and unvoted) have been placed in ballot transfer case(s) after the polls close.

**Clerk** – The Precinct Official whose primary responsibility is to work with the ballots and forms related to ballots.

**Confirm Address** – The words "Confirm Address" may appear in the signature line beside a voter's name.

**Detail & Tally Report** – Reports printed after the polls close. These reports are printed by the voting device when you press the Print Reports button after the polls close. Print the number required by the County Election Board. (Hint: Tear the reports off from the printer each time the printer stops before pressing the Print Reports button for the next set of reports.)

**Discarded Ballot** – A ballot (marked or unmarked) that was found in a voting booth or other location and was not inserted into the eScan.

**EADS** – Electronic Accessibility Delivery System

**Election Enclosure** – The area that encompasses the location where the Precinct Officials sit, the eScan is stationed, and the voting booths are set up on election day.

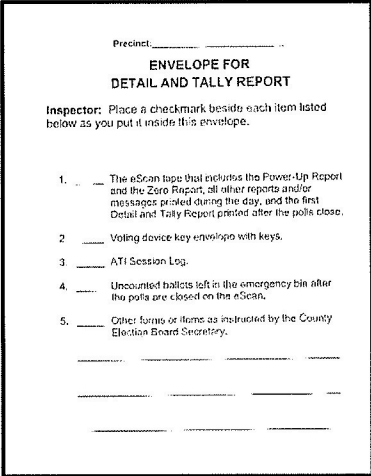
**Electioneering** – Precinct Officials and voters must not talk about parties, candidates, or issues while at the polling place on election day. Do not offer opinions about candidates or issues on the ballot. Do not have printed materials with campaign ads or articles visible. The law prohibits any person from electioneering within 300 feet of any ballot box while an election is in progress. The law also prohibits any person, except election officials and persons who are voting or waiting to vote, from being allowed within 50 feet of any ballot box while an election is in progress. The law further prohibits the posting or exposing of any printed material, other than that material provided by the County Election Board, within 300 feet of any ballot box while an election is in progress.

**Electronic ID** – See Ok Mobile ID in this Glossary.

**Electronic Pollbook** – An **electronic pollbook**, also known as an **e-poll book**, is a combination of hardware and software that allows election officials to review voter registration information for an election, but does not actually count votes. The electronic pollbook is used in place of paper precinct registries. The voter will sign the electronic pollbook rather than the paper precinct registry.

**Envelope for Tally Report** – Envelope provided by the County Election Board to be returned with:

- The first Detail and Tally Report printed after the polls close. This report should also include the Zero Printout. All three Precinct Officials sign this report in the space provided.
- Voting Device Key Envelope with keys
- ATI Session Log



Precinct: \_\_\_\_\_

**ENVELOPE FOR  
DETAIL AND TALLY REPORT**

**Inspector:** Place a checkmark beside each item listed below as you put it inside this envelope.

- The eScan tape that includes the Power-Up Report and the Zero Report, all other reports and/or messages printed during the day, and the first Detail and Tally Report printed after the polls close.
- Voting device key envelope with keys.
- ATI Session Log.
- Unaccounted ballots left in the emergency bin after the polls are closed on the eScan.
- Other forms or items as instructed by the County Election Board Secretary.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**eScan A/T** – A precinct-based digital scanner that is part of the Hart Voting System. The eScan provides features for scanning paper ballots, as well as an external Audio Tactile Interface (ATI) device for voters with disabilities. The eScan is the voting device used in each polling place.

**Inspector** – The Precinct Official who picks up the supplies from the County Election Board office to take to the polling place and returns supplies to the County Election Board office at the end of the election day; works with the voting device; assists voters and completes necessary documentation. The Inspector's responsibility includes verifying that all procedures are followed correctly in the polling place on election day.

**Judge** – The Precinct Official who works with the Precinct Registry and forms related to it; checks proof of identity for every voter.

**Mobile ID** – See Ok Mobile ID in this Glossary.

**Muni** – The abbreviation used in the Precinct Registry for Municipality District.

**Municipality** – A town or city for whom the County Election Board conducts elections.

**Nonpartisan Election** – An election not limited to or based on political affiliation. Examples of nonpartisan elections are judicial elections and school board elections.

**OK Mobile ID** – The Oklahoma Mobile ID/Electronic Driver License is a digital reproduction of the Oklahoma State ID card or Oklahoma Driver License. The OK Mobile ID App can be downloaded on a smartphone. The electronic ID includes the following features:

- The picture moves from side to side (left and right).
- There is a portrait view that shows both the front and back of the ID/license.
- When the screen is rotated to the side, the front of the ID/license is displayed. The voter can swipe left to show the back.
- There is a certify button that when tapped will display a spinning graphic that will move from the background to the foreground and back. The graphic spins forward.

Only the OK Mobile ID/Electronic Driver License is valid as a digital form of ID. A picture of any ID card or Driver License is NOT valid as a form of ID to vote.

**Overseas Voter** – A United States citizen and resident of Oklahoma who lives outside the territorial limits of the United States who is absent from the United States, or a spouse or dependent of an overseas voter who is 18 years of age or older. The voter does not need to be registered to vote in Oklahoma but must be qualified to register.

**Partisan Election** – An election held for registered members of a specific political party. Primary elections and Run-off primary elections are examples of partisan elections.

**Political Affiliation** – The political party or organization with which a voter or candidate claims affiliation. Those who claim no party are designated as "Independents." Those who claim a party or organization not officially recognized in Oklahoma are designated as "Independents."

**Polling Place** – The physical location designated by the County Election Board for persons registered to vote within a specific geographical area, known as a precinct, to vote on election day.

**Pollsters** – Persons conducting exit polls within 300 feet of a ballot box as authorized by the Secretary of the County Election Board and of whom the Secretary of the County Election Board has made the Inspector aware.

**Precinct** – A geographical area within a County. Counties are divided into precincts to provide a geographic structure for the conduct of elections.

**Precinct Registry** – Document containing the name and voter registration information for the registered voters in the precinct. The Precinct Registry is used on election day to verify voter registration and to determine which ballot(s) a voter is eligible to receive. The Precinct Registry is arranged alphabetically in all elections, but is separated by political affiliation for primary elections.

**Proof of Identity** – A form of personal identification that meets the requirements listed in Oklahoma Statutes. The document shows the name of the person to whom the document was issued and must substantially conform to the name in the Precinct Registry. If the ID has an expiration date, the expiration date must be later than the date of the election. The voter may meet the requirement in **one** of the following ways:

- Photo identification issued by the State of Oklahoma, the United States government, or a federally recognized tribal government.
- Voter ID card issued by the County Election Board.
- Provisional Affidavit. The voter may vote a provisional ballot.

**Provisional Ballot** – A ballot issued to a voter when there are questions about the voter's eligibility to vote. It is used for a voter who does not provide an acceptable form of proof of identity; who is not listed in the Precinct Registry; who disputes the party, school district, or municipality listed in the Precinct Registry but who claims to reside within the geographical boundaries of the precinct and who claims to be registered and eligible to vote in the election. A provisional ballot is not scanned into the voting machine, but is sealed in an envelope with other documents for special handling by the County Election Board to determine if the ballot can be counted.

**Provisional Ballot Affidavit** – The tan Affidavit that is signed by the voter which allows a voter to vote provisionally. The information provided on this Affidavit along with voter registration documents at the County Election Board allows the County Election Board to determine if the voter's ballot will be counted.

**Provisional Ballots Bag (orange)** – Receptacle containing all provisional voting materials that have been voted. The orange Provisional Ballot Bag is returned to the County Election Board on election day after the polls are closed.

**Provisional Ballot Materials envelope** – The envelope where all provisional voting materials for a specific voter are placed and sealed. The contents of the envelope are:

- Oklahoma Provisional Ballot Affidavit
- Oklahoma Voter Registration Application, if applicable
- Voter's marked Ballot(s) sealed in the Ballots envelope
- Provisional Ballot Voucher

**Provisional Ballot Roster** – Names and signatures of persons who voted by provisional ballot at the polling place. Provisional voters do not sign the Precinct Registry. The Provisional Ballot Roster is returned to the County Election Board in the clear side pocket on the orange Provisional Ballots Bag.

**Provisional Voting Officer (PVO)** – The official designated by the County Election Board to work with voters who need to vote provisionally. In most counties and for most elections, the Inspector serves in this capacity.

**Provisional Ballot Voucher** – A form completed by the Judge for a person that needs to vote provisionally. The information from the Precinct Registry is printed on the Voucher. The Judge circles the reason(s) the voter needs to vote provisionally. If the person's name is not listed in the Precinct Registry, the Judge circles "Not in Registry" and records the information provided by the voter.

**PVO** – An abbreviation for Provisional Voting Officer.

**School** – The designation in the Precinct Registry for the School District.

**Spoiled Ballot** – A ballot the voter says has been marked incorrectly, cannot be read by the voting device, or is damaged by either the voter or the voting device.

**Spoiled and Discarded Ballots bag (yellow)** – Receptacle containing all spoiled and discarded ballots. The bag should contain:

- Spoiled ballots torn into pieces
- Absentee Ballots brought to the polling place on election day that have been torn or cut
- Discarded ballots found in the polling place that have been folded in half.

The yellow Spoiled and Discarded Ballots bag is returned to the County Election Board on election day after the polls are closed.

**Substantially Conform** – A voter's name on the proof of identity must "match" the voter's name in MESA or the Precinct Registry. For example, James Edward Doe may appear on the registry

as Jim Ed Doe. Common, generally recognized shortenings or abbreviations of a first or middle name are acceptable.

**TC** – The abbreviation used in the Precinct Registry for the Technology Center School District.

**Uniformed Services Voter** – A United States citizen and resident of Oklahoma who is a member of one of the uniformed services of the United States, of the merchant marines, a deployed member of the Oklahoma National Guard, or the spouse or dependent of such voter who is 18 years of age or older. The voter does not have to be registered to vote but must be qualified to register.

**US/OV** – An abbreviation for a Uniformed Services or Overseas Voter.

**Voter Assistance** – Some voters are entitled to special assistance while voting. Special procedures are in place for physically disabled or infirm voters to vote outside the polling place and special assistance is provided to blind or visually disabled, physically disabled, or illiterate voters. All voters are entitled to use the Audio Tactile Interface (ATI) component of the voting device. The ATI provides an audio version of the ballot(s) available at the polling place and a mechanical method to navigate the ballot, make selections, and to cast the voted ballot(s). See pages 42 – 47.

**Voting Device** – The machine where voters insert marked ballots. The device scans paper ballots and counts the votes. Voters may also vote by listening to an audio ballot allowing the voter to make selections through an electronic interface.

**Watchers** – May sometimes be commissioned by a candidate or a political party to watch the voting device used in the precinct. If a Watcher is authorized for a polling place, the Secretary of the County Election Board will inform the Inspector. Watchers must follow specific rules.

**Zero Report** – A report printed by the voting device when opening the polls. The report lists all races and shows that the beginning vote count is zero (0) for each race.

## Special Election Days

### Special election days in **even-numbered** years

January	Second Tuesday	August	Fourth Tuesday
February	Second Tuesday	September	No elections permitted
March	First Tuesday	October	No elections permitted
April	First Tuesday	November	First Tuesday after first Monday
May	No elections permitted	December	No elections permitted
June	Third Tuesday		
July	No elections permitted		

### Special Election days in **odd-numbered** years

January	Second Tuesday	August	Second Tuesday
February	Second Tuesday	September	Second Tuesday
March	First Tuesday	October	Second Tuesday
April	First Tuesday	November	Second Tuesday
May	Second Tuesday	December	No elections permitted <sup>1</sup>
June	Second Tuesday		
July	Second Tuesday		

[Title 26 OS § 3-101]

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<sup>1</sup> A municipality with population in excess of 250,000, according to the most recent federal decennial census, is permitted to hold an election on the second Tuesday in December. No other entity may hold an election in December.

## Possible County Election Board Meeting Dates

2023 – 2027 Term

<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
Term Begins	9-Jan	14-Jan	13-Jan	12-Jan
9-May	12-Jan	17-Jan	16-Jan	15-Jan
12-May	13-Feb	11-Feb	10-Feb	9-Feb
5-Jun	16-Feb	14-Feb	13-Feb	12-Feb
13-Jun	5-Mar	4-Mar	3-Mar	2-Mar
16-Jun	8-Mar	7-Mar	6-Mar	5-Mar
11-Jul	2-Apr	1-Apr	7-Apr	6-Apr
14-Jul	5-Apr	4-Apr	10-Apr	9-Apr
8-Aug	18-Jun	13-May	30-Jun	Term Ends
11-Aug	21-Jun	16-May	3-Jul	
12-Sep	27-Aug	10-Jun	25-Aug	
15-Sep	30-Aug	13-Jun	28-Aug	
10-Oct	5-Nov	8-Jul	3-Nov	
13-Oct	8-Nov	11-Jul	6-Nov	
14-Nov		12-Aug		
17-Nov		15-Aug		
12-Dec		9-Sep		
15-Dec		12-Sep		
		14-Oct		
		17-Oct		
		18-Nov		
		21-Nov		
		9-Dec		
		12-Dec		

\*\*Dates in red are state elections