

Polling Place Procedures Manual



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Polling Place Procedures Manual

Table of Contents

| | |
|--|-----------|
| Chapter 1. Introduction | 5 |
| A. Overview | 5 |
| B. Definitions | 5 |
| Chapter II. Before the Polls Open | 6 |
| A. Election Team..... | 6 |
| B. No solicitation zone..... | 6 |
| C. Polling room layout | 6 |
| D. Set-up..... | 6 |
| E. Signage | 7 |
| Chapter III. In the Polling Room | 8 |
| A. Who is allowed in the polling room..... | 8 |
| B. Who is not allowed in the polling room..... | 8 |
| C. Election team | 8 |
| D. Voters..... | 9 |
| E. Poll watchers | 9 |
| F. Order at the polls..... | 9 |
| G. Photography prohibited..... | 10 |
| H. Solicitation restrictions | 10 |
| Chapter IV. Voter Check-in | 11 |
| A. Photo identification | 11 |
| B. Name | 11 |
| C. Address..... | 12 |
| D. Signature | 12 |
| E. Eligible to vote..... | 13 |
| F. Address change. | 13 |
| 1. Within county..... | 13 |
| 2. From outside county | 13 |
| 3. Protected address | 14 |

Polling Place Procedures Manual

| | |
|--|-----------|
| 4. Change of polling place | 14 |
| G. Name change | 14 |
| H. Challenge to voter’s right to vote | 15 |
| Chapter V. Voting Process | 16 |
| A. Primary election | 16 |
| B. Provisional ballot..... | 16 |
| 1. Right to vote..... | 16 |
| 2. Notice of rights/instructions..... | 17 |
| 3. How to vote and process provisional ballot - optical scan machine | 17 |
| 4. How to vote and process provisional ballot - touchscreen machine | 18 |
| C. Voter leaves uncast ballot..... | 18 |
| D. Voter needs another ballot..... | 18 |
| E. Voter needs help to vote..... | 18 |
| F. Voter needs help on how to mark ballot or use equipment..... | 19 |
| G. Voter requests language assistance | 19 |
| H. Voter tries to take ballot from polling room | 19 |
| I. Voter who requested vote-by-mail ballot goes to polls | 20 |
| J. Voter is upset | 20 |
| K. Spoiled ballot..... | 21 |
| Chapter VI. Voters with Disabilities..... | 22 |
| A. Overview | 22 |
| B. Hearing | 22 |
| C. Mobility | 23 |
| D. Sight | 23 |
| E. Speech and communication | 24 |
| Chapter VII. Voting Systems Operation | 25 |
| A. Overview | 25 |
| B. Optical scan voting devices | 25 |
| C. Touchscreen voting devices | 26 |

Polling Place Procedures Manual

| | |
|---|-----------|
| D. Ballot marking devices | 26 |
| Chapter VIII. Closing the Polls | 27 |
| A. Announcement..... | 27 |
| B. Voters in line at close of polls | 27 |
| C. Securing voting equipment | 27 |
| D. Ballot accounting | 27 |
| 1. Overview | 27 |
| 2. Counties using optical scan and touch screen voting systems..... | 27 |
| 3. Counties using ballot-on-demand for early voting and Election Day..... | 28 |
| Chapter IX. Contingency | 29 |
| A. Security..... | 29 |
| B. Emergency event..... | 29 |
| Index..... | 30 |

Polling Place Procedures Manual

Chapter I. Introduction

A. Overview

This manual is for use by the election team at the polls during the early voting period and on Election Day. All forms referenced herein should be in the supplemental election materials provided as part of training and early voting and Election Day packets.

B. Definitions

The following definitions apply to terms used herein:

Clerk: This is the person who is in charge of a polling place during an election. The term also refers to the supervisor or site manager at early voting sites.

Deputy: This is the person who has been deputized by the sheriff who is present at all times the polls or early voting site are open and who is charged with maintaining good order at the polls and early voting sites.

Polling Place: The building which contains the polling room where either early voting or Election Day voting occurs. On Election Day, a polling place is designated for each precinct.

Polling Room: This is the room (or in the case of early voting, the area designated) in which ballots are cast on Election Day and during early voting.

Poll Workers: Clerks, inspectors, equipment managers, ballot managers, and assistants.

Precinct: This refers to geographic areas that local government has divided for election purposes. The voter's residential address within a particular geographic area determines which issues and offices a voter can vote upon in an election.

Precinct Register: Precinct register refers to either the computer printout or electronic database (or more commonly referred to as an electronic poll book). (*Section 98.461(2), Florida Statutes*).

Uniformed Services Members: This term includes any member of the Army, Navy, Air Force, Marine Corps, and Coast Guard, the commissioned corps of the Public Health Service (PHS), and the commissioned corps of the National Oceanic and Atmospheric Administration (NOAA).

Vote-by-Mail Ballot: Formerly referred to as the absentee ballot, this term refers to a ballot cast without going to the polls to vote.

Voting Area: This is the area designated by the supervisor of elections at the early voting or Election Day voting sites where voting activities occur including, but not limited, to the area where voters are in line waiting to be processed, check in and are processed; and cast their ballots.

Polling Place Procedures Manual

Chapter II. Before Polls Open

(Sections 101.5610, 102.012, Fla. Stat.)

A. Election team

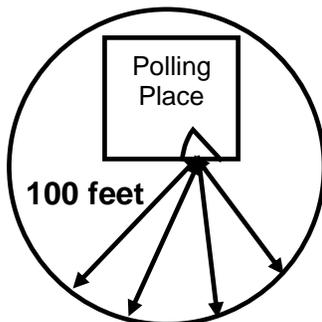
(Sections 101.5610, 102.012, Fla. Stat.)

The election team consists of the election board and the deputy or deputies. The election board consists of all assigned poll workers who serve as clerks or inspectors for each precinct. The election board focuses on election issues inside the polling room. The deputy organizes the process outside the polling room during the early voting period and on Election Day.

On Election Day, the election team must arrive at its assigned polling place no later than 6 a.m. in order to set up the room. Everything must be set up and the polls ready to open by 7 a.m. For the early voting period, opening and closing hours may vary by site, follow the directions given to you by the supervisor of elections.

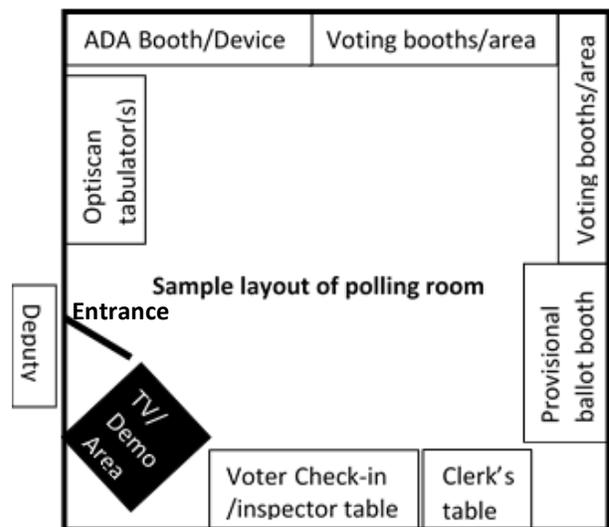
B. No solicitation zone

The clerk or supervisor of elections must designate the 100-foot no-solicitation zone and mark, in all feasible directions from the polling place entrance, the boundaries. See *Section H. Solicitation restrictions (Chapter III)*



C. Polling room layout

The following is a generic recommended layout for a polling room. Not all polling rooms need to or can be arranged the same as it may depend on the size, location, and shape of the polling room. Voting booths may be placed also in the middle in rows.



D. Set-up

The election board must compare the ballots or the ballot information to be used in the voting devices with the sample ballots furnished and certify in writing that the names, numbers and letters agree.

At a minimum, take the following steps before polls open:

- Arrange furniture, precinct supplies, and voting equipment.

Polling Place Procedures Manual

- Set up the accessible voting equipment for persons with disabilities. Check that equipment works and keep it operational throughout the voting day, even if you do not expect anyone to use this equipment. Someone should be familiar with how the accessible equipment works.
- Set up the voting booths in a way voters cannot see each other's ballots.
- Ensure that paths of travel, doorways, hallways, entrances, and voting areas are clear and accessible:
 - Add directional signs.
 - Keep cords, cables, wires and other tripping hazards out of the way.
 - Remove barriers, objects, furniture or other obstacles to easy and safe access.
- Make sure all requisite supplies, forms, and documents are available.

E. Signage

Display or make available all required notices and instructions where they can be easily seen and read before voters check in at the clerk's table. This may be set up as a voter information board or kiosk.

Required notices include but are not limited to:

- Voter's Bill of Rights and Responsibilities (DS-DE 20 and DS-DE 21, eff. 01.06); Section 101.31(1), Fla. Stat.)

- Notice of Instructions to Voters (DS-DE 68, eff. 03-2018, Appendix A; Section 101.31(1), Fla. Stat.)
- Specific instructions on manner of voting on voting system (Section 101.5611(1), Fla. Stat.)
- Notice of Use of Accessible Voting Equipment indicating that only persons with disabilities have the option of voting on a touch screen machine or ballot marking device which allows persons with disabilities to vote without assistance. (Section 101.5611(1), Fla. Stat.)
- Notice that reads: "A person who commits or attempts to commit any fraud in connection with voting, votes a fraudulent ballot, or votes more than once in an election can be convicted of a felony of the third degree and fined up to \$5,000, and/or imprisoned for up to 5 years." (Section 101.5611(2), Fla. Stat.)
- Constitutional amendment booklets including summary of the financial information statements for initiatives, if applicable. (Section 100.371(5), Fla. Stat.)
- Sample ballots for inspection (Section 101.20, Fla. Stat.)
- Signage identifying an accessible path of travel to the polling place if it differs from the primary route or entrance. (Section 101.71(4), Fla. Stat.)
- If a polling room has security cameras which have been disabled or are non-operational, the following notice must be posted: "Camera is non-operational during voting hours."

Polling Place Procedures Manual

Chapter III. In the Polling Room

A. Who is allowed in the polling room? *(Sections 101.051, 102.031(3), Fla. Stat.)*

While the polls are open, the only persons allowed in the polling room on Election Day or during the early voting period are:

- Poll workers
- The supervisor of elections or deputy supervisor of elections
- Voters who are present to vote
- A person (such as an elderly person or a child) in the care of a voter
- A person caring for a voter or assisting a voter (for example, someone assisting a voter who cannot read or does not speak English or assisting an elderly person or a person with disabilities)
- A person who is helping with or participating in a simulated election for minors which has been approved by the supervisor of elections (for example, the Kids Voting program)
- Poll watchers approved by the supervisor of elections
- Election observers appointed by the Department of State

The public is allowed to enter the polling room and watch the procedures before the polls open and after the polls close and all voters have cast their ballots.

B. Who is not allowed in the polling room? *(Section 102.031, Fla. Stat.)*

While the polls are open, the following persons or activities *are not* allowed in the polling room on Election Day or during the early voting period:

- Candidates, except to vote
- Members of the media, except to vote
- Law enforcement officers or emergency service personnel in a capacity other than as voter, unless permitted by the clerk or a majority of the election board

If the polling room is in a location commonly used by the public to gain access to businesses or homes (such as the lobby of a condominium) or in an area traditionally used as public area for discussion (such as a mall), there may be other people traveling through the polling area. However, care should be taken that these people do not interfere with the voting process.

C. Election team

The election team should wear identification badges. This will help to distinguish them from poll watchers. It will also make it easier for voters to identify and seek information or help from a poll worker or election staff. Poll workers and staff should refrain from use of personal electronics or other distractions so they can focus their attention on the voters.

Poll workers and election staff must remain nonpartisan while on duty during the early voting period and on Election Day.

- DO NOT wear campaign buttons, shirts, hats, or

Polling Place Procedures Manual

any other items that are politically oriented.

- DO NOT discuss any candidate, political party, issue, or any related topic with other poll workers, poll watchers, or voters.

D. Voters

Voters may bring in pre-marked sample ballots or campaign literature for their personal use. They *may not* use these to campaign inside the polling place or within 100 feet of the entrance to the polling place.

Voters may wear campaign buttons, shirts, hats, or any other campaign items when they enter the polling place to vote.

After each voter leaves, a poll worker must check the voting booth for uncast ballots and campaign or other materials left behind. Poll workers must remove and discard any sample ballots or campaign material left by a voter in the polling place. Follow the procedure in *Section C. Voter leaves uncast ballot (Chapter V. Voting Process)*.

E. Poll watchers

(Sections 101.111, 101.131, 101.23, 102.031(3), Fla. Stat.)

Political parties, candidates and some political committees are allowed to have poll watchers in each polling room during the early voting period and on Election Day. The supervisor of elections will provide each polling place a list of the names of poll watchers he or she has pre-approved.

Approved poll watchers may roam and are allowed in all polling locations within the county designated. However, each political party, candidate or political

committee may have only one poll watcher present at any one time in each polling room when the polls are open on Election Day, or during designated early voting hours.

While in the polling room, poll watchers:

- Must wear their identification badges
- Are allowed to observe the conduct of the election. They *may not* obstruct the orderly conduct of the election
- May observe the voter check-in process. They *may not* come closer to the inspectors' table or the voting booths than is reasonably necessary to perform the poll watcher's functions
- May not speak to or otherwise interact with voters
- May make written voter challenges with the precinct clerk
- Are not allowed to wear campaign buttons, shirts, hats, or other campaign items
- May bring in and use mobile electronic devices but may not take photos
- Should pose any questions regarding polling place procedures to the clerk for resolution

F. Order at the polls

(Section 102.031, Fla. Stat.)

The supervisor of elections or the election board may take any reasonable action to ensure order is maintained at the polling place. Law enforcement officers may be called upon to remove disruptive persons from the polling room or the no-solicitation zone.

Polling Place Procedures Manual

G. Photography prohibited

(Section 102.031, Fla. Stat.; DE AO 12-13)

No photography by any means is allowed in the polling room or early voting area. This prohibition also applies to operational security cameras within the polling room. If they remain operational, they must be covered so voters, voting and ballots are not recorded in violation of privacy. If cameras are not operational, a notice must be posted notifying voters that the camera is not in use during voting hours.

While poll watchers may use mobile electronic devices in the polls in a non-disruptive manner while performing their poll watcher duties, they may not use the camera function in the polling room or early voting area.

H. Solicitation restrictions

(Sections 101.051(2), 102.031, Fla. Stat.)

No person or group may solicit voters:

- Within 100 feet of the entrance to the polling place or early voting site
- Inside the polling place

Exit polling by media or others is the **only exception** to the no-solicitation law. Exit pollsters may approach voters only *after* voters leave the polling place.

“Solicit” and “solicitation” include:

- Asking someone for his or her vote
- Offering to assist someone to vote
- Asking for someone’s opinion
- Asking for a contribution

- Displaying political advertisements or campaign materials, except for voters who, without loitering, directly enter and exit the polling place when they are present to vote. Voters may wear campaign buttons, shirts, hats or other paraphernalia
- Distributing any political or campaign material or handout
- Conducting a poll [exit polling excepted]
- Asking someone to sign a petition
- Selling any type of item

Polling Place Procedures Manual

Chapter IV. Voter Check-in

A. Photo identification

(Sections 101.23, 101.043, 101.045, 101.49, Fla. Stat.)

1. When a voter presents to vote, ask the voter for a current and valid photo ID and signature. Only the following forms of photo ID are acceptable by law:

- Florida driver license
- Florida ID card issued by the Department of Highway Safety and Motor Vehicles
- U.S. passport
- Debit/credit card
- Military ID
- Student ID
- Retirement center ID
- Neighborhood association ID
- Public assistance ID (Social Security or other social services)
- Veteran health ID card issued by the U.S. Department of Veterans Affairs
- License to carry a concealed weapon or firearm issued pursuant to section 790.06, Fla. Stat.
- Employee ID card issued by any branch, department, agency, or entity of the Federal Government, the state, county, or a municipality

Note: A voter is allowed to present one ID that includes the photo and signature (e.g., Florida driver license) or a photo ID and a separate signature ID. For example, a student ID with a photo and a credit card with the voter's signature.

2. Compare the person in the photo to the voter.
 - If determined to be the same person, proceed to *Section B. Name*.
 - If you doubt they are the same person, the voter shall be allowed to vote a provisional ballot. Follow the procedure in *Section B. Provisional Ballot (Chapter V. Voting Process)*.
 - If the voter does not present the proper photo and signature ID, he or she shall still be allowed to vote a provisional ballot. Follow the procedure in *Section B. Provisional Ballot (Chapter V. Voting Process)*

Note: No voter should be turned away from voting for lack of photo identification. Allow the voter to cast a provisional ballot.

B. Name

(Sections _____ Fla. Stat.)

1. Search for the voter's name in the precinct register. If the voter's name is in the precinct register, proceed to *Section C*.

Search tips - examples

Hyphenated names - Mary Smith-Collins: "Smith Collins", "Smith," and "Collins."

Multiple or ethnic surnames Maria Morena de Arroyo: "deArroyo", "Arroyo," or "Moreno."

Similar or same names - Thomas Jones, Sr. versus Thomas Jones, Jr. (father, son) or Terriyana and Terriana or Ethan and Evan Smith (twins).

2. If the voter's name cannot be found on the precinct register, the inspector shall:

Polling Place Procedures Manual

- Recheck for name variations.
- Ask the voter if the voter’s name or address has changed:
 - If the voter’s name has changed, first follow the procedure in *Section G. Name Change in this chapter* before continuing with the voter check-in process.
 - If the voter’s address has changed, first follow the procedure in *Section F. Address Change in this chapter* before continuing with the voter check-in process.
- Contact the supervisor’s office or, if available at the precinct, check the master list of registered voters.
 - If voter is found to be eligible to vote and in the proper precinct, he or she may continue with the voter check-in process.
 - If voter is eligible to vote but assigned to another precinct, the clerk shall direct the voter to the proper precinct. If voter’s address has changed, follow the procedure for *Address Change*, on page X. If voter’s address has not changed but voter insists on voting in the incorrect precinct, follow the procedure in *Section B. Provisional Ballot (Chapter V)*.
 - If voter is an unverified voter [i.e., someone whose Florida driver’s license number, Florida identification card number or last four digits of social security card could not be verified by the State], follow the procedure in Section B. *Provisional Ballot (Chapter V)*.

- If voter is not registered or eligible to vote, but the voter believes he or she is, follow the procedure in Section B. *Provisional Ballot (Chapter V)*.

If you cannot get in contact with the supervisor of elections’ office to determine more about the voter’s eligibility, follow the procedure in Section B. *Provisional Ballot (Chapter V)*.

C. Address

(Sections 101.043(1), 101.045, Fla. Stat.)

1. Ask each voter (if you have not already asked before an ID was presented) if he or she has any address change or update to make. If the address on the photo ID presented is the same as the one on the precinct register, proceed to *Section D. Signature* in this chapter. Otherwise proceed to paragraph 2.

Note: The address listed on the precinct register is presumptively the voter’s residence until the voter states otherwise. If the address on voter’s photo ID is different from the precinct register, you may not use that difference as the sole basis to confirm or to otherwise challenge a voter’s legal residence address.

2. Follow the steps below in response to address question:
 - If the voter responds **yes** to the question, follow the procedure in Section F. *Address Change* in this chapter.
 - If the voter responds **no** to the question, then proceed to Section D. *Signature* in this chapter.

Polling Place Procedures Manual

- If the voter cannot recall or is uncertain if his or her address on record is current, ask him or her to recite or otherwise to show you his or her current address to compare with the one on record.
3. If the voter's address is **address protected**, follow special procedures established by the supervisor of elections to allow voter to disclose address in a confidential and discreet manner.

D. Signature

(Sections 98.461, 101.49, and 101.5608(1), Fla. Stat.)

The voter must sign the precinct register, electronic signature pad, or the early voting certificate, whichever is applicable. The precinct register must contain space or allow for voter's signature and for witnessing clerk's or inspector's initials.

1. Compare the voter's signature to the signature on the identification. If a signature match is determined, proceed to *Section E*.
2. If the signature signed by the voter differs from the one on the ID or they do not appear to match, instruct the voter to complete a signature affidavit before completing the *Voter Check-in* process.
3. If the person does not complete the affidavit, follow the procedure in Section B. *Provisional Ballot* (Chapter V).

E. Eligible to vote

(Sections 101.045, 101.5608, Fla. Stat.)

If the voter is in the proper precinct (if voting on Election Day), and it has been established that the

voter is eligible and entitled to vote, allow the voter to vote a regular ballot.

1. Give the voter his or her proper ballot with a secrecy sleeve and check, if applicable, that all pages of a multi-page ballot are included.
2. If a voter requests assistance, follow the procedure for Sections E, F, and G in Chapter V. *Voting Process*. If a voter asks to vote on a touch screen, do not question the existence, nature or extent of his or her disability. Signage should already be posted stating that only persons with disabilities have the option to vote on a touchscreen. (See Section 101.56075, Fla. Stat.)

F. Address change

(Section 101.045(2), Fla. Stat.)

If the voter's name appears on the precinct register but the voter indicates a change or different address than the address listed, follow these procedures:

1. **Within county.** If the voter is only making an in-county address change, instruct the voter to complete an affirmation or voter registration application. Once the voter has completed the form and the voter's new address is determined to be in the same polling place, continue with the voter check-in process.
2. **From outside county.** If the voter has moved from another Florida county, follow the applicable procedures:
 - **Precincts using electronic poll books.** Instruct the voter to complete an address change affirmation or voter registration application. Once the voter has completed the form and the voter's new address is

Polling Place Procedures Manual

determined to be in the same polling place, continue with the *Voter Check-in* process and allow the voter to vote a regular ballot.

- **Precincts using paper precinct registers.** The voter shall be allowed to vote a provisional ballot (see exception below). Follow the procedure in Section B. *Provisional Ballot (Chapter V. Voting Process)*. The voter does not need to fill out a separate address change affirmation or voter registration form. The provisional ballot certificate affirmation may be copied and used for that purpose. Note that if the voter's new address corresponds to a different precinct or polling place, direct the voter to that precinct or polling place to vote.
 - **Exception:** For active uniformed services members or their family members moving in from another Florida county, allow the voter to make the address change on an affirmation or a voter registration application before voting a regular ballot.
- 3. Protected address.** If a voter's address is marked on the precinct register as address-protected, follow special procedures established by the supervisor of elections to allow voter to make and disclose current address and if necessary, make address change in a confidential and discreet manner.
- 4. Change of polling place.** If a voter is voting on Election Day and the voter's change of address results in a change of polling place, the clerk must direct the voter to the proper polling place corresponding to his or her new precinct. If the voter is not in the proper precinct but insists that he or she is, follow the procedure in Section B.

Provisional Ballot (Chapter V).

Note: Each precinct must be provided with information which will enable the clerks to direct voters to the proper precinct on Election Day such as:

- A county map showing precinct boundaries and polling place locations,
- A street index of the county with a polling place list, or,
- Any source (other than a contact with the supervisor of elections' office) that provides information indicating where a voter should vote based on his or her address.

G. Name change

(Section 101.045(2), Fla. Stat.)

If the voter's former name appears on the precinct register, instruct the voter to complete an affirmation or a voter registration application for a name change before continuing the *Voter Check-in* process.

If the voter's former name is not on the precinct register, call the supervisor of elections' office or access a master list of registered voters to determine if the person is eligible to vote. If the person is eligible and in the proper precinct, instruct the voter to complete an affirmation or voter registration application for a name change before continuing the voter-check-in process. Otherwise proceed to Chapter V. *Voting Process*

Polling Place Procedures Manual

H. Challenge to voter's right to vote

(Section 101.111, Fla. Stat.)

A voter's right to vote may be challenged at the polling place, or in advance in which case there will be a notation on the precinct register. A challenger must complete a written "Oath of Person Entering Challenge" form.

A challenged voter must be immediately presented with a copy of the written challenge. Except as provided below, the challenged voter shall be allowed to vote a provisional ballot. See Section B. *Provisional Ballot (Chapter V)*.

Exception: If the sole basis of a challenge is that the voter's legal residence is not in the precinct, the challenged voter shall be first given the opportunity to do a change of address. Follow the procedures in Section F. *Address change (Chapter IV)* before continuing the voter check-in process.

Polling Place Procedures Manual

Chapter V. Voting Process

A. Primary election

(Sections 97.055, 100.061, 101.021, Fla. Stat; Section 5, Article VI, Fla. Const.)

Florida is a closed primary election state. This means that only voters who are registered members of political parties may vote in contests for their party's candidates or nominees for an office in a primary election including in a presidential preference primary election.

All voters, regardless of party affiliation or no party affiliation may also vote for nonpartisan offices and public measures in a primary election.

There are times when a "universal primary" contest may appear on a primary ballot. This means that all the candidates or nominees in the contest are from the same party and they will face no opposition in the general election. When that happens, all voters, regardless of whether the voter is registered with or without a party affiliation, may vote in that contest.

While a voter may submit a party change at the polls in a primary election, it will not take effect until the next election.

Be sure that the voter is given the proper ballot based on his or her latest party affiliation within the registration record.

B. Provisional ballot

(Sections 101.048, 101.049, 101.111, Fla. Stat.)

1. Right to vote a provisional ballot. The following persons must be offered and allowed to

vote a provisional ballot:

- A voter who does not produce an acceptable form of photo ID with signature or a photo ID and a signature ID.
- A voter whose Florida driver's license number or Florida identification card number, or the last 4 digits of the social security number has not been verified.
- A person whose signature on the precinct register, electronic device or early voting certificate differs from that on the identification presented and the person refuses to complete a signature affidavit.
- A voter whose identity is in question based on the photo identification provided.
- A person whose name is not on the precinct register and the poll worker is unable to verify whether or not the person is a registered voter of the state.
- A person whose name is not on the precinct register and the poll worker verifies that the person is not registered in the state, but the person maintains that he or she is entitled to vote.
- A registered voter who is not otherwise allowed to make an out-of-county address change at the polls.
- A registered voter who is required but refuses to execute an address change on an affirmation or voter registration application in order to vote a regular ballot.
- A voter whose name is on the precinct register with an indication that he or she requested a vote-by-mail ballot and the poll worker is unable

Polling Place Procedures Manual

to verify whether the vote-by-mail ballot has been returned and received by the supervisor of elections.

- A voter whose name is on the precinct register with an indication that he or she requested a vote-by-mail ballot and the poll worker confirms that the supervisor of elections has received the voted vote-by-mail ballot, but the voter maintains that he or she has not returned the vote-by-mail ballot.
- A voter whose name is on the precinct register with an indication that he or she voted early but the voter maintains he or she has not already voted in this election.
- A person whose name is not on the precinct register and who has completed either the change of name or change of residence affirmation but the poll worker is unable to verify whether the person is a registered voter of the state.
- A voter who has been challenged except in specific cases of address changes.
- A voter who votes on or after the normal poll closing time pursuant to a court or other order extending the polling hours.
- Any person for whom you are unable to get through to the supervisor of elections' office to determine if person is eligible to vote.

2. Notice of rights/instructions. Each person voting a provisional ballot must be given the written notice and instructions required by law that tell the voter about his or her:

- Right to present further written evidence (if he or she so chooses) that supports his/her

eligibility to vote to the supervisor of elections by no later than 5 p.m. on the second day following the election.

- Right to find out after the election whether the provisional ballot was counted and if not, the reason why.

3. How to vote and process a provisional ballot on an optical scan system. Once a voter has completed a provisional ballot, the voter must complete and sign in front of the poll worker the Provisional Ballot Voter's Certificate and Affirmation.

The poll worker who witnessed the voter's signature must also sign the same form and indicate the:

- Election date
- Precinct or ballot style
- Specific reason(s) the voter is voting a provisional ballot.

The voter must place the voted provisional ballot into the secrecy envelope, place the secrecy envelope in the provisional ballot envelope and seal the envelope. If the form is not a part of the envelope, the completed form must be attached to the envelope. The sealed provisional ballot envelope must then be placed in a ballot box.

All provisional ballots must remain sealed in their envelopes and must be returned to the supervisor of elections after the polls close.

Note:

- Do not put the provisional ballot through the tabulating equipment at the polls.
- If a court order extends polling hours past

Polling Place Procedures Manual

the regularly scheduled hours, keep all provisional ballots voted as a result of the polling hours being extended separate from other provisional ballots cast during regular voting hours.

4. How to vote and process a provisional ballot on a touch screen system. The voter must complete and sign in front of the poll worker the applicable Provisional Ballot Voter's Certificate and Affirmation.

The poll worker who witnessed the voter's signature must also sign the same form and indicate the:

- Election date
- Precinct or ballot style
- Unique provisional ballot number
- Specific reason(s) the voter is voting a provisional ballot

The voter is then allowed to vote the provisional ballot on the touch screen machine using procedures for the specific voting system.

C. Voter leaves uncast ballot

For optical scan systems, if a voter leaves the polling room and leaves his or her ballot in the voting booth without placing it in the tabulating equipment, two poll workers of different party affiliation, where possible, shall put the ballot through the tabulating equipment. If the ballot is rejected by the tabulating equipment, the poll workers shall override the rejection mechanism to allow the rejected ballot to be put in the tabulator. If the tabulator rejects the ballot for any other reason such as the ballot is

damaged, or it cannot read the ballot coding or marks, the poll workers shall place the ballot in an envelope or container marked "unscanned ballot" for transmittal to the canvassing board.

For touch screen systems, if a voter leaves the polling room without casting his or her ballot, two poll workers of different party affiliation, where possible, shall cast the ballot pursuant to the instructions for the particular voting system.

D. Voter needs another ballot

(Section 101.5608, Fla. Stat.)

For optical scan systems, if a voter makes a mistake on his or her ballot, the voter may receive another ballot unless he or she has already cast a ballot in the tabulating equipment. The ballot that has a mistake on it is referred to as a "spoiled ballot."

Place the voter's spoiled ballot in a spoiled ballot envelope. If the voter spoils a second ballot, he or she may be issued another ballot. A voter is allowed up to three ballots total, including the original ballot.

E. Voter needs help to vote

(Sections 97.061, 101.051, 101.56075, Fla. Stat.)

A voter may ask for help to vote.

If a voter asks for help, let the voter know that he/she has the option of voting on a touch screen or other accessible ballot marking device which may allow him/her to vote without assistance. The voter should then be asked if he/she would like to vote on the device or would rather have assistance. No further questions should be asked about the existence, nature, or extent of someone's disability.

Polling Place Procedures Manual

If the precinct register already indicates that the voter is eligible to receive assistance, the voter does not need to complete the “Declaration to Secure Assistance.” Otherwise, the voter must first complete the “Declaration to Secure Assistance.” If the voter is unable to fill out the declaration, the clerk or inspector should complete the declaration and have the voter sign it. After completing the form, the voter is allowed to vote with assistance.

A voter can choose to bring someone (other than his or her employer, employer’s agent, or an officer or agent of the voter’s union) to assist. If someone is not available, the poll worker shall tell the voter that he or she may receive help from two election officials of different party affiliations, where possible. With the exception of an election official or poll worker, any person providing assistance must also complete a separate “Declaration to Provide Assistance.”

F. Voter needs help on how to mark ballot or use equipment

(Sections 101.5611, 101.031(4), Fla. Stat.)

If after entering the voting booth, a voter asks for assistance on the manner of voting including how to mark a ballot or use voting equipment, two poll workers of different party affiliations, where possible, should provide the voter with information on how to use the voting equipment. Refer to the instructions in the Voting Systems Operations Manual as mentioned in Chapter VII.

After the poll workers have provided the instruction to the voter, they must leave the voting booth so the voter can vote in secrecy.

Note: Do not request, suggest, or seek to persuade

any voter on how to vote for any particular candidate, issue or judicial retention.

G. Voter requests language assistance

Some voters may have limited language proficiency and/or may request assistance in a language other than English.

Florida has a number of counties that are federally designated as a bilingual jurisdiction for Spanish. This means that ballots, other voting and registration materials and assistance need to be available in Spanish too. If you are one of those counties, your county supervisor of elections will provide you with the requisite materials and guidance.

If you are serving as a bilingual poll worker, wear identification at all times in the polls in the required language.

H. Voter tries to take ballot from the polling room *(Section 104.20, Fla. Stat.)*

If a voter attempts to take his or her ballot from the polling room, advise the voter that this is against the law and he or she will be reported.

Explain to the voter that the ballot may be spoiled if the voter does not wish to have it counted. Do not let the voter take the ballot but if the voter does, make a notation on the Ballot Accounting Form and document the incident.

Polling Place Procedures Manual

I. Voter who requested vote-by-mail ballot chooses to vote at polls

(Section 101.69, Fla. Stat.)

A voter who has requested a vote-by-mail ballot may appear instead to vote at the polling place. A voter who has requested a vote-by-mail ballot should be noted on the precinct register.

1. If the voter returns the vote-by-mail ballot, voted or not, to the poll worker, the poll worker must confirm that the voter has not already voted. If not able to confirm, the voter shall be allowed to vote a provisional ballot. If the vote-by-mail ballot is returned, first mark the returned vote-by-mail ballot "Canceled" on the certificate side of the ballot envelope and secure the ballot for return to the supervisor of elections after the polls close.
2. If the voter does not return the vote-by-mail ballot to the poll worker, the poll worker must confirm with the supervisor of elections' office that the supervisor of elections has not already received the voter's vote-by-mail ballot. A vote-by-mail ballot is deemed cast upon receipt by the supervisor of elections' office.
 - If it is verified that the supervisor of elections has not received the vote-by-mail ballot, the supervisor of elections will authorize the voter to proceed with the voting process.
 - If it is verified that the supervisor of elections has received the vote-by-mail ballot but the voter maintains that he or she did not return the vote-by-mail ballot, the voter shall be allowed to vote a provisional ballot. Follow

the procedure in Section B. *Provisional Ballot* (Chapter V).

- If it cannot be verified or otherwise determined whether the voter's vote-by-mail ballot has been received by or returned to the supervisor of elections, the voter shall be allowed to vote a provisional ballot. Follow the procedure in Section B. *Provisional Ballot* (Chapter V).

J. Voter is upset

Voters may become upset, irate or frustrated for a number of reasons, particularly if they are told that they cannot do something they want to do, they must go to another location to vote, or their registration or eligibility is in question.

Keep the following things in mind as you address the situation:

- Remain calm and professional. If you get upset or shout, the voter is likely to get increasingly upset.
- Keep voice levels down.
- Watch your body language.
- Listen to what the voter is saying.
- Be polite and respectful.
- Offer the voter assistance. Try to find a solution to the problem.
- If necessary, ask the clerk or deputy to assist if the voter becomes very angry or threatening.

Polling Place Procedures Manual

- Document reported problems and resolutions.

K. Spoiled ballot

(Sections 101.5608(2), Fla. Stat.)

If a person, who after checking-in, is given a ballot and then returns the ballot to a poll worker before casting it and indicates that he or she does not desire to vote, the ballot, even if blank, shall be treated as a spoiled ballot and shall not be tabulated. Place the voter's spoiled ballot in a spoiled ballot envelope. To preclude the voter from having a voter history, the poll worker should either "undo" the voter check-in in the precinct register (either paper or electronic), if possible, or record the circumstances of the person checking-in and not voting so that the information later may be provided to the supervisor of elections. When the polls close, the election board must perform the *Ballot Accounting* procedures in Section D. (Chapter VIII) to account for the ballots issued and the number of ballots spoiled.

Polling Place Procedures Manual

Chapter VI. Voters with

Disabilities *(Sections 97.061, 101.051, and 101.715,*

Fla. Stat.; and Americans with Disabilities Act, Voting Accessibility for the Elderly and Handicapped Act.)

A. Overview

All voters have the right to request and obtain assistance in voting. See also Sections E, F, and G under Chapter V. Voting Process.

Some voters may have a disability that is not visible or evident at the outset. Regardless of the name of the disability, the basic steps below should be followed:

- Treat every voter with the same dignity and respect you would want, expect and deserve in words, tone, and actions.
- Be professional, courteous, and patient.
- Use “People First” language. For example,
 - “A person who uses a wheelchair” instead of “a wheelchair bound” or “a person confined to a wheelchair.”
 - “A person who is blind” instead of a “blind person.”
- Avoid outdated terms such as “handicapped” or “crippled” or contrived or potentially offensive terms such as “differently abled” or “physically challenged.”
- Avoid using vague and exclusive group terms such as “they” or “them” for voters with disabilities.

- Speak directly to the voter, even if accompanied by a companion or caregiver.
- Treat assistive devices as an extension of the voter whether it is a wheelchair, scooter, crutch, walker, cane, eye wear, hearing aid, prosthetic device, or orthotic device.
- Listen carefully to the voter to learn how to best help the voter. Explain the process and, if needed, give the voter more time to complete the task at hand.

B. Hearing

A voter who is deaf, hard of hearing or with mild or moderate hearing ability may use a hearing device, or an interpreter. It may not be immediately obvious.

- Do not shout. It is disruptive to shout and may actually make you harder to understand, especially if the voter reads lips.
- Speak directly to the voter, even if accompanied by an interpreter.
- Tap the person on the shoulder to get his or her attention.
- Give the person your full attention.
- If you are having difficulty understanding a person’s speech let the person know. It may be helpful to communicate with gestures and/or in writing.
- Do not finish sentences for the person. If you cannot understand the person, ask him or her to write it down.

Polling Place Procedures Manual

C. Mobility

A voter with a permanent or temporary physical disability may use a cane, a crutch, a walker, or a wheelchair to move around. The degree of mobility may vary. For example, a voter using a wheelchair may still be able to use his or her hands and arms or get out of the wheelchair and walk a short distance. A person with respiratory or heart trouble may not appear to be mobility impaired, but he or she may need to sit down.

- Do not lean across a wheelchair user to talk to someone else or to shake another person's hand.
- Make eye contact with the voter. If voter is in a wheelchair, be, if possible at eye level by either sitting in a chair or standing at a slight distance.
- Do not pull or touch a voter's wheelchair unless you have received permission to do so. The chair is part of the voter's personal space.
- Ensure ramps provide the closest accessibility to the polling place. This is important not only for voters who may be using wheelchairs but for voters who may be using canes, crutches or walkers.
- Ensure ramps are not obstructed so they can be used without difficulty.
- Ensure there is a clear path of travel into and out of the polling area for persons who may be in wheelchairs or using other assistive devices.

- Be aware of the reach limits of people in wheelchairs. If a counter is too high for a wheelchair user to see over it, step around it to conduct business with the person.
- Do not grab a cane, crutch, or walker. People who use them rely on them for balance.

D. Sight

A voter who is blind or has low vision may use glasses or a magnifying glass, or travel with a guide dog, a cane, or a sighted guide, or be alone. Be prepared to offer assistance in orientation and reading.

- A poll worker should identify himself or herself with name and title as he makes contact with a person who is blind or has low vision.
- Do not speak loudly to a person who is blind or has low vision.
- If voter asks to be guided, offer an arm or shoulder to guide and walk slightly in front of the voter.
- Describe the setting including any partly open doors, steps or ramps.
- If the person is using a guide dog, walk on the opposite side of where the dog is guiding the voter. Do not talk to, distract or otherwise touch service animals including their harness or leash. The dog is "on duty."
- Do not touch a person's cane. If the person puts down the cane in an unsafe place, do not move it. Tell the person kindly to move it. That way, the person will know where the cane is.

Polling Place Procedures Manual

- Be specific with warnings such as stop, swerve, duck, or bend. Do not shout or use non – specific warnings such as “Look out!”.
- Be specific and non-visual with directions. Do not tell someone to turn left at the end of the desk. It would be better to say, “Take five steps and turn left.”
- When departing from a person who is blind or has low vision, let him or her know.
- Read informational signs that appear in print on the walls of the polling place.
- Offer magnifying sheets or lens if available or requested by the voter.
- Offer the voter who is blind or has low vision the option of voting on the accessible voting device. If the voter would rather have assistance, allow him or her to be accompanied in the voting booth by someone of his or her choosing or two election officials.

E. Speech and communication

A voter with a speech or communication disability may have difficulty with speaking, memory or concentration. It may not be immediately obvious.

- Be patient and do not interrupt. Wait for the voter to finish speaking.
- If you do not understand or need clarification, restate what you understood.
- If needed or requested, provide the voter a pen/pencil and paper to write questions and answers.

Polling Place Procedures Manual

Chapter VII. Voting Systems Operation

(Sections 101.5601-101.5617, 101.56062, Fla. Stat.)

A. Overview

Two general types of voting systems are used in the state – optical scan and touch screen. In addition, some counties may use a touch screen device that marks an optical scan ballot. Every county is currently required to have at least one accessible voting device in each polling place for persons with disabilities. The procedures for voting on these systems are different.

Instructions on the proper method for casting a ballot for the specific voting system used in the election must be available at each polling place.

Each precinct must have a Voting Systems Operations Manual for each type of voting system including accessible voting device used in the county. The manual should include, at a minimum, instructions on how to set up the voting system in the polling place, how to operate the specific voting equipment used in the county, how to troubleshoot, how to lock the tabulator against further voting after the polls have closed, and how to properly relay vote totals, handle the ballots and, in some cases, transport voting equipment back to the supervisor of elections' office after the polls have closed.

B. Optical scan voting devices

(Section 101.5608(2), Fla. Stat.)

The following applies when a voter uses an optical scan voting system:

The voter is given a paper ballot and a secrecy sleeve which he or she takes to the voting booth. After marking the ballot, the voter places the voted ballot into the secrecy sleeve, takes it to the precinct tabulator and puts the ballot in the tabulator.

If there is a race on the ballot that is overvoted (the voter has marked more candidates than there are persons to be elected or has marked more than one choice for an issue) or if the tabulator reads the ballot as completely blank, the ballot will be rejected by the tabulator.

The tabulator will display a message to the inspector monitoring the tabulator or to the voter. The inspector should inform the voter, without looking at the ballot, the likely cause of the ballot being rejected as indicated by the message displayed. After being informed of the likely cause of the ballot being rejected, the voter shall be told that he or she may get another ballot or cast ballot 'as is'.

Note: If the voting equipment allows the voter to make the choice as to whether to allow or reject the ballot as it is marked, always allow the voter to choose. If the voting equipment does not have this capability, never override the rejection mechanism without the voter specifically indicating that he or she wishes to vote the rejected ballot.

If the voter wants to vote another ballot, the rejected ballot shall be considered spoiled. The ballot should be spoiled by placing it in an envelope designated for ballots that contain mistakes or errors. The voter is to be given another ballot and secrecy sleeve, with instructions on how to properly mark the ballot. See Section D. *Voter Needs Another Ballot* (Chapter V).

Polling Place Procedures Manual

If the voter wants to vote the rejected ballot instead of voting a new ballot, the clerk or poll worker designated by the supervisor of elections, or the voter (depending on the voting system) shall override the rejection mechanism to allow the rejected ballot to be put in the tabulator. See instructions for overriding the rejection mechanism in the Voting Systems Operations Manual specific to the voting system in your county.

C. Touch screen voting devices

The following generally applies when voting on a touch screen voting system:

- Touch screen voting systems do not use paper ballots. The voter votes his or her ballot on a screen similar to a computer screen. Touch screen voting systems allow many voters with disabilities to vote without assistance.
- Depending on the system used in the county, the voter will either receive a voter card or other device to bring up the correct ballot on the screen. If the voter asks for further assistance, the poll worker will accompany the voter to the booth and, place the device in the system. Once the display appears on the screen, leave the voter alone to vote and cast his or her ballot.
- Touch screen voting systems do not allow a voter to overvote a ballot. However, a voter can undervote the ballot. When the selections are being reviewed by the voter, the system will alert the voter that one or more contests have been undervoted, giving the voter the opportunity to select a choice, if he or she wishes to do so.

D. Ballot marking devices

The following applies when voting using a ballot marking device:

- Ballot marking devices are accessible voting devices used to assist voters with disabilities to vote without assistance.
- Depending on the system used in the county, the voter is given an unmarked ballot or a blank ballot card and a secrecy sleeve which he or she takes to the voting booth. If the voter asks for further assistance, the poll worker will accompany the voter to the ballot marking device, assist them as needed with retrieving necessary accessible equipment and then, once the display appears on the screen, leave the voter alone to vote and cast his or her ballot.
- The voter marks his or her ballot on a screen similar to a touch screen or computer screen either by hand, with an audio tactile interface (ATI) and headphones, or using a sip and puff device.
- Ballot marking devices do not allow a voter to overvote a ballot. However, a voter can undervote the ballot. When the selections are being reviewed by the voter, the system will alert the voter that one or more contests have been undervoted, giving the voter the opportunity to select a choice, if he or she wishes to do so.
- When the ballot is marked, the voter removes it from the ballot marking voting device and takes it to an optical scanner for tabulation.

Polling Place Procedures Manual

Chapter VIII. Closing the Polls

(Sections 100.011(1), Fla. Stat.)

A. Announcement

At the scheduled closing hour for the early voting period or at 7 p.m. on Election Day, the clerk or other designated official shall announce that the polls are closed. The election team must complete steps including but not limited to securing equipment and ballots as further detailed below.

B. Voters in line at close of polls

All eligible voters standing in line at the polling place by the early voting closing hour or 7 p.m. on Election Day shall be allowed to vote. A procedure should be in place to clearly mark the end of the line such as having the deputy stand behind the last person in line to establish a cut-off point.

In the rare event that a court or other order extends the polling hours, the deputy shall stand behind the last person who is in the line waiting to vote at the closing hour. Any person voting after the last person who was in line during the scheduled early voting closing hour or 7 pm on Election Day must vote a provisional ballot. These provisional ballots must be kept separate from all other provisional ballots cast during the regular voting hours. (Section 101.049, Fla. Stat.)

C. Securing voting equipment

Once all voters in line by close of polls have voted, the election board must secure the voting device so that no more ballots may be cast. Then the election

board shall follow the procedures outlined in *the Voting Systems Operations Manual* for the voting system used in the county and the security procedures approved for the county.

D. Ballot accounting

1. Overview

After all voters who have finished voting and the polls are closed, the proceedings of the election board are open to the public.

Ballot accounting must be conducted at the end of each day during early voting and on Election Day after the polls close.

Note:

Do not let anyone touch or otherwise interfere with the ballot or ballot container or the process for counting ballots.

Do not rush through any process or be pressured for results. Accuracy is extremely important.

2. Counties using optical scan and touch screen voting systems - process

After the voting devices have been locked against further voting and the polls have closed, the election board must verify that the number of voted ballots, unused ballots, provisional ballots, and spoiled ballots corresponds with the number of marksense ballots issued by the supervisor of elections.

The election board must then verify that the

Polling Place Procedures Manual

number of voters equals the number of ballots cast as indicated by the precinct ballot tabulator and the touch screen machine(s) plus the number of provisional ballots voted. The Board must take into consideration whether or not provisional voters signed in at a central point or just signed the Provisional Ballot Voter Certificate and Affirmation. The number of voters may be based either on the signatures on the precinct registers, on the tally of voters who signed in on an electronic device, or on the number of voter authority slips that contains voters' signatures.

If there is a difference, the election board shall recount the signatures, the validated voter check-ins, or the authority slips and certificates. If there is still a difference, the clerk shall report such differences in writing to the Canvassing Board, with the reasons for the difference, if known.

If ballots have more than one page, the election board must follow the supplemental accounting procedures prescribed by your supervisor of elections.

3. Counties using ballot-on-demand for early voting and Election Day

At the end of each day during the early voting period and on Election Day, after the voting devices have been locked against further voting and the polls have closed, the election board must count the number of persons who signed in to vote, and determine the number of persons who voted as shown by the ballots cast on the precinct tabulator. The election board will determine the number of ballots printed and the number of ballots spoiled and compare that to the number of persons who signed in and the

number of persons who voted. If there are discrepancies, the election board shall report the discrepancy to the supervisor of elections.

If ballots have more than one page, the election board must follow the supplemental accounting procedures prescribed by your supervisor of elections.

Polling Place Procedures Manual

Chapter IX. Contingency

(Sections 102.14(5)(k), 102.031, 102.101, Fla. Stat.)

A. Security

The size of a polling place and the number of persons in a polling place can have security implications from traffic flow to voter privacy to order and vigilance in the polling place. The election team should follow written procedures for security established by the supervisor of elections which will include but not be limited to securing voting devices and ballots before, during and after the voting process.

Some basic steps that should be taken include but are not limited to:

- Prevent unauthorized access, theft or misuse of election materials and sensitive and/or confidential documents such as signed forms, voted ballots, ballot stock and provisional ballots, and equipment from time of delivery through voting and return.
- Check (e.g., audit, reconcile, inventory) periodically throughout the day to make sure there are no vulnerabilities or oversights which allow inappropriate access to election materials and equipment.
- Follow established procedures for securing, counting, and transporting ballots to and from the polling place.
- Document procedures, incidents and troubleshooting.
- Monitor closely entrances and exits to ensure that only authorized persons are within the polling room and any surrounding restricted

areas at all times.

- Ensure that equipment (including ancillary equipment such as cables and modems) cannot be tampered with or deliberately damaged.
- Ensure electronic transmission of results, data, and files are secure. For example, if signal is weak, exercise caution if moving equipment to window or door within public view or access.
- Review chain-of-custody procedures.
- Review and be familiar with a contingency plan to communicate and respond to a threat to public safety (e.g., bomb, electrical outage, fire, knife/shooting, flood, or other disaster) and include an evacuation plan, if necessary.

No sheriff, deputy sheriff, police officer or other office of the law is allowed within the polling place until the clerk or majority of the inspectors grant permission or unless he or she is there to vote. Once allowed, the deputy sheriff in official capacity, is subject to the clerk's or inspector's commands.

B. Emergency event

In the event of a medical or other emergency requiring assistance from the police, fire department or medical personnel, call 911 and then call the supervisor of elections to report the incident.

If there is a power outage, check the [Voting Systems Operations Manual](#) on how to deal with ballots cast during an outage. For all other types of emergencies, be familiar with and follow the protocols established by the supervisor of elections.

Polling Place Procedures Manual

INDEX

Address

- Changes or differs, 13
- Legal address/residence, check-in, 12
- Protected, 13-14

Assistance

- Accessible equipment, 19
- Language, 19
- Persons with disabilities, 19, 22-24
- Upset voters 20

Ballot

- Accounting, 27-28
- Need for another ballot 18
- Provisional, 16-18
- Reconciliation at close of polls, 27-28
- Rejected, 25-26
- Removal from polling place, 19
- Sample, 6, 7, 9
- Spoiled, 21
- Uncast, 18
- Vote-by-mail (formerly 'absentee'), 5, 16, 17, 20

Bill of Voters' Rights/Responsibilities, Signage, 7

Campaign Materials, 10

- Distribution in and near polls
- Clothing and items

Candidate in polling room, 8

Challenging voters, 15

- Legal residence challenge
- Right to vote

Closing the polls, 27-28

Definitions, 5

Disabilities, persons with

- Accessible equipment, 19
- Assistance in voting, 18, 19, 22-24

- Persons with disabilities, 22-24

Eligible to vote, determination, 13

Emergency event, 29

Identification at polls, 11

- Acceptable forms
- No or lack of proper ID

Intake, 11

Interacting with voters

- Persons with disabilities, 22-24
- Upset or angry voters, 20
- Voter check-in, 11

Language assistance, 19

Law enforcement in polling room, 8

Media in polling room, 8

Name,

- Change, 14
- In precinct register, 11
- Not in precinct register, 11

Opening the polls, 6

Order at the polls, 9

Photography, prohibited, 10

Polling room

- Election Team, 6
- Poll watchers, 9
- Layout, 6
- Set-up, 6
- Signage, 7
- Solicitation, 6, 9
- Voters, 9
- Who is allowed in, 8
- Who is not allowed in, 8

Poll watchers, 9

Primary elections, 16

Precinct, voting in proper precinct, 12, 13, 14

Provisional voting, process, 16-18

Sample ballot, 6, 7, 9

Security, 29

Signage, 7

Polling Place Procedures Manual

Signature, 13

- Comparison
- Difference, affidavit
- Sign-in, precinct register

Solicitation restrictions, 10

- Diagram, 100-feet
- Exception, exit polling

Spoiled ballots, 21

Vote-by-Mail Ballots, 5, 16, 17, 20

- Voting at polls after requesting vote-by-mail,

Voters,

- Assistance, 19-20, 22-24
- In-line at close of polls, 27
- Persons with disabilities, 22-24

Voting Process, 16-21

Voting Systems

- Assistance using equipment, 19
- Ballot accounting, 27-28
 - Counties using optical scan and touchscreen
 - Counties using ballot-on-demand
 - Counties using touchscreen
- Operation, 25-26
 - Optical scan devices,
 - Touch screen devices
 - Ballot marking devices
- Securing Equipment, 27

Polling Place Procedures Manual

| NOTES |
|-------|
| |
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Polling Place Procedures Manual

| NOTES |
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Polling Place Procedures Manual



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