

Polling Place Situations: A Quick Guide



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Updated January 2020

ELECTION JUDGE GUIDE FOR UNIFORM HANDLING OF POLLING PLACE SITUATIONS ON ELECTION DAY

Accepted forms of ID at the polling place:

- ◆ **Driver's License** or any form of **photo ID with the elector's name**, including but not limited to; state issued ID, federal issued ID, tribal ID, student ID, and military ID.
- ◆ If an elector does not have a photo ID, the elector may provide a utility bill, bank statement, paycheck, or any government-issued document with the **elector's name** and **current address**.
 - ◆ If the ID provided has information that differs from the information in the precinct register and the election judge determines the information provided is enough to verify the elector's identity and eligibility to vote, the elector may sign the register and vote. The elector must also complete an updated registration form.
 - ◆ Tip: A car registration with the voter's name/address is acceptable form of ID.

Elector did not bring accepted form of ID:

- ◆ Have the elector fill out the *"Polling Place Elector ID"* form;
 - ◆ Call the election office to verify ID with the information on the form.
- ◆ If **verified**, the elector may vote a **regular ballot**.
- ◆ If the information **does not** verify, the elector may vote a **provisional ballot**.

Elector's name not in the Register:

- ◆ Call the election office to verify the elector's name **should** be on the Register.

- ◆ If confirmed and the elector was omitted erroneously from the Register, have them complete the *“Erroneous Omission from Precinct Register”* form.
- ◆ The elector votes a **regular ballot** in above scenario.
- ◆ If the election office cannot confirm the elector was erroneously omitted from the Register, inform the elector they can vote provisionally. The ballot will only be counted if there was an administrative error omitting them from the Register.
- ◆ If the elector chooses **not** to vote **provisionally** at the polls, send them to the election office or designated location to late register and vote.

Elector’s address in Register is incorrect:

- ◆ Have the elector fill out a new *Voter Registration* form with updated information for future elections.
 - ◆ The elector then votes a **regular ballot**.

Register says elector was issued an Absentee Ballot:

- ◆ The elector must vote a **provisional ballot**. Inform elector that the **provisional ballot** will be counted only if the **absentee ballot** is not turned in.

A provisionally registered elector appears to vote (status will be noted on the Register):

- ◆ If the provisionally registered elector provides required ID and the ID is verified by the election office (or the elector fills out the *“Polling Place Elector ID Form”*, and the ID number is verified by the election office), the elector votes a **regular ballot**.
- ◆ If the provisionally registered elector does not provide a form of required ID or the ID number cannot be verified by the election office, the elector may vote a **provisional ballot**.

Inform the elector the **provisional ballot** will be counted if the elector provides verifiable ID number to the election office by 5pm the day following the election.

An inactive elector appears at the polls to vote:

- ◆ An inactive elector is someone who did not exercise their right to vote in a Federal General Election (held on even numbered years), and did not respond to confirmation mailings from the election office; or
- ◆ An elector can be placed on the Inactive List if a ballot in a mail ballot election is returned as undeliverable, and a subsequent forwardable notice mailed by the election office is also returned undeliverable.
- ◆ An **inactive** elector may vote a **regular ballot** in any election by appearing at the polls, or by requesting an **absentee ballot**.
- ◆ An **inactive** elector should fill out a new “*Voter Registration Form*” if information in their voter record has changed.

Elector is challenged:

- ◆ If a challenge is resolved (see *Resolving Challenges - Special Situations* section of the *Election Judge Handbook*) then the elector may vote a **regular ballot**.
- ◆ If the challenge is not resolved, they may vote a **provisional ballot**.

Elector unable to sign the Register:

- ◆ Instruct the elector to mark the spot with a fingerprint or another identifying mark like an X.
- ◆ Note in the register that you witnessed the elector marking the register.
- ◆ If elector is unable to provide a fingerprint or identifying mark and does not have a designated agent, the election judge (or

the Election Administrator) may sign for the elector after verifying elector's ID.

Elector requires assistance to vote:



- ◆ The polling place is for everyone, including those with disabilities.
- ◆ Avoid making assumptions about ability. The best etiquette is to offer to assistance to everyone.
- ◆ Listen to understand which part of the voting process they need help with and provide them options.
- ◆ Be accommodating and talk with the Chief Judge about ways you can assist them with the voting process.
- ◆ The elector may use the AutoMARK™ or ExpressVote®. (See *AutoMARK™ Voting System Setup, Use, and Troubleshooting*, section 4 or *ExpressVote® User Guide*, section 5, *Election Judge Handbook*)
- ◆ They may choose any person to assist them with the exception of an employer or union official.
- ◆ A designated agent may assist them with any part of the voting process.
- ◆ Two election judges may assist (affiliated with different parties, if possible).
- ◆ If an elector has difficulty entering the polling place, they may cast their ballot by “Curbside Voting.”
 - ◆ Two judges can bring the ballot to the elector. The judges still need to verify ID and make sure they are listed on the Register.
 - ◆ The elector will sign the “*Oath of Elector Unable to Enter Polling Place*” form.
 - ◆ The judges make a notation on the voter’s signature line in the Register and will file the signed oath in the back flap of the Register binder.

Elector makes a mistake on their ballot (see “Special Situations” section of the Election Judge Handbook):

- ◆ Ballot judge will write “spoiled” on stub and elector will write “spoiled” on ballot.
- ◆ Judge will remove stub and elector places spoiled ballot in an envelope marked “Spoiled.”
- ◆ Instruct poll book judge to mark poll book accordingly for the spoiled ballot number. The word “SPOILED” must be marked beside elector’s name for that ballot number in the poll book.
- ◆ Give elector a new ballot, and state to the poll book judge what the new number is.
- ◆ **DO NOT** place stickers or labels to cover up and correct errors on the spoiled ballot, and **DO NOT** provide stickers or labels to electors to place on their ballot.

A ballot is missing or blank:

- ◆ If the next sequential ballot is missing, the poll book judge will note it by writing “missing” next to the number in the poll book.
- ◆ If the ballot is missing a number due to misprint, fold it and place in a “Spoiled” ballot envelope. Place it in the ballot box with the stub attached. Verify the next ballot has the correct sequential number. If not, repeat the steps above for that ballot.

Elector brings a voted Absentee Ballot to drop off at the polls (see “Absentee Voters at the Polls” section of the Election Judge Handbook):

- ◆ Electors can drop off **absentee ballots** at any polling place in the county that issued the ballot.
- ◆ On election day, late registrants can now return ballots to the election office or any polling place in the county where the

elector is registered to vote. For school districts, ballots can be returned to any polling place in the school district.

- ◆ **Absentee ballots** dropped off at the polling place must be sealed in a secrecy envelope and an affirmation signature envelope. The signature envelope must be signed and dated by the elector.
- ◆ An **absentee ballot** dropped off at a polling place other than the one in which the elector appears on the register must be:
 - ◆ Delivered to the election office for signature verification and tabulation, if tabulation of **absentee ballots** is done at a central location or as directed by the Election Administrator.
 - ◆ Delivered to the election office for signature verification. The ballot will then need to be delivered by the election office to the correct precinct if all counting is done at the precinct location or as directed by the Election Administrator.

An Elector asks about Write-In Candidates:

- ◆ The Election Administrator will provide the chief election judge at each precinct a list of declared write-in candidates, along with copies of the filing form with name variations. The list may be shown to any elector who requests the information. Lists must **not** be posted in the polling place or in a voting booth.
- ◆ The Election Administrator will provide copies of filing forms listing name variations to ballot tabulating judges.

Elector requests ballot be hand counted:

- ◆ When the elector returns with the voted ballot, remove the stub and place it in the stub container. Return the ballot to the elector and have the elector place it in an envelope marked “Hand Count” and place it in the ballot box.

Poll Watchers:

- ◆ A candidate may not be a poll watcher at a polling place where electors are voting on ballots with the candidate's name on them.
- ◆ A candidate, family member of a candidate or a worker or volunteer for a candidate's campaign may not distribute alcohol, tobacco, food, drink or anything of value to an elector within a polling place or a building in which an election is being held or within 100 feet of an entrance to a polling place.
- ◆ At the time when each elector signs their name, the register judge shall pronounce the name loud enough to be heard by the poll watchers.
- ◆ A poll watcher who does not understand the pronunciation has the right to request that the judge repeat the name.
- ◆ Poll watchers can be permitted to view the Register only if it can be done during a time that does not interfere with any voting, and with permission of the chief election judge.
- ◆ Poll watchers and observers are permitted to observe all of the vote counting procedures.
- ◆ Poll watchers and observers for early tabulation before the polls close must sign the affirmation [13-15-207\(4\), MCA](#) and may not disclose results learned prior to polls closing on election day under penalty of law.
- ◆ Access to an electronic system containing early tabulation results is limited to the Election Administrator and the elections administrators designee. Results may not be released prior to the close of polls on election day.
- ◆ Poll watchers may challenge any elector, using the completed prescribed form.
- ◆ Poll watchers and observers may speak to an election judge at a polling place to discuss application or interpretation of election procedures/laws, providing it does **not** interfere with election procedures as determined by the chief election judge.

- ◆ Ensure poll watchers and observers are not soliciting information or promoting an issue or candidate to electors in the polling place.
- ◆ If cell phones are allowed, poll watchers, observers and signature gatherers using cell phones should be asked to go to a secluded area or outside the polling place, where electors will not hear the call and will not be distracted.
- ◆ If you encounter an issue with a poll watcher, observer or signature gatherer, contact the election office.

Electioneering questions or polling place issues: Call the Commissioner of Political Practices (406) 444-2942.

Other questions: Call the local county election office, or Secretary of State - Elections and Voter Services Division (406) 444-9608 or (888)-884-8683.