

**TITLE 230. STATE ELECTION BOARD
CHAPTER 35. ELECTION CONDUCT
SUBCHAPTER 3. COUNTY ELECTION BOARD RESPONSIBILITIES**

230:35-3-3. Assembling precinct supplies

(a) Well in advance of any election, the Secretary shall assemble supplies for every precinct and shall pack them in an envelope, a box, a bag, a binder, or another container. The Secretary may use the Supply Envelope and the Supply Box provided by the State Election Board or any other adequate container. Each election supply container shall be labeled for the appropriate precinct. (Some materials cannot be included in the supplies until after ballots are printed.) The Secretary shall prepare and use a Precinct Check List for each precinct to verify that all necessary supplies are included.

(b) The following items shall be included in the election supplies for each precinct. The quantities listed are recommended minimum quantities.

(1) **Precinct Official Notebook.** One Precinct Official Notebook containing ~~The the~~ Election Day Manual for Precinct Election Officials, ~~the Precinct Problem Solver~~, ~~the eScan Election Day Desk Reference~~, and forms needed by Precinct Officials on election day.

(2) **Forms, Checklists, and handouts.** In addition to the forms contained inside the Precinct Official Notebook, the following forms and handouts shall be included in the election supplies for each precinct. These items may be included inside the Precinct Official Notebook or in another notebook or container according to the preferences of the Secretary of the County Election Board.

(A) Address Information Requested handouts

(B) ~~ATI Session Log form~~ Independent Voter Information Card (in partisan primary elections only)

(C) Attention All Voters – Proof of Identity Required to Vote sign

~~(D)~~ (C) Attention Judge notice for proof of identity

~~(E)~~ (D) Ballot Accounting Form

~~(F)~~ (E) Closing the Polls checklist

~~(G)~~ (F) Oklahoma Voter Registration Application forms

~~(H)~~ (G) Procedure for Watchers

~~(I)~~ (H) Secrecy folders

~~(J)~~ (I) List of ballot codes

~~(K)~~ (J) Opening the Polls checklist

~~(L)~~ (K) Packing Supplies checklist

~~(M)~~ Provisional Ballot Refusal form

~~(N)~~ (L) Voter Registration Application checklist

~~(O)~~ Voting Device Report form

(3) **Envelopes.** One of each of the following envelopes shall be included in the election supplies for each precinct.

(A) Envelope for Totals Tally Report

(B) ~~Green envelope for mailing Tally Report to State Election Board (statewide elections only)~~

- ~~(C)~~ Precinct Expense Claim Envelope
- ~~(D)~~ (C) Voting Device Key Envelope (and key chain with keys)
- (4) **Signs and Maps.** The following signs and maps shall be included in the election supplies for each precinct.
 - (A) One Attention Voter poster for each voting booth in the precinct
 - (B) One Oklahoma Election Procedures – Important Voter Information sign ~~(English)~~
 - (C) One Election Law Violations sign
 - (D) One Vote Here sign
 - (E) One Voter Eligibility – Municipal Elections
 - (F) One Voter Eligibility – School Elections
 - (G) Precinct Map – municipality
 - (H) Precinct Map – school districts
 - (I) Precinct Map – other entity
- (5) **Other Supplies.** The following additional supplies shall be included in the election supplies for each precinct.
 - (A) American flag
 - (B) Thirty black ballpoint pens
 - (C) One long white State Election Board seal for each ballot transfer box required for the precinct
 - (D) Official Exit Poll stickers, as needed
 - (E) Paper clips
 - (F) Magnifier
 - (G) ~~Memory pack bag~~ Flashlight
 - (H) Rubber bands
 - (I) Scissors
 - (J) Tape
 - (K) Thumbtacks
- (6) **Provisional voting supplies.** The following provisional voting supplies shall be included in the election supplies for each precinct.
 - (A) Checklist for Provisional Voting Officer
 - (B) Provisional Voting Information handouts
 - (C) Provisional Ballot Voucher forms
 - (D) Oklahoma Provisional Ballot ~~Affidavit envelopes~~ Affidavits
 - (E) Provisional Ballot Rosters
 - (F) Provisional Ballot Materials envelopes
 - (G) ~~Orange~~ Provisional Ballot Bag
 - ~~(G)~~ (H) ~~Blue~~ plastic seal for provisional ballot bag
- (7) **Precinct Registry, Voting Device, and ballots.** The Precinct Registry, voting device, and ballots are issued to the Inspector along with the election supplies for each precinct. See ~~230:35-3-6, 230:35-3-7, 230:35-3-57,~~ and 230:35-3-68.1.

[Source: Amended at 9 Ok Reg 1231, eff 3-1-92 (emergency); Amended at 9 Ok Reg 2387, eff 7-1-92; Amended at 10 Ok Reg 2739, eff 7-1-93; Amended at 12 Ok Reg 2237, eff 7-1-95; Amended at 16 Ok Reg 2427, eff 7-1-99; Amended at 17 Ok Reg 2351, eff 7-1-00; Amended at

22 Ok Reg 1884, eff 7-1-05; Amended at 23 Ok Reg 1290, eff 7-1-06; Amended at 25 Ok Reg 351, eff 11-5-07 (emergency); Amended at 25 Ok Reg 1921, eff 7-1-08; Amended at 30 Ok Reg 1672, eff 7-15-13]

PART 5. PRECINCT OFFICIAL PAYROLL

230:35-3-30. Pre-Election Expense Claim

(a) When the state, the county, a school district, a municipality, or any other governmental entity calls an election to be conducted by the County Election Board, the Secretary of the County Election Board shall prepare an estimate of the number of Precinct Officials, Absentee Voting Board members, and any authorized special-purpose precinct workers required for the election, and the amount of compensation for all Precinct Officials, Absentee Voting Board members, and any special-purpose precinct workers. [26:3-105.1(A)] The estimate also shall include mileage reimbursement for Inspectors to pick up and return election supplies and materials; for Precinct Officials, and special-purpose precinct workers assigned to polling places located ten miles or more from their homes; for any Absentee Voting Board member who travels 10 miles or more from home to the County Election Board office or in-person absentee polling place to report for duty; and for one member of each nursing home Absentee Voting Board. The Secretary shall prepare the estimate, which shall be known as a Pre-Election Expense Claim, in ~~ΘEMS-MESA~~ using the appropriate Pre-Election Expense Claim report. The Pre-Election Expense Claim shall be submitted to the entity not less than 35 days prior to the election. [26:3-105.1(A)]

(b) The compensation for Precinct Officials, Absentee Voting Board members, and any authorized special-purpose precinct workers shall be billed as follows.

(1) **Inspector.** The Inspector shall receive a total of \$97 for an election. The Inspector also shall be reimbursed for mileage for two round trips from his home to the County Election Board office at the rate currently allowed by the Internal Revenue Service for a business expense deduction. An Inspector assigned to a polling place located ten miles or more from his or her home also may be reimbursed for one-way mileage from home to the assigned polling place. See 230:35-3-31.1.

(A) **Statewide elections.** For a statewide election, the State Election Board shall be billed \$95 per Inspector. The State Election Board also shall be billed for the total amount of mileage reimbursement for the Inspectors. The county shall be billed \$2 per Inspector for a statewide election.

(B) **Other elections.** For a county election, a school district election, a municipal election or any other election, the entity authorizing the election shall be billed \$97 per Inspector, plus the total amount of mileage reimbursement for the Inspectors.

(2) **Judge and Clerk.** The Judge and Clerk each shall receive a total of \$87 for an election. In addition, a Judge or Clerk assigned to a polling place located ten miles or more from his or her home may be reimbursed for round-trip mileage from home to the assigned polling place. See 230:35-3-31.1.

(A) **Statewide elections.** For a statewide election, the State Election Board shall be billed \$85 per Judge and \$85 per Clerk. The county shall be billed \$2 per Judge and \$2 per Clerk. The State Election Board also shall be billed for any mileage paid to Judges

and Clerks.

(B) **Other elections.** For a county election, a school district election, a municipal election or any other election, the entity authorizing the election shall be billed \$87 per Judge and \$87 per Clerk. The entity also shall be billed for any mileage paid to Judges and Clerks.

(3) **Absentee Voting Board members.** Absentee Voting Board members each shall receive \$87 for each day they serve for an election. An Absentee Voting Board member who travels ten miles or more from home to the County Election Board office or to a remote in-person absentee polling place to report for duty may receive round trip mileage reimbursement. In addition, one member of each nursing home Absentee Voting Board shall receive mileage reimbursement for the round trip from the County Election Board office to the nursing home or homes.

(A) **Statewide elections.** For a statewide election, the State Election Board shall be billed for the total amount of \$87 per Absentee Voting Board member plus appropriate mileage for one member of each nursing home Absentee Voting Board reimbursement.

(B) **Other elections.** For a county election, a school election, a municipal election, or any other election, the entity authorizing the election shall be billed \$87 for each Absentee Voting Board member for each day served plus appropriate mileage for one member of each nursing home Absentee Voting Board reimbursement.

(4) **Special-purpose precinct workers.** Special-purpose precinct workers, such as Provisional Voting Officers or Registration Officials, shall receive \$87 for an election. In addition, a special-purpose precinct worker assigned to a polling place ten miles or more from his or her home may be reimbursed for round-trip mileage from home to the assigned polling place.

(A) **Statewide elections.** For a statewide election, the State Election Board shall be billed \$85 per special-purpose precinct worker. The county shall be billed \$2 per special-purpose precinct worker. The State Election Board also shall be billed for any mileage paid to special-purpose precinct workers.

(B) **Other elections.** For a county election, a school district election, a municipal election or any other election, the entity authorizing the election shall be billed \$87 per special-purpose precinct worker. The entity also shall be billed for any mileage paid to special-purpose precinct workers.

(5) **Mileage.** Mileage is reimbursed at the rate currently allowed by the Internal Revenue Service for a business expense deduction.

(c) When two or more entities hold elections on the same date and two or more of the entities are involved in the same precinct, the cost of Precinct Official, Absentee Voting Board member, and special-purpose precinct worker compensation and mileage reimbursement shall be divided equally among the entities involved in each precinct ~~and the cost of Absentee Voting Board compensation and mileage reimbursement shall be divided equally among all the entities involved in the election.~~ However, if a school district election is held on the same date as a county election, the county shall assume the school district's share of Precinct Official, special-purpose precinct worker, and Absentee Voting Board compensation and mileage.

[Source: Amended at 9 Ok Reg 1231, eff 3-1-92 (emergency); Amended at 9 Ok Reg 2387, eff 7-1-92; Amended at 14 Ok Reg 2631, eff 7-1-97; Amended at 15 Ok Reg 2567, eff 7-1-98;

Amended at 16 Ok Reg 534, eff 1-1-99 (emergency); Amended at 16 Ok Reg 2427, eff 7-1-99; Amended at 18 Ok Reg 1874, eff 7-1-01; Amended at 21 Ok Reg 3149, eff 7-22-04 (emergency); Amended at 22 Ok Reg 1884, eff 7-1-05; Amended at 23 Ok Reg 1290, eff 7-1-06]

230:35-3-35. Prepare and register vouchers for Precinct Officials and Absentee Voting Board members

(a) **Vouchers for Precinct Officials.** The Secretary shall prepare and register one voucher from the Special Depository Account for compensation and mileage for each Inspector and one voucher for compensation for each Judge, Clerk, and special-purpose precinct worker who will work in the election. ~~The vouchers shall be dated with the date of the election.~~ The vouchers shall be registered with the County Treasurer with sufficient time allowed for the completion of this process before the Inspector picks up the election supplies.

(b) **Vouchers for Absentee Voting Board members.** The Secretary shall prepare and register one voucher from the Special Depository Account for compensation for each Absentee Voting Board member who will work in the election. ~~The vouchers shall be dated with the date of the election.~~ The vouchers shall be registered with the County Treasurer

[Source: Amended at 9 Ok Reg 1231, eff 3-1-92 (emergency); Amended at 9 Ok Reg 2387, eff 7-1-92; Amended at 16 Ok Reg 534, eff 1-1-99 (emergency); Amended at 16 Ok Reg 2427, eff 7-1-99; Amended at 22 Ok Reg 1884, eff 7-1-05]

230:35-3-36.1. Absentee Voting Board members receive vouchers

~~On election day, the~~ The Secretary shall mail ~~may distribute~~ vouchers to each member of the Absentee Voting Board members who served for the election. The vouchers may be given to the Absentee Voting Board members in person at the conclusion of their duties for the election or the vouchers may be mailed within seven days after the election ~~who have other business at the County Election Board office on election day may receive their vouchers in person.~~ Under no circumstances shall vouchers be distributed to Absentee Voting Board members before their services are concluded for the election. The Secretary shall require Absentee Voting Board members to sign the Absentee Voting Board Member claim form when their service is concluded for the election. ~~Vouchers must be distributed to Absentee Voting Board members no later than seven days after the election.~~

[Source: Added at 16 Ok Reg 534, eff 1-1-99 (emergency); Added at 16 Ok Reg 2427, eff 7-1-99]

230:35-3-40. ~~Substitute vouchers~~ Vouchers for substitutes

Within seven days following the election, the Secretary shall prepare vouchers for compensation of substitute Precinct Officials; or substitute special-purpose precinct workers, or Absentee Voting Board members who were not paid on election night; or for substitute Absentee Voting Board members who were not paid at the conclusion of their service. The Secretary shall

cancel the unclaimed vouchers, and register the new vouchers with the County Treasurer. The Secretary immediately shall ~~distribute~~ mail the vouchers to the substitute Precinct Officials, special-purpose precinct workers, or Absentee Voting Board members. No substitute voucher shall be distributed to a Precinct Official, Absentee Voting Board member, or a special purpose precinct worker until the person's signature has been obtained on a Precinct Expense Claim or an Absentee Voting Board Member Claim form.

[Source: Amended at 16 Ok Reg 534, eff 1-1-99 (emergency); Amended at 16 Ok Reg 2427, eff 7-1-99; Amended at 22 Ok Reg 1884, eff 7-1-05; Amended at 23 Ok Reg 1290, eff 7-1-06]

230:35-3-41. Itemized claim for election expenses

As soon as possible following the election, the Secretary shall submit an itemized claim, known as a Record of Expense, for all election expenses to the entity for which the election was conducted. The itemized claim shall be prepared in MESA and shall show the amount prepaid by the entity for Precinct Official, special-purpose precinct worker, and Absentee Voting Board member compensation and mileage deducted from the total amount of election expenses.

[26:3-105.1(D)] The appropriate Record of Expense report shall be generated in MESA shall be used for all authorizing entities only after all election expenses have been entered.

[Source: Amended at 9 Ok Reg 1231, eff 3-1-92 (emergency); Amended at 9 Ok Reg 2387, eff 7-1-92; Amended at 16 Ok Reg 534, eff 1-1-99 (emergency); Amended at 16 Ok Reg 2427, eff 7-1-99; Amended at 22 Ok Reg 1884, eff 7-1-05; Amended at 30 Ok Reg 1672, eff 7-15-13]

PART 15. CERTIFICATION OF RESULTS

230:35-3-91. 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 Board meets prior to 5 p.m. to count provisional ballots and finishes the count before 5 p.m., the meeting may be recessed and reconvened after 5 p.m. After the provisional ballots have been counted and after all affected counties of entities involved in the election have counted provisional ballots, the Secretary shall request and print an appropriate number of copies of the Official Certification Report for each entity. After the close of the contest period at 5 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 following materials to certify the election:~~

~~—(1) The required number of copies of the Official Certification Report for each entity involved in the election.~~

~~(2)~~(1) The County Election Board members shall sign each copy of the Official Certification Report in the area provided for signatures.

~~(3)~~(2) The Secretary shall apply the official County Election Board seal to each signed copy of the Official Certification Report.

(c) **Disposition of signed and sealed Official Certification Reports.** ~~One~~At least one copy of each signed and sealed Official Certification Report shall be maintained permanently by the County Election Board. ~~Other copies shall be distributed as follows:~~

~~—(1) In statewide elections, one copy of the signed and sealed Official Certification Report for all races and state questions that must be certified by the State Election Board shall be mailed to the State Election Board after 5 p.m. on Friday following the election.~~

~~(2) In multi-county elections for which the county is an affected county, one signed and sealed copy of the Official Certification Report shall be mailed to the control (parent) county after 5 p.m. Friday following the election.~~

~~(3) In all county, school district, or municipal elections, the required an appropriate number of copies of the signed and sealed Official Certification Report shall be provided to the entity for which the election was conducted. In some instances, an entity may request more than one copy multiple signed and sealed copies of the Official Certification Report. The Secretary shall provide the number of copies, within reason, requested by the entity.~~

~~(d) 5 p.m. Tuesday next following federal or state election.~~ The State Election Board meets at 5 p.m. on Tuesday next following an election involving federal or state candidates and/or state questions to certify the final election results:

~~(e) List of nominees.~~ Following Primary and Runoff Primary Elections, the County Election Board shall authorize the Secretary to ~~certify~~prepare an official list of the nominees of each party for each county office on the ballot by preparing an official list of nominees. The original copy of the list of nominees shall be signed by the Secretary and shall be maintained in with 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.

(1) Following the Primary Election, the list of nominees shall include any candidate for county office who is unopposed by another member of his or her own political party, and any candidate for county office who receives a majority of the votes cast in the Primary Election. The list shall not include any county office which will appear on the Runoff Primary Election ballot.

(2) Following the Runoff Primary Election, the list shall include all candidates included on the list prepared following the Primary Election and also any candidate who receives a majority of the votes cast in the Runoff Primary Election.

~~(f)~~(e) List of successful candidates and Certificates of Election. Following General Elections, the Secretary of the County Election Board 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.

[Source: Amended at 9 Ok Reg 1231, eff 3-1-92 (emergency); Amended at 9 Ok Reg 2387, eff 7-1-92; Amended at 16 Ok Reg 2427, eff 7-1-99; Amended at 22 Ok Reg 1884, eff 7-1-05; Amended at 23 Ok Reg 1290, eff 7-1-06; Amended at 30 Ok Reg 1672, eff 7-15-13]

SUBCHAPTER 5. INSTRUCTIONS FOR PRECINCT ELECTION OFFICIALS
PART 5. PREPARATIONS ON ELECTION DAY

230:35-5-17. Receiving supplies and ballots

(a) **Notification.** The Inspector picks up election supplies and ballots at the County Election Board office before election day. About ten days before the election, the County Election Board Secretary notifies the Inspector of the date, time, and place to receive supplies and ballots for the precinct.

(b) **Precinct Check List.** When picking up election supplies, the Inspector uses a Precinct Check List form to verify that all the supplies are included in the correct quantity. The Inspector places a check mark beside each item in the shaded column labeled "Insp."

(c) **Items received.** The Inspector receives these items.

(1) **Election supplies.** The Inspector receives the election supplies. The election supplies may be packed in a box, an envelope, a bag, a binder or other container. The election supplies include the Precinct Official Notebook, signs, envelopes, keys, ballpoint pens, and other items Precinct Officials need on election day.

(2) **Precinct Registry.** The Inspector receives the Precinct Registry or Registries for the precinct. The Precinct Registry is a ~~computer printout containing~~ printed list of the names and addresses of all the registered voters in the precinct. The Precinct Registry is arranged in alphabetical order and separated by political affiliation for Primary and Runoff Primary Elections. For General Elections, the Precinct Registry is arranged in alphabetical order but it is not separated by political affiliation.

(3) **Keys.** The Inspector receives two keys — the round ballot box key and the square voting device key. The round ballot box key unlocks both locks on the main compartment of the ballot box, the door of the emergency compartment of the ballot box and the rear door of the ballot box. The square voting device key unlocks ~~the~~ both locks on the voting device case. The keys are together on a key ring and enclosed in the unsealed voting device key envelope.

(4) **Ballots.** The Inspector receives the ballots for the precinct. The precinct's ballots are listed on the Precinct Check List form. There may be only one ballot or several ballots depending on the type of election or elections being conducted on a particular date. Ballots are bound in books of 100 ballots. The Inspector must be sure that the ballot quantities listed on the Precinct Check List are included in the supplies.

(5) **Voting Device.** The Inspector receives the voting device that has been prepared for the precinct.

(d) **Inspector signs form.** After verifying that all items listed on the Precinct Check List are present in the correct quantities, the Inspector signs the form in the space provided at the bottom and returns the signed form to the Secretary. [26:7-103]

(e) **Inspector takes custody of supplies.** The Inspector takes the supplies, ballots, and voting device with him or her from the County Election Board office and keeps them in a safe place until election day.

[**Source:** Amended at 8 Ok Reg 3635, eff 10-3-91 (emergency); Amended at 9 Ok Reg 2387, eff 7-1-92; Amended at 11 Ok Reg 1587, eff 6-1-94; Amended at 17 Ok Reg 2351, eff 7-1-00; Amended at 30 Ok Reg 1672, eff 7-15-113]

230:35-5-29. Location and materials for Judge

The Judge is the first Precinct Official the voter sees. Position the Judge closest to the entrance. Put these items at the Judge's position:;

- (1) Precinct Registry or Registries-
- (2) Ballpoint pens-
- (3) Oklahoma Voter Registration Application forms-
- (4) Address Information Requested handouts-
- (5) Provisional Ballot Voucher forms
- (6) Other items as required by the Secretary of the State Election Board or the County Election Board.

[**Source:** Amended at 15 Ok Reg 2567, eff 7-1-98; Amended at 16 Ok Reg 853, 1-29-99 (emergency); Amended at 16 Ok Reg 2427, eff 7-1-99; Amended at 17 Ok Reg 2351, eff 7-1-00; Amended at 22 Ok Reg 1884, eff 7-1-05; Amended at 30 Ok Reg 1672, eff 7-15-13]

230:35-5-31.1. Location and materials for provisional voting

Place the provisional voting supplies and materials on a table separate from the table for the Judge, Clerk, and Inspector. Put these items on the provisional voting table:;

- (1) Checklist for Provisional Voting Officer
- (2) Provisional Voting Information handouts
- (3) Oklahoma Provisional Ballot ~~Affidavit envelopes and secrecy envelopes~~ Affidavits
- (4) Ballot secrecy envelopes
- (5) Provisional Ballot Materials envelopes
- ~~(4)~~(6) Provisional Ballot Rosters
- ~~(5)~~(7) Oklahoma Voter Registration Application forms
- ~~(6)~~(8) ~~Orange~~ Provisional Ballot Bag

[**Source:** Added at 22 Ok Reg 1884, eff 7-1-05; Amended at 23 Ok Reg 1290, eff 7-1-06; Amended at 23 Ok Reg 1290, eff 7-1-06; Amended at 25 Ok Reg 351, eff 11-5-07 (emergency); Amended at 25 Ok Reg 1921, eff 7-1-08]

PART 11. PROCESSING THE VOTER

230:35-5-55. Routine for Judge

(a) The Judge follows these routine steps to process voters. Refer to the ~~Precinct Problem Solver~~ section of Judge's section of the Election Day Manual for Precinct Officials in the Precinct Official Notebook for instructions in non-routine situations.

- (1) Greet the voter and ask the voter's name. If this is a Primary or Runoff Primary, also ask the voter's political party.
- (2) ~~Find the voter's name in the Precinct Registry.~~

~~—(3) Ask to see the voter's proof of identity.~~

(A) The voter may present any of the following documents as proof of identity.:

~~(A) an~~ (i) An Oklahoma driver license

~~(B) a~~ (ii) A voter identification card issued by the County Election Board

~~(C) a~~ (iii) A temporary voter identification document issued by the County Election Board

~~(D) a~~ (iv) A state identification card

~~(E) a~~ (v) A United States passport

~~(F) a~~ (vi) A United States military identification, including retired military identifications

~~(G) any~~ (vii) Any other such document issued by the state of Oklahoma, the United States government, or a federally recognized tribal government which includes the person's name, a photograph of the person, and, if the document has an expiration date, that expiration date is later than election day or an indication that the document does not expire. A document that does not bear an expiration date, and is therefore valid indefinitely, shall be valid proof of identity.

(B) Use the voter's proof of identity document to find the voter's name in the Precinct Registry. The person's name on the proof of identity must substantially conform to the name listed in the Precinct Registry.

(C) If the voter does not provide proof of identity, the voter must be offered the opportunity to vote by provisional ballot. The provisional ballot affidavit, once verified by the County Election Board after election day, shall be valid proof of identity.

~~(4) If the voter does not have or refuses to provide proof of identity, the voter may vote only by provisional ballot. See 230:35-5-177.—~~

~~(5)~~ (3) If there is a message printed in the "Signature of Voter" column, follow the instructions in 230:35-5-113 or 230:35-5-113.1.

~~(6)~~ (4) Tell the voter to sign the Precinct Registry. [26:7-114; 26:7-117]

~~(7) If this is a school district election, look in the "School " column in the Precinct Registry for the voter's school district code. An asterisk beside the school district code indicates that the voter also is entitled to a ballot for a vocational-technical school district. Refer to the legend on the precinct school district map to determine the correct vocational-technical school district for this voter. If the is a technology center district election, look in the "TC" column for the voter's technology center district code. If either the "School " or "TC" column is blank, see 230:35-5-113.2(a). If the voter believes that the wrong school district or technology center district is listed, see 230:35-5-113.2(b).~~

~~(8) If this is a municipal election, look in the "Muni" column in the Precinct Registry for the voter's municipal assignment code. If the "Muni" column contains the word "None," this voter's residence address is not located within the boundaries of a municipality in this precinct and the voter is not eligible to vote in a municipal election. If the "Muni" column is blank or if the voter disagrees with the municipal assignment, see 230:35-5-113.2.—~~

(5) Carefully check the following information in the Precinct Registry to determine the ballots the voter is eligible to receive.

(A) For a Primary Election, check the political affiliation listed in the Precinct Registry.

(i) Persons registered with a specific political party affiliation are allowed to receive only the Primary or Runoff Primary ballot for that party.

(ii) Persons registered as Independent (or "no party") voters may be eligible to choose a party ballot if the party has allowed Independent voters to vote in its primary elections. Tell Independent voters to read the Information for Independent Voters card, if applicable.

(B) If this is a school district, technology center district, or municipal election, look in the "School," "TC," and "Muni" columns. A voter is eligible to receive ballots for the entities listed in these columns.

~~(9)~~(6) Refer to the Ballot Codes List provided by the County Election Board and write the code for each ballot the voter will receive in the "Ballots Issued" column of the Precinct Registry.

~~(10)~~(7) Tell the Clerk the voter's political affiliation, as it appears in the Precinct Registry, and the elections in which the voter is voting tell the Clerk which ballots the voter is eligible to receive.

(b) If the voter's name is not in the Precinct Registry, ~~or~~ if the voter does not have or refuses to provide proof of identity, or if the voter disputes the political affiliation or district information listed in the Precinct Registry, the voter is entitled by both state and federal law to cast a provisional ballot. Refer the voter to the Inspector or to the Provisional Voting Officer. See 230:35-5-171. If a voter who is eligible to cast a provisional ballot refuses the offer of the provisional ballot and leaves the polling place without voting, record the incident on the Provisional Ballot Refusal form.

[**Source:** Amended at 8 Ok Reg 3635, eff 10-3-91 (emergency); Amended at 9 Ok Reg 2387, eff 7-1-92; Amended at 15 Ok Reg 2567, eff 7-1-98; Amended at 16 Ok Reg 853, eff 1-29-99 (emergency); Amended at 16 Ok Reg 2427, eff 7-1-99; Amended at 17 Ok Reg 2351, eff 7-1-00; Amended at 22 Ok Reg 1884, eff 7-1-05; Amended at 28 Ok Reg 1167, eff 7-1-11; Amended at 30 Ok Reg 1672, eff 7-15-13]

230:35-5-57. Routine for Inspector

The Inspector follows these routine steps to process voters. Refer to the ~~Precinct Problem Solver~~ section of Election Day Manual for Precinct Officials in the Precinct Official Notebook for instructions in non-routine situations.

(1) Give the voter a ballpoint pen.

(2) Direct the voter to a vacant voting booth and ask the voter to read the Attention Voter poster in the voting booth.

(3) Tell the voter that after marking the ballots in the privacy of the voting booth, he should place the voted ballot inside a secrecy folder, if used, and return to the voting device.

[26:7-120]

(4) When the voter returns to the voting device, tell the voter to feed the ballot into the voting device. Either end of the ballot may be fed first and the ballot may face up or down.

(5) Retrieve the ballpoint pen and secrecy folder, if used, from the voter.

(6) If the voting device returns a ballot, the voter may be able to resolve the problem himself by following the instructions on the voting device console screen and pressing the appropriate buttons. However, the Inspector should always be prepared to answer questions and to assist the voter if necessary.

(7) If the voting device console screen displays an error code and a message indicating that the ballot has already been counted, follow the instructions in the ~~voting device instructions section of~~ Election Day Manual for Precinct Officials in the Precinct Official Notebook to resolve the problem.

[**Source:** Amended at 8 Ok Reg 3635, eff 10-3-91 (emergency); Amended at 9 Ok Reg 2387, eff 7-1-92; Amended at 11 Ok Reg 315, eff 11-1-93 (emergency); Amended at 11 Ok Reg 1587, eff 6-1-94; Amended at 16 Ok Reg 2427, eff 7-1-99; Amended at 17 Ok Reg 2351, eff 7-1-00; Amended at 30 Ok Reg 1672, eff 7-15-13]

230:35-5-58. Additional duties of Inspector

In addition to Inspector's duties when processing voters, the Inspector also performs the following tasks on election day.

- (1) Inspect voting booths and other areas of the voting enclosure periodically for discarded ballots. If you find unmarked ballots discarded in a voting booth or other location within the voting enclosure, show them to the Judge and Clerk and then feed them into the voting device.
- (2) If you find marked ballots, show them to the Judge and Clerk and ~~attach them to the Inspector's Notes to Secretary sheet~~ then destroy them. Explain on the Inspector's Notes to Secretary sheet that the ballot was found discarded in a voting booth or other location within the voting enclosure explaining that discarded, marked ballots were discovered and destroyed.
- (3) Inspect voting booths and other areas within the voting enclosure periodically for campaign literature and remove any that you find.
- (4) Call the County Election Board office immediately if the ballot supply seems low.
- (5) Check the public counter on the voting device console screen periodically through the day. Call the County Election Board office immediately if the public counter reaches 3000. Follow the instructions given by the County Election Board staff.

[**Source:** Amended at 8 Ok Reg 3635, eff 10-3-91 (emergency); Amended at 9 Ok Reg 2387, eff 7-1-92; Amended at 10 Ok Reg 2739, eff 7-1-93; Amended at 17 Ok Reg 2351, eff 7-1-00; Amended at 30 Ok Reg 1672, eff 7-15-13]

230:35-5-59. Voter assistance

Some voters are entitled to special assistance while voting. Procedures for assisting these voters are located in "Assistance outside polling place for disabled voter" and the "Blind, physically disabled, or illiterate voter" in the ~~Precinct Problem Solver section of~~ Election Day Manual for Precinct Officials in the Precinct Official Notebook (230:35-5-119 and 230:35-5-120.1). A physically or visually disabled voter may vote privately and independently by using the audio tactile interface (ATI) for the voting device. Any voter may ask to use the ATI. The ATI provides an audio version of the ballot and a mechanical method to navigate the ballot, make selections, and cast the ballot. See the Election Day Manual for Precinct Officials for instructions to activate the ATI for a voter to use it.

[Source: Amended at 15 Ok Reg 2571, eff 7-1-98; Amended at 17 Ok Reg 2351, eff 7-1-00; Amended at 30 Ok Reg 1672, eff 7-15-13]

230:35-5-75.3. Completing election night tasks

(a) **Distribution of Detail and Tally Report.** Distribute the Detail and Tally Reports as follows.

- (1) Put the original Detail and Tally Report, which includes the Zero Report and the signatures of the Inspector, Judge, and Clerk, inside the Envelope for Tally Report.
- (2) Post one copy of the Detail and Tally Report on the polling place door.
- (3) Put one copy of the Detail and Tally Report inside the ballot transfer case.
- (4) If this is a statewide election, put one copy in the green envelope to mail to the State Election Board.

~~(b) **Voting Device Report.** The Inspector fills out the Voting Device Report and signs it. The Judge and Clerk also sign it. Put the signed Voting Device Report in the Envelope for Tally Report.~~

~~(c) **Ballot Accounting Form.** The Clerk fills out and signs the Ballot Accounting Form or Forms. The Inspector and Judge also verify the numbers recorded on the Ballot Accounting Form or Forms and then sign the Ballot Accounting Form or Forms form or forms. Put the finished Ballot Accounting Form or Forms in the Envelope for Tally Report.~~

~~(d)~~**(c) Packing ballots and sealing ballot transfer cases.** Pack all used and unused ballots in ballot transfer cases. If possible, pack unused ballots in a ballot transfer case separate from the voted ballots. Seal each ballot transfer case with clear packing tape and attach a long white State Election Board seal. Indicate on the seal whether the case contains voted ballots, unused ballots, or a combination of voted and unused ballots. The Inspector, Judge, and Clerk all sign the long white State Election Board seal on each ballot transfer case.

~~(e)~~**(d) Sealing the Envelope for Tally Report.** The Inspector verifies that the following items are inside the Envelope for Tally Report and then seals the envelope. The Inspector, Judge, and Clerk all sign the envelope flap.

- (1) Original Detail and Tally Report, which includes the Zero Report, and the signatures of the Inspector, Judge, and Clerk.
- (2) Voting device key envelope.
- (3) Ballot Accounting Form or Forms.
- (4) ~~Voting Device Report.~~

~~(5) Uncounted ballots that were found in the emergency compartment of the ballot box after the polls were closed on the voting device and the Detail and Tally Reports were printed.~~

~~(6)~~**(5) Any other forms or materials as instructed by the Secretary of the County Election Board.**

~~(f)~~**(e) Precinct Expense Claim Envelope.** The Judge and Clerk sign the Precinct Expense Claim Envelope and receive their vouchers from the Inspector. Vouchers may not be distributed under any circumstance until after the polls close. [26:3-105.1(c)]

~~(g)~~**(f) Provisional Ballot Bag.** The Inspector or the Provisional Voting Officer shall complete the following steps.

- (1) Put the Provisional Ballot Roster in the large, clear plastic pocket on the orange

Provisional Ballot Bag.

(2) Make certain that all completed Provisional Ballot ~~Affidavit Envelopes~~ Materials envelopes are inside the Provisional Ballot Bag.

(3) Zip the bag and seal it with the blue plastic seal.

(4) Pack any unused provisional ballot materials and supplies as instructed by the County Election Board Secretary.

(5) Place the sealed Provisional Ballot Bag, the packed supplies, and any Oklahoma Voter Registration Application forms completed by provisional voters with the other materials that the Inspector returns to the County Election Board office.

[**Source:** Added at 8 Ok Reg 3635, eff 10-3-91 (emergency); Added at 9 Ok Reg 2387, eff 7-1-92; Amended at 10 Ok Reg 2739, eff 7-1-93; Amended at 13 Ok Reg 569, eff 11-22-95 (emergency); Amended at 13 Ok Reg 2483, eff 7-1-96; Amended at 15 Ok Reg 2571, eff 7-1-98; Amended at 17 Ok Reg 2351, eff 7-1-00; Amended at 22 Ok Reg 1884, eff 7-1-05; Amended at 25 Ok Reg 351, eff 11-5-07 (emergency); Amended at 25 Ok Reg 1921, eff 7-1-08; Amended at 30 Ok Reg 1672, eff 7-15-13]

230:35-5-76. Repacking supplies

The Inspector, Judge, and Clerk repack all election supplies into the same container in which they were received. Use the following list while repacking to verify that all supplies and materials are accounted for.

(1) Used signs (Vote Here, Oklahoma Election Procedures — Important Voter Information, Election Law Violations, and Attention Voter, if applicable) and sample ballots.

(2) Precinct Official Notebook.

(3) Used and unused Oklahoma Voter Registration Application forms.

(4) Secrecy folders.

(5) Ballpoint pens.

(6) Remaining paper clips, rubber bands, thumbtacks, and tape.

(7) Scissors.

(8) ~~Unused Oklahoma Provisional Ballot Affidavit envelopes, secrecy envelopes, handouts~~ provisional voting materials, and all other unused materials and supplies.

(9) Flashlight.

~~(10) All other remaining reusable supplies.~~

[**Source:** Amended at 8 Ok Reg 3635, eff 10-3-91 (emergency); Amended at 9 Ok Reg 2387, eff 7-1-92; Amended at 12 Ok Reg 2237, eff 7-1-95; Amended at 15 Ok Reg 2571, eff 7-1-98; Amended at 17 Ok Reg 2351, eff 7-1-00; Amended at 22 Ok Reg 1884, eff 7-1-05; Amended at 23 Ok Reg 1290, eff 7-1-06; Amended at 30 Ok Reg 1672, eff 7-15-13]

PART 19. PRECINCT PROBLEM SOLVER

230:35-5-105. Publication of Precinct Problem Solver

Prepared by the staff of the State Election Board for use by County Election Board Secretaries, Precinct Officials and other election personnel, the procedures contained in the Precinct Problem Solver section of the have been incorporated into a new publication entitled Election Day Manual for Precinct Officials. This new publication is contained in the Precinct Official Notebook and it is intended to complement other publications of the State Election Board. The Precinct Problem Solver Election Day Manual for Precinct Officials includes the rules and procedures contained in Parts 19 through 29 of this Subchapter.

[Source: Amended at 15 Ok Reg 2571, eff 7-1-98; Amended at 30 Ok Reg 1672, eff 7-15-13]

PART 21. VOTERS LISTED IN PRECINCT REGISTRY WHO HAVE PROBLEMS WITH ELIGIBILITY

230:35-5-113. Voter who has applied for absentee ballots

(a) The words "Absentee Ballot Requested" or "Absent Ballot" appear in the Precinct Registry on the signature line beside the name of a voter who requested absentee ballots for the election. A voter who has applied for absentee ballots may vote at the polling place only after signing the pink Absentee Voter Affidavit. [26:7-115] If the voter refuses to sign the pink Absentee Voter Affidavit, ~~the voter cannot vote~~ offer the voter a provisional ballot.

(b) The Judge follows this procedure.

- (1) Tell the voter to read the oath printed on the pink Absentee Voter Affidavit form and then to sign the form.
- (2) After the voter signs the Absentee Voter Affidavit, tell the voter to sign the Precinct Registry across the words "Absentee Ballot Requested" or "Absent Ballot."
- (3) Return to the routine procedure.

[Source: Amended at 15 Ok Reg 2571, eff 7-1-98; Amended at 17 Ok Reg 2351, eff 7-1-00]

PART 25. SPECIAL SERVICES

230:35-5-127. Spoiled ballots

(a) A spoiled ballot is a ballot that the voter marks incorrectly, or a ballot that is defaced or damaged by the voter. Before spoiling a ballot, the Inspector must follow ~~the steps in the voting device appropriate instructions section of~~ in the Election Day Manual for Precinct Officials in the Precinct Official Notebook to determine whether the ballot already has been counted.

(b) When a ballot is spoiled because the voter either has made an error marking it or has damaged or defaced it in some way, such as making a mark in a security bar code, the Clerk uses this procedure.

- (1) Ask the voter to fold the spoiled ballot. If more than one ballot was issued to the voter, tell the voter to put all correctly marked ballots in the voting device.
- (2) Take the folded ballot from the voter, tear it into small pieces, and discard it. [26:7-132]

- (3) Tell the voter to read the oath printed on the gold Spoiled Ballot Affidavit and to sign the form. [26:7-122]
- (4) Write the ballot code in the "Ballot Spoiled" column beside the voter's signature.
- (5) Issue a new ballot to replace the spoiled ballot. [26:7-122]
- (6) Tell the voter to go back to the voting booth, mark the new ballot and put the new ballot in the voting device.

[Source: Amended at 8 Ok Reg 3635, eff 10-3-91 (emergency); Amended at 9 Ok Reg 2387, eff 7-1-92; Amended at 11 Ok Reg 315, eff 11-1-93 (emergency); Amended at 11 Ok Reg 1587, eff 6-1-94; Amended at 15 Ok Reg 2571, eff 7-1-98; Amended at 30 Ok Reg 1672, eff 7-15-13]

230:35-5-129. Cancellation of registration of deceased voter

The next of kin of a deceased voter may cancel the deceased voter's registration at the polling place on election day. [26:4-120.3] The decision to cancel such a registration belongs to the next of kin. The Inspector follows this procedure if the next of kin chooses to cancel the registration.

- (1) Print the following information on the ~~green Cancellation of~~ Request to Cancel Registration of Deceased Voter form.
 - (A) Precinct number.
 - (B) Today's date.
 - (C) The deceased voter's name, residence address, and birth date.
- (2) Ask the next of kin to read the ~~Cancellation of~~ Request to Cancel Registration of Deceased Voter form and to sign it if all the information is correct.
- (3) Sign the form and indicate your title.

[Amended at 15 Ok Reg 2571, eff 7-1-98; Amended at 20 Ok Reg 485, eff 1-2-03 (emergency); Amended at 20 Ok Reg 1105, eff 7-1-03; Amended at 30 Ok Reg 1672, eff 7-15-13]

230:35-5-146. Action when laws are violated

If a Precinct Official sees or suspects an election law violation, the Inspector takes only the following steps. The Inspector never attempts to enforce the law under any circumstances.

- (1) If the suspected violation is described in ~~The~~ the Election Day Manual for Precinct ~~Election-Officials section of in~~ the Precinct Official Notebook, take only these steps.
 - (A) Tell the person involved that the action is against the law.
 - (B) Read what ~~The~~ the Election Day Manual for Precinct ~~Election-Officials section of in~~ the Precinct Official Notebook says about the violation, if necessary. Tell the person that this is the law.
 - (C) Call the Secretary of the County Election Board immediately if the person continues the action that violates the law.
- (2) If ~~The~~ the Election Day Manual for Precinct ~~Election-Officials section of the Precinct Official Notebook~~ does not describe the possible violation, the Inspector calls the Secretary of the County Election Board immediately.

[Source: Amended at 15 Ok Reg 2571, eff 7-1-98; Amended at 25 Ok Reg 1921, eff 7-1-08; Amended at 30 Ok Reg 1672, eff 7-15-13]

PART 34. PROVISIONAL VOTING PROCEDURES

230:35-5-173. Voter disputes political affiliation indicated in Precinct Registry

At a partisan primary election, a voter who disputes the political affiliation indicated in the Precinct Registry is entitled to cast a provisional ballot for the preferred political party. Follow the provisional voting procedure in 230:35-5-177.

[Source: Added at 22 Ok Reg 1884, eff 7-1-05]

230:35-5-175. ~~Uniformed Services or Overseas Voter~~ services or overseas voter

(a) Some persons may be entitled to vote a provisional ballot and to have that ballot counted without being registered if they are eligible to become registered voters, if they are residents of the precinct, if they provide proof of identity as outlined in 230:35-5-55, and if they also meet one of the following requirements.

(1) The person was honorably discharged from the ~~Uniformed Services~~ uniformed services of the United States and has returned home 90 days or less before the election.

(2) The person is on officially authorized leave from the ~~Uniformed Services~~ uniformed services of the United States and has returned home 90 days or less before the election.

(3) The person was terminated or is on leave from his or her service or employment overseas and returned home 90 days or less before the election.

(4) The person is the spouse or dependent of a person described in (1), (2) or (3) of this subsection.

(b) Follow the provisional voting procedure in 230:35-5-177.

(c) Uniformed services and overseas voters who cast a provisional ballot as outlined in (b) of this Section are required to swear by signing ~~in the appropriate place on the Oklahoma Provisional Ballot Affidavit envelope~~ that they are eligible to cast the provisional ballot for one of the reasons outlined in (a) of this Section.

[Source: Added at 22 Ok Reg 1884, eff 7-1-05; Amended at 23 Ok Reg 1290, eff 7-1-06; Amended at 28 Ok Reg 1167, eff 7-1-11]

230:35-5-176. Filling out a Provisional Ballot Voucher

The Judge shall fill out a Provisional Ballot Voucher for every voter who will cast a provisional ballot. Do not send a voter to the Inspector or Provisional Voting Officer without a voucher. Write all the information requested on the voucher in the spaces provided for it.

(1) Circle the reason the voter will cast a provisional ballot.

- (2) Write the voter's name exactly as it appears in the Precinct Registry.
- ~~(2)~~(3) Write the voter's residence address exactly as it appears in the Precinct Registry.
- (4) Write the voter's political party, school district, and/or municipality as it appears in the Precinct Registry. If the voter is not listed in the Precinct Registry, write the information the voter gives you.
- ~~(3)~~(5) Write the ballot codes for the provisional ballots to be issued to the voter in the space provided. (For example, if the Precinct Registry indicates that the voter is not assigned to Municipality A, but the voter insists that his/her address is located inside the municipal boundaries, write the ballot code for Municipality A.)

[Source: Added at 22 Ok Reg 1884, eff 7-1-05; Amended at 23 Ok Reg 1290, eff 7-1-06; Amended at 23 Ok Reg 1290, eff 7-1-06; Amended at 25 Ok Reg 351, eff 11-5-07 (emergency); Amended at 25 Ok Reg 1921, eff 7-1-08; Amended at 30 Ok Reg 1672, eff 7-15-13]

230:35-5-177. Provisional voting procedure

The Inspector or the Provisional Voting Officer greets the voter and follows these steps to help the voter cast a provisional ballot.

- (1) Take the Provisional Ballot Voucher from the voter. If the voter did not receive a Provisional Ballot Voucher from the Judge, send the voter to the Judge for a Provisional Ballot Voucher.
- (2) Give the voter a copy of the Provisional Voting Information handout.
- (3) Tell the voter that if County Election Board personnel cannot verify the voter's registration in this precinct, the provisional ballot will not be counted.
- (4) Give the voter an Oklahoma Voter Registration Application form and ask the voter to fill it out and sign it. A voter is not required to complete the registration application to receive a provisional ballot but should be encouraged to do so. Tell the voter that filling out and turning in a new voter registration application may prevent the need to vote by provisional ballot in future elections. If the voter completes the application, set it aside in a secure place.
- (5) Fill out an Oklahoma Provisional Ballot Affidavit ~~envelope~~ for the voter.
 - (A) Write the county name, election date, and precinct number in the spaces provided at the top of the affidavit.
 - (B) Write the voter's name and residence address on the affidavit exactly as they appear on the Provisional Ballot Voucher.
 - (C) Copy the Ballot Codes indicated on the Provisional Ballot Voucher to the spaces provided at the bottom of the Affidavit in the shaded area labeled "PVO Use Only."
 - ~~(C)~~(D) Ask the voter for the following information and write it on the affidavit in the appropriate spaces:
 - (i) ~~date~~ Date of birth
 - (ii) Oklahoma driver license number, if available
 - (iii) ~~last~~ Last four digits of Social Security number
 - (iv) ~~political affiliation~~ Check the box only if the voter does not have an Oklahoma driver license and claims not to have been issued a Social Security number.
 - ~~(D)~~(E) Place a checkmark beside the appropriate statement of the reason the voter is

casting a provisional ballot. Note the following special instructions for some of the listed reasons.

- (i) ~~**Voter with proof of identity problems**~~ **Proof of identity.** If the voter does not have or refuses to provide proof of identity, ~~or refuses to provide proof of identity~~, or if the voter's current name on an otherwise valid proof of identity document does not substantially conform to the name in the Precinct Registry, ask the voter to read ~~the appropriate statement on the affidavit and the oath on the affidavit before signing.~~
-
- ~~(I) If the voter's current name on his or her otherwise valid proof of identity document does not substantially conform to the voter's name in the Precinct Registry, ask the voter to complete and submit an Oklahoma Voter Registration Application form to change his or her name for voter registration purposes.~~
-
- ~~(II) If the voter indicates that his or her current residence address is different from the residence address shown in the Precinct Registry, ask the voter to complete and submit an Oklahoma Voter Registration Application form to change his or her residence address for voting purposes and respond to each statement and to provide the correct information in the shaded area on the affidavit labeled "Completed By Voter." If the voter provides a name or residence address that is different from the name or address in the Precinct Registry, the voter must complete an Oklahoma Voter Registration Application form and turn it in with the completed affidavit.~~
- (ii) **Voter Not in Precinct Registry.** If the voter offers any information about where and when he or she may have registered, last voted, or another name under which he or she may be registered, record the information in the spaces provided. If the voter has a voter identification card, take it and attach it with a paperclip to the voter registration application form. Ask the voter to complete and turn in a new Oklahoma Voter Registration Application form.
- (iii) **Voter disputes political affiliation indicated in Precinct Registry.** Write the political affiliation claimed by the voter in the space provided.
- (iv) **Voter disputes school district or municipal assignment in Precinct Registry.** Write the name of the school district or municipality in which the voter claims to reside.
- (v) Uniformed services or overseas voter. Check the appropriate box to indicate the voter is a recently returned uniformed services or overseas voter.
- (vi) Voter who disputes credit for absentee voting. Check this reason only during in-person absentee voting if a voter who has already received credit for voting by absentee ballot in this election denies having voted in this election.
- ~~(vi) Other.~~ Record any explanation the voter offers concerning the reason ~~he or she may be eligible to vote.~~
- ~~(D)~~ (F) Record the ballot codes indicated on the voter's Provisional Ballot Voucher in the spaces provided on the Affidavit.
- (6) Ask the voter to review the information on the affidavit. Tell the voter to read the oath and to sign it. Also ask the voter to write his or her daytime telephone number in the space provided.
- (7) Sign the affidavit in the space provided for the Provisional Voting Officer.
- (8) Print the voter's name on the Provisional Ballot Roster and ~~record~~ copy the ballot codes

for the ballots issued to the voter in the space provided to the Ballots Issued column on the Roster.

(9) Tell the voter to sign the roster.

~~(9)~~(10) ~~Issue the appropriate~~ Ask the Clerk for the ballots indicated on the voucher. Fold each ballot in half before giving it to the voter. ~~Put the voucher inside the affidavit envelope.~~ Give the voter the affidavit envelope, a secrecy envelope, and the ballot or ballots and a Ballots envelope.

~~(10)~~(11) Tell the voter to go to the provisional ballot voting booth to mark the ballot. Tell the voter to follow these steps to secure the ballot.

(A) Fold the ballot in half.

(B) Put the folded ballot inside the secrecy envelope and seal the envelope.

(C) Put the sealed secrecy envelope inside the affidavit envelope and seal the affidavit envelope.

(D) Return to the table with the sealed affidavit envelope.

(12) While the voter is marking the ballots, write the precinct number, election date, and the voter's name on a Provisional Ballot Materials envelope. Put the following items inside the Provisional Ballot Materials envelope:

(A) Affidavit

(B) Voucher

(C) Filled out and signed Oklahoma Voter Registration Application, if applicable

~~(11)~~(13) If necessary, follow the procedures for spoiled ballots (230:35-5-127) or voter assistance (230:35-5-120.1), using ~~the Precinct Problem Solver section of~~ instructions in the Election Day Manual for Precinct Officials in the Precinct Official Notebook.

~~(12)~~(14) When the voter returns the sealed affidavit Ballots envelope, put it ~~in the orange Provisional Ballot Bag immediately~~ inside the Provisional Ballot Materials envelope with the voter's name on it and seal the Materials envelope. Put the sealed Provisional Ballot Materials envelope inside the orange Provisional Ballots Bag.

~~(13)~~(15) Tell the voter that information concerning disposition of the provisional ballot may be obtained from the County Election Board after 5 p.m. on Friday. Make sure the voter takes a copy of the Provisional Voting Information handout.

[Source: Added at 22 Ok Reg 1884, eff 7-1-05; Amended at 23 Ok Reg 1290, eff 7-1-06; Amended at 24 Ok Reg 1497, eff 7-1-07; Amended at 23 Ok Reg 1290, eff 7-1-06; Amended at 25 Ok Reg 351, eff 11-5-07 (emergency); Amended at 25 Ok Reg 1921, eff 7-1-08; Amended at 28 Ok Reg 1167, eff 7-1-11; Amended at 30 Ok Reg 1672, eff 7-15-13]

230:35-5-177.1. Provisional voting procedure for voter using the ATI

If a voter who is using the ATI device attached to the voting device to cast an audio ballot needs to vote provisionally for one of the reasons listed in ~~230:35-9-7~~ 230:35-5-177, follow the provisional voting procedure as outlined in 230:35-5-177 (1) through (8). Read both the information you have recorded on the Affidavit and the oath to a visually disabled voter. Follow the steps in the ~~voting device instructions section of~~ Election Day Manual for Precinct Officials in the Precinct Official Notebook to prepare the ATI device and activate the appropriate audio ballot for the voter. Once the audio ballot is activated, other voters can continue ~~scanning~~

inserting paper ballots into the voting device while the voter uses the ATI device is in use.

[Source: Added at 30 Ok Reg 1672, eff 7-15-13]