

# Quick Reference Guide

Build-It-Yourself Version

## Overview

This Quick Reference Guide is a 'build it yourself' resource that can be taken into the poll location and used to quickly reference Election Day procedures and activities.

Refer to your state's election code to fill in specific information needed to be a well-informed Election Observer. The election codes by state have been aggregated by volunteers. Please see your state's codes by visiting:

<https://truethevote.org/info-by-state>

## Assembly Instructions

1. Print this document (double-sided, flip on the long edge)
2. Cut along the dotted line at the bottom of each page.
3. Order the pages according to the page numbers (don't include this page).
4. Align all pages along the top edge and staple.
5. Your finished document will have handy tabs along the bottom of each page for quick reference and space for taking notes as you flip the previous page.
6. Keep those elections honest and help true the vote!



Finished Document

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# AZ Election Observer Quick Reference Guide



## Polling Place Staff

Lead authority: \_\_\_\_\_

Other election workers: \_\_\_\_\_

## Primary Mission of a Poll Watcher

OBSERVE and DOCUMENT activities of the Election Workers at the poll to ensure that proper elections procedures are followed. DO NOT TALK or ENGAGE with voters in any way. If a voter or other person approaches you in the poll, walk over to the LEAD AUTHORITY and ask him/her to explain to the person that you are not allowed to speak to them.

**Staff & Mission**

**Hotline #:** \_\_\_\_\_

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## Notes & Election Codes

### 16-535. Election marshal; appointment; powers and duties.

- A. The board of supervisors, at the time provided in section 16-531, shall appoint a qualified voter of the precinct as election marshal.
- B. The election marshal shall preserve order at the polls & permit no violation of the election laws from the opening of the polls until the count of the ballots is completed. The election marshal shall also periodically measure the length of waiting times at that polling place throughout the day, & if the waiting time is 30 minutes or more, the marshal shall inform the officer in charge of elections and shall request additional voting machines, voting booths and board workers, as appropriate. The election marshal may perform the duties of any other election board member on a relief basis. The election marshal shall preserve order at the polls and permit no violation of the election laws from the opening of the polls until the count of the ballots is completed.

### A.R.S. § 16-590. Appointment of challengers and party representatives

- A. The county chairman of each party may, for each precinct, by written appointment addressed to the election board, designate a party agent or representative and alternates for a polling place in the precinct who may act as challengers for the party which appointed him.
- B. At each voting place, one challenger for each political party may be present and act, but no challenger may enter a voting booth except to mark his ballot.
- C. Not more than the number of party representatives for each party which were mutually agreed upon by each political party represented on the ballot shall be in the polling place at one time. If such agreement cannot be reached, the number of representatives shall be limited to one in the polling place at one time for each political party.
- D. A challenger or party representative shall be a resident of this state and registered to vote in this state.

### A.R.S. § 16-515(A), (B), (H).

- A. Except as prescribed in this section and section 16-580, a person shall not be allowed to remain inside the seventy-five foot limit while the polls are open, except for the purpose of voting, and except the election officials, one representative at any one time of each political party represented on the ballot who has been appointed by the county chairman of that political party and the challengers allowed by law, and no electioneering may occur within the seventy-five foot limit. Voters having cast their ballots shall promptly move outside the seventy-five foot limit. A.R.S. § 16-515(A), (B), (H).
- B. The board of supervisors shall furnish, with the ballots for each polling place, three notices, printed in letters not less than two inches high, with the heading: "Seventy-five foot limit" and underneath that heading the following:
- No person shall be allowed to remain inside these limits while the polls are open, except for the purpose of voting, and except the election officials, one representative at any one time of each political party represented on the ballot who has been appointed by the county chairman of such political party, and the challengers allowed by law. Voters having cast their ballots shall at once retire without the seventy-five foot limit. A person violating any provision of this notice is guilty of a class 2 misdemeanor.



### **What to Do If You See an Infraction**

- What to Do If You See an Infraction
- Notify Lead Authority of infraction
- If correction made: Document incident noting correction
- If correction not made: Document incident noting outcome
- Include time and names of Election Workers involved. DO NOT list names of voters.
- Description of violation:
- What you witnessed and what was said
- FACTS ONLY, leave out opinion/emotion
- Complete INCIDENT REPORT when time allows

### **Professional Conduct & Conflict Resolution**

- Professional Conduct & Conflict Resolution
- Remember: Your PRIMARY MISSION is observation & documentation
- Be professional in speech and body language
- Tone of voice says more than words chosen
- Avoid being dismissed as “disruptive”
- Know your election code as much as possible
- Ask Lead Authority to deal with hostile persons
- Dealing with errors by LEAD AUTHORITY (Election Marshal)
- Politely point out correct action from reference materials
- If not corrected, document and share with your state’s election authority

## **Infractions**

## **Conflict Resolution**

## Infrctions

### 16-1004. Interference with or corruption of election officer; interference with voting equipment; violation; classification 16-1004.

A person who at any election knowingly interferes in any manner w/an officer of such election in the discharge of the officer's duty, or who induces an officer of an election or officer whose duty it is to ascertain, announce or declare the result of such election, to violate or refuse to comply with the officer's duty or any law regulating the election, is guilty of a class 5 felony.

A person who knowingly impersonates any election official, including an election board member or other poll worker or a challenger or party representative designated pursuant to section 16-590, is guilty of a class 6 felony.

### 16-1013. Coercion or intimidation of elector; classification

A. It is unlawful for a person knowingly:

1. Directly or indirectly, to make use of force, violence or restraint, or to inflict or threaten infliction, by himself or through any other person, of any injury, damage, harm or loss, or in any manner to practice intimidation upon or against any person, in order to induce or compel such person to vote or refrain from voting for a particular person or measure at any election provided by law, or on account of such person having voted or refrained from voting at an election.

2. By abduction, duress or any forcible or fraudulent device or contrivance whatever, to impede, prevent or otherwise interfere with the free exercise of the elective franchise of any voter, or to compel, induce or to prevail upon a voter either to cast or refrain from casting his vote at an election, or to cast or refrain from casting his vote for any particular person or measure at an election.

B. A person, whether acting in his individual capacity or as an officer or agent of a corporation, who violates a provision of this section is guilty of a class 1 misdemeanor.

### 16-1018. Additional unlawful acts by persons with respect to voting; classification

A person who commits any of the following acts is guilty of a class 2 misdemeanor:

1. Knowingly electioneers on election day within a polling place or in a public manner within seventy-five feet of the main outside entrance of a polling place or on-site early voting location established by a county recorder pursuant to section 16-542, subsection A.

2. Intentionally disables or removes from the polling place, on-site early voting location or custody of an election official a voting machine or a voting record.

3. Knowingly removes an official ballot from a polling place before closing the polls

4. Shows another voter's ballot to any person after it is prepared for voting in such a manner as to reveal the contents, except to an authorized person lawfully assisting the voter. A voter who makes available an image of the voter's own ballot by posting on the internet or in some other electronic medium is deemed to have consented to retransmittal of that image and that retransmittal does not constitute a violation of this section.

5. Knowingly solicits a voter to show the voter's ballot, or receives from a voter a ballot prepared for voting, unless the person is an election official or unless otherwise authorized by law.

6. Knowingly receives an official ballot from a person other than an election official having charge of the ballots.

7. Knowingly delivers an official ballot to a voter, unless the voter is an election official.

8. Except for a completed ballot transmitted by an elector by fax or other electronic format pursuant to section 16-543, knowingly places a mark on the voter's ballot by which it can be identified as the one voted by the voter.

9. After having received a ballot as a voter, knowingly fails to return the ballot to the election official before leaving the polling place or on-site early voting location.

## Conflict Resolution

### 16-535. Election marshal; appointment; powers and duties.

A. The board of supervisors, at the time provided in section 16-531, shall appoint a qualified voter of the precinct as election marshal.

B. The election marshal shall preserve order at the polls and permit no violation of the election laws from the opening of the polls until the count of the ballots is completed. The election marshal shall also periodically measure the length of waiting times at that polling place throughout the day, and if the waiting time is thirty minutes or more, the marshal shall inform the officer in charge of elections and shall request additional voting machines, voting booths and board workers, as appropriate. The election marshal may perform the duties of any other election board member on a relief basis.



### **Arrival Checklist**

- Arrival Checklist
- Check in with Lead Authority
- Submit any required paperwork upon arrival and receive ID badge if required • Ask Lead Authority for cell phone policy
- Introduce yourself to election workers

### **Poll Layout**

- Write your name, poll location info and date at top of note pad
- Record names of all election workers
- Draw a schematic of the poll layout noting the placement of equipment

### **Note Taking**

- Observe and document all activities, include time of activity and brief description of events
- State observations using facts; DO NOT INCLUDE OPINIONS

### **Opening Procedures**

#### **Things to watch for during the opening of the poll:**

- All security seals were intact prior to poll opening
- All ballots boxes were empty (if using paper ballots)
- All voting machines/ballots/ballot boxes are accounted for and within your line of sight

## **Opening the Polls**

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# Opening the Polls

## 16-563. Posting sample ballots, instruction cards and notice to voters before opening polls

Before opening the polls the inspector of elections shall direct the following postings:

1. One of the sample ballots provided for in section 16-510, one of the cards of instructions provided for in section 16-513 and one of the ""right to vote a provisional ballot"" notices provided for in section 16-513.01 in plain view in the room where the ballots are cast. At least one other sample ballot, card of instruction and ""right to vote a provisional ballot"" notice shall be posted in a conspicuous place in and around the polling place.
  2. Three seventy-five foot limit notices approximately 75 feet in different directions from the main outside entrance being used by voters to enter the building in which the election is being held.
  3. In each voting booth, a notice to voters provided in section 16-514 at general elections only.
  4. Any notices necessary for complying with early ballot on-site tabulation procedures as prescribed in sections 16-579.01 and 16-579.02.

## 16-564. Opening, exhibiting and locking ballot box before receipt of ballots; removal and opening of box

- A. Before receiving any ballots the election board, in the presence of the persons assembled at the polling place, shall open, exhibit and lock the ballot box, and thereafter it shall not be removed from the polling place or presence of the bystanders until all ballots are counted, nor opened until after the polls are finally closed, except in the case of an emergency that renders the polling place unusable to the point where it can no longer function as a polling place because law enforcement or other emergency personnel have ordered that the polling place be evacuated or as determined by the officer in charge of elections to allow voting to continue while awaiting an evacuation order from law enforcement or other emergency personnel.
  - B. If a locked ballot box must be moved from a polling place due to an emergency, at least two members of the election board from that polling place who are not members of the same political party shall accompany the locked ballot box to a new polling place designated by the officer in charge of elections, subject to the following:
    1. If practicable and available, a law enforcement officer shall aid in the transfer of the locked ballot box.
    2. If 2 members of the election board from that polling place are not available, one member of the election board & one law enforcement officer may accompany the locked ballot box to the new polling place.

## 16-565. Hours polls opened and closed; proclamation of opening and closing polls

- A. For any election called pursuant to the laws of this state, the polls shall be opened in every precinct at 6:00 a.m. on the day of election and shall be closed at 7:00 p.m.
  - B. Before the election board receives any ballots, it shall proclaim aloud at the place of election that the polls are open and voting may thereupon commence and continue during the time the polls remain open.
  - C. The election marshal shall proclaim the opening of the polls at 6:00 a.m. and shall proclaim the closing of the polls at one hour, at thirty minutes, at fifteen minutes and at one minute before closing and again at the moment of closing. The inspector and two judges shall determine when the hour for closing the polls has arrived.
  - D. Any qualified voter who at the moment of closing is in the line of waiting voters shall be allowed to vote.

## 16-572. Delivery and custody of ballots at polling place

- A. On opening the polls, the inspector shall produce the sealed package of official ballots and publicly open it and deliver one book or block of ballots therein contained to the judges. The other blocks or books of ballots, if any, shall be retained by the inspector until called for by the judges and required for voting.
  - B. One of the judges of election shall keep the ballots within the polling place in plain view of the public and deliver them only to qualified voters."





### **Who can be in the voting area?**

- Voters
- Lead Authority, Election Workers, Poll Watchers
- Interpreters providing assistance to voters
- Children under 18 accompanying a parent to vote
- Persons admitted to provide assistance to voter
- Voting machine technicians

### **Valid Forms of ID If Required by Your State**

- Valid Arizona driver's license.
- Valid Arizona non-driver identification.
- Tribal enrollment card or other form of tribal identification.
- Valid U.S. federal, state or local government issued identification.
- Utility bill dated within 90 days of the election.
- Bank or credit union statement dated within 90 days of the election.
- Valid Arizona vehicle registration.
- Indian census card.
- Property tax statement.
- Vehicle insurance card or
- Recorder's certificate

## **Voting Area**

## **Valid Forms of ID**

## Voting Area

### 16-580. Manner of voting; assistance for certain electors

- A. Except as prescribed by subsection E of this section, only one person per voting booth shall be permitted at any one time to sign for the receipt of a ballot and to wait for an opportunity to vote.

- B. On receiving a ballot the voter shall promptly and without leaving the voting area retire alone, except as provided in subsection E of this section, to one of the voting booths that is not occupied, prepare the ballot in secret and vote in the manner and substantial form as required by the instruction to voters.

- C. The voter shall deposit the ballot in the ballot box, or if the voter so requests, hand the ballot to the election board official and permit the election board official to deposit the ballot in the ballot box.

- D. After the ballot is deposited, the voter shall then proceed outside the voting area and shall not again enter the voting area unless the voter is an authorized election official or an official observer or is assisting another voter.

- E. Any registered voter, at the voter's option, may be accompanied by a minor who is permitted in the voting booth pursuant to section 16-515, subsection E, be accompanied and assisted by a person of the voter's own choice or be assisted by two election officials, one from each major political party, during any process relating to voting or during the actual process of voting on a paper ballot, machine or electronic voting system. A person who is a candidate for an office in that election other than the office of precinct committeeman is not eligible to assist any voter.

## Valid Forms of ID

### 16-579. Procedure for obtaining ballot by elector

- 1. The elector shall present any of the following:

(a) A valid form of identification that bears the photograph, name and address of the elector that reasonably appear to be the same as the name and address in the precinct register, including an Arizona driver license, an Arizona nonoperating identification license, a tribal enrollment card or other form of tribal identification or a United States federal, state or local government issued identification. Identification is deemed valid unless it can be determined on its face that it has expired.

(b) Two different items that contain the name and address of the elector that reasonably appear to be the same as the name and address in the precinct register, including a utility bill, a bank or credit union statement that is dated within ninety days of the date of the election, a valid Arizona vehicle registration, an Arizona vehicle insurance card, an Indian census card, tribal enrollment card or other form of tribal identification, a property tax statement, a recorder's certificate, a voter registration card, a valid United States federal, state or local government issued identification or any mailing that is labeled as "official election material". Identification is deemed valid unless it can be determined on its face that it has expired.

(c) A valid form of identification that bears the photograph, name and address of the elector except that if the address on the identification does not reasonably appear to be the same as the address in the precinct register or the identification is a valid United States military identification card or a valid United States passport and does not bear an address, the identification must be accompanied by one of the items listed in subdivision (b) of this paragraph.



### **Voter Check-In**

Voter is required to show: one form of photo ID or one form of ID (non-photo, government issued document or bank statement, etc as per Sec. 63.0101.)

Voter name is matched to list of registered voters for precinct and voter is admitted into voting area.

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### **Voter Check-In**

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## Voter Check-In

### 16-579. Procedure for obtaining ballot by elector

- A. Every qualified elector, before receiving a ballot, shall announce the elector's name and place of residence in a clear, audible tone of voice to the election official in charge of the signature roster or present the elector's name and residence in writing. The election official in charge of the signature roster shall comply with the following and the qualified elector shall be allowed within the voting area:
- The elector shall present any of the following:
    - A valid form of ID that bears the photograph, name and address of the elector that reasonably appear to be the same as the address in the precinct register or the identification card or a valid United States passport and does not bear an address, the identification must be accompanied by one of the items listed in subdivision (b) of this paragraph.
    - If the elector does not present identification that complies with paragraph 1 of this subsection, the elector is only eligible to vote a provisional ballot as prescribed by section 16-584 or a conditional provisional ballot as provided for in the secretary of state's instruction & procedures manual adopted pursuant to section 16-452.
    - If the voter surrenders the early ballot to the precinct inspector & the voter is not otherwise required to be issued a provisional ballot, the voter shall be issued a standard ballot after presenting ID pursuant to this subsection. The precinct inspector shall retain the surrendered early ballot, unopened in its affidavit envelope.
    - Any qualified elector who is listed as having applied for an early ballot but who states that the elector has not voted and will not vote an early ballot for this election or surrenders the early ballot to the precinct inspector on election day shall be allowed to vote pursuant to the procedure set forth in section 16-584, except that for elections conducted using an electronic pollbook or similar system with continuous voter usage updates, the following apply:
      - If the electronic pollbook or other system indicates that the voter's early ballot has not been returned or accepted by the county recorder and the voter is not otherwise required to be issued a provisional ballot, the voter may be issued or accepted by the county recorder, the voter may not be issued a standard ballot and may only be issued a provisional ballot as prescribed in section 16-584.
      - Each qualified elector's name shall be numbered consecutively by the clerks and in the order of applications for ballots. The judge shall give the qualified elector only one ballot and a ballot privacy folder, and the elector's name shall be immediately checked on the precinct register. Notwithstanding any provision of this subsection, an elector shall not be required to accept or use a ballot privacy folder.
    - For precincts in which a paper signature roster is used, each qualified elector shall sign the elector's name in the signature roster before receiving a ballot, but an inspector or judge may sign the roster for an elector who is unable to sign because of physical disability, and in that event the name of the elector shall be written w/ the inspector's or judge's attestation on the same signature line. For precincts in which an electronic pollbook system is used, each qualified elector shall sign the elector's name as prescribed in the instructions/procedures manual adopted by the secretary of state pursuant to section 16-452 before receiving a ballot, but an inspector or judge may sign the roster for an elector who is unable to sign because of physical disability & in that event the name of the elector shall be written w/ the inspector's or judge's attestation on the same signature line. A person offering to vote at a special district election for which no special district register has been supplied shall sign an affidavit stating the person's address and that the person resides within the district boundaries or proposed district boundaries and swearing that the person is a qualified elector and has not already voted at the election being held.
  - Voters are required to prove identity at the voting location before receiving a ballot on Election Day. (16-579(A)). The same requirements for proving identity also apply during in-person early voting, including at an on-site early voting location, emergency early voting center, or through personal early ballot delivery by a special election board.
  - Acceptable forms of identification fall into one of three categories:
    - A valid form of photo identification with the voter's photograph, and name and address that reasonably match the name and address in the signature roster or e-pollbook; List 1: A valid form of photo identification with the voter's photograph, and name and address that reasonably match the name and address in the signature roster or e-pollbook; List 2: Two separate valid forms of non-photo identification with the voter's name and address that reasonably match the name and address in the signature roster or e-pollbook; or List 3: One valid form of identification with the voter's photograph and name, and address not reasonably matching the address in the signature roster or e-pollbook or a valid U.S. passport or military identification with the voter's name and photograph, and one valid form of non-photo identification from List 2.
  - (16-579(A)(1)(a)-(c)). Each list, as well as special rules applicable to Native American tribal members, is described in greater detail in the sections below.
- By signing the signature roster or the e-pollbook signature pad, the voter is deemed to affirm that they are registered in that jurisdiction and is eligible to vote in that jurisdiction. (16-584(C)). If the voter is found in the signature roster or e-pollbook, has presented acceptable proof of identity, and does not fall into an exception listed in Chapter 9, Section V(B) (1) below, the voter must be issued a regular ballot. (16-579(C)).



### **Paper Ballots and Ballot Box**

(See codes section and make necessary notes here)

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### **Electronic Ballots**

(See codes section and make necessary notes here)

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**Paper Ballots**

**Electronic Ballots**

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## Paper Ballots

### 16-579. Procedure for obtaining ballot by elector

The election judge at the voting location shall give each qualified elector only one ballot (regular or provisional, depending on the circumstances) along with a ballot privacy folder or sleeve. However, no voter shall be required to accept or use a privacy ballot folder or sleeve.

### 16-610. Uncertainty of voter's choice as cause for rejection

If on any ballot the names of more persons are designated for the same office than are to be chosen, or if for any reason it is impossible to positively determine the voter's choice, all the names designated for that office shall be rejected.

### A.R.S. § 16-611. Certain defects invalidating vote for particular office

If the voter marks more names than there are persons to be elected to an office, or if from the ballot it is impossible to determine the voter's choice for an office, his ballot shall not be counted for that office.

## Electronic Ballots

Electronic vote adjudication is more common in Arizona.

The following types of votes may be adjudicated using electronic adjudication:

- Over-votes: The Electronic Vote Adjudication Board may evaluate over-vote conditions to determine the voter's intent and make corresponding adjustments to the record if the voter's intent is clear. If the voter's choice for a specific race or ballot measure cannot be positively determined, no selection shall be counted for that race or ballot measure.
- Votes on ballots read as blank or unclear: The Electronic Vote Adjudication Board may review ballots read by the tabulation machine as blank or unclear, determine if voter intent is clear on some or all races or ballot measures, and make corresponding adjustments to the record. If the voter's choice for a specific race or ballot measure cannot be positively determined, no selection shall be counted for that race or ballot measure.
- The Write-In Tally Board may also use a certified electronic adjudication program to electronically tally write-in votes for qualified write-in candidates (in lieu of manual tallying of write-in votes).
- Ballots that are damaged or defective such that they cannot be read or scanned by the tabulation equipment must be manually duplicated and shall not be electronically adjudicated.

### A.R.S. § 16-621. Proceedings at the counting center.

B. If the counting center automatic tabulating equipment includes an electronic vote adjudication feature that has been certified for use as prescribed by section 16-442 and the board of supervisors or officer in charge of elections authorizes the use of this feature at the counting center, all of the following apply:

1. The electronic vote adjudication feature shall be included in the tabulation system logic and accuracy testing prescribed by section 16-449.
2. The board of supervisors or officer in charge of elections shall appoint an electronic vote adjudication board that consists of two judges who are overseen by an inspector, with the two judges equally divided between the two largest political parties as prescribed by section 16-531, subsection D to adjudicate and submit for tabulation a ballot that is read by the tabulation machine as blank in order to determine if voter intent is clear on a portion or all of the ballot, or any portion of any ballot as prescribed by section 16-610 or 16-611, or to tally write-in choices as prescribed by section 16-612.

The electronic vote adjudication process used by the electronic vote adjudication board shall provide for:

- (a) A method to track and account for the original ballot and the digital duplicate of the ballot created by the electronic vote adjudication feature that includes a serial number on the digital image that can be used to track electronic vote adjudication board actions.
- (b) The creation and retention of comprehensive logs of all digital duplication and adjudication actions performed by an electronic vote adjudication board.
- (c) The retention of the original ballot and the digital duplicate of the ballot.



### Provisional Ballots

When the eligibility of the voter is in question, a voter should be given a provisional ballot. Some examples are:

- Voter is in the wrong precinct
- Voter has an address that is outside the country
- Voter not qualified but insist on voting

**Provisional ballot procedures that should be followed in your state:**

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### Mail Ballots

**(see codes section and make necessary notes here)**

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## Provisional Ballots

## Mail Ballots



## Provisional Voting

When the eligibility of the voter is in question, a voter should be given a provisional ballot. Some examples are:

- Voter is in the wrong precinct
- Voter's name does not appear on signature roster, e-poll book or whose voter registration has gone inactive
- Voter has an address that is outside the country
- Voter not qualified but insists on voting Provisional ballot procedures that should be followed in your state: if voter appears on signature roster or e-poll book as having received an early ballot-by-mail and has both not voted and surrendered their ballot-by-mail to the election inspector.

### 16-583. Voter not on precinct register; inactive voter list; procedure

- A. On or before election day, the county recorder shall provide to each precinct the names of electors on the inactive voter list. If a person whose name is not on the precinct register appears at a polling place, an election official shall determine whether the person is on the inactive voter list. If the person is on the inactive voter list, the registrar, on affirmation by the registrar before an election official at the polling place that the registrar continues to reside at the address indicated on the inactive voter list, shall be permitted to vote at that polling place. The elector's name shall be entered on a separate signature roster page at the end of the signature roster, and voters' names shall be numbered consecutively. If the registrar indicates that the registrant lives at a new residence, the election official shall direct the registrant to the polling place for the new address.
- B. Following the election, the county recorder shall remove from inactive status all electors who voted pursuant to subsection A, shall place the electors' names back on the general register and shall return the electors' status to active.

### 16-584. Qualified elector not on precinct register; recorder's certificate; verified ballot; procedure

- A. A qualified elector whose name is not on the precinct register and who presents a certificate from the county recorder showing that the elector is entitled by law to vote in the precinct shall be entered on the signature roster on the blank following the last printed name and shall be given the next consecutive register number, and the qualified elector shall sign in the space provided.
- B. A qualified elector whose name is not on the precinct register, on presentation of identification verifying the identity of the elector that includes the voter's given name and surname and the complete residence address that is verified by the election board to be in the precinct or on signing an affirmation that states that the elector is a registered voter in that jurisdiction and is eligible to vote in that jurisdiction, shall be allowed to vote a provisional ballot.
- C. If a voter has moved to a new address within the county and has not notified the county recorder of the change of address before the date of an election, the voter shall be permitted to correct the voting records for purposes of voting in future elections at the appropriate polling place for the voter's new address. The voter shall be permitted to vote a provisional ballot. The voter shall present a form of identification that includes the voter's given name and surname and the voter's complete residence address. The residence address must be within the precinct in which the voter is attempting to vote, and the voter shall affirm in writing that the voter is registered in that jurisdiction and is eligible to vote in that jurisdiction.
- D. On completion of the ballot, the election official shall place the ballot in a provisional ballot envelope and shall deposit the envelope in the ballot box. Within ten calendar days after a general election that includes an election for a federal office and within five business days after any other election or no later than the time at which challenged ballots are resolved, the signature shall be compared to the precinct signature roster of the former precinct where the voter was registered. If the voter's name is not signed on the roster and if there is no indication that the voter voted an early ballot, the provisional ballot envelope shall be opened and the ballot shall be counted. If there is information showing the person did vote, the provisional ballot shall remain unopened and shall not be counted. When provisional ballots are confirmed for counting, the county recorder shall use the information supplied on the provisional ballot envelope to correct the address record of the voter.
- E. When a voter is allowed to vote a provisional ballot, the elector's name shall be entered on a separate signature roster page at the end of the signature roster. Voters' names shall be numbered consecutively beginning with the number V-1. The elector shall sign in the space provided. The ballot shall be placed in a separate envelope, the outside of which shall contain the precinct name or number, a sworn or attested statement of the elector that the elector resides in the precinct, is eligible to vote in the election, and has not previously voted in the election, the signature of the elector and voter registration number of the elector, if available. The ballot shall be verified for proper registration of the elector by the county recorder before being counted. The verification shall be made by the county recorder within ten calendar days after a general election that includes an election for a federal office and within five business days following any other election. Verified ballots shall be counted by depositing the ballot in the ballot box and showing on the records of the election that the elector has voted. If registration is not verified the ballot shall remain unopened and shall be retained in the same manner as voted ballots.
- F. For any person who votes a provisional ballot, the county recorder or other officer in charge of elections shall provide for a method of notifying the provisional ballot voter at no cost to the voter whether the voter's ballot was verified and counted and, if not counted, the reason for not counting the ballot. The notification may be in the form of notice by mail to the voter, establishment of a toll free telephone number, internet access or other similar method to allow the voter to have access to this information. The method of notification shall provide reasonable restrictions that are designed to limit transmittal of the information only to the voter.

See back of guide's Notes section for Mail In procedures





### **Curbside Voting**

There is no codified process.

### **Rules on Voters Needing Assistance**

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### **Who may provide assistance to a voter?**

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### **Electioneering**

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**Curbside Voting**

**Voters Needing Assistance**

**Electioneering**



## Curbside Voting

No codified procedure.

## Voters Needing Assistance

### 16-42.01. Accessible voting technology; recommendations; certification; applicability

- A. On completion of the certification process pursuant to this section and section 16-442, the secretary of state shall require that voting systems that are used by entities that are governed by section 16-204, but not including cities and towns with a population of less than twenty thousand persons, provide persons who are blind or visually impaired with access to voting that is equivalent to that provided to persons who are blind or have a visual impairment.
- B. For the purposes of this section:
1. A voting system that provides the voter with the ability to cast and verify by both visual and nonvisual methods all of the selections that were made by that voter is deemed to provide equivalent access.
  2. Nonvisual methods for casting and verifying a selection made on a voting system include the use of synthesized speech, braille and other output methods that do not require sight.

- C. The secretary of state shall consult with and obtain recommendations regarding voting systems from nonprofit organizations that represent persons who are blind or visually impaired, persons with expertise in accessible software, hardware and other technology, county and local election officials and other persons deemed appropriate by the secretary of state. After receiving recommendations, the secretary of state shall submit to the committee established pursuant to section 16-442 one or more voting systems that provide equivalent access pursuant to this section for possible certification for use in this state.
- D. Subsection A of this section applies to voting systems that are purchased or upgraded on or after January 1, 2006.
- ### 16-549. Special election boards; expenses; voting procedure for ill electors or electors with disabilities
- C. In lieu of the mailed early ballot procedure, any qualified elector who is confined as the result of a continuing illness or physical disability and is, therefore, not able to go to the polls on the day of the next election and who does not wish to vote by the mailed early ballot procedure, may make a verbal or a signed written request to the county recorder or other officer in charge of elections to have a ballot personally delivered to the elector by the special election board at the elector's place of confinement or other office in charge of elections to provide a special election board with a ballot at the elector's place of confinement. If the county recorder or other officer in charge of elections is able to accommodate the request, the vote ballot of the elector shall be sealed in an envelope and shall be processed as a provisional ballot pursuant to section 16-584. Before receiving a ballot pursuant to this subsection, a qualified elector shall provide identification as prescribed in section 16-579 and shall sign a statement under penalty of perjury that states that the persons it is experiencing or experiencing an emergency after 5:00 p.m. on the second Friday preceding the election and before 5:00 p.m. on the Monday immediately preceding the election that would prevent the person from voting at the polls. Signed statements received pursuant to this subsection are not subject to inspection pursuant to title 39, chapter 1, article 2.
- E. The manner and procedure of voting shall be as provided in section 16-548, except that the marked ballot in the sealed envelope shall be handed by the elector to the special election board and shall be delivered by the board to the county recorder or other officer in charge of elections.

- ### 16-581. Elderly persons; persons with disabilities; inaccessible polling places; definitions
- A. If the board of supervisors determines that a polling place is inaccessible to elderly persons or persons with disabilities, it shall provide for alternative voting according to procedures established by the chief election officer of the state pursuant to the voting accessibility for the elderly and handicapped act (P.L. 98-435; 98 Stat. 1678, 1984; 42 United States Code section 1973).
- B. For the purposes of this section:
1. "Elderly" means sixty-five years of age or older.
  2. "Persons with disabilities" means a person who has a temporary or permanent physical disability that substantially restricts/limits the person's access to polling places.

## Electioneering

### 16-515. "Seventy-five foot limit" notices; posting; violation; classification

- A. Except as prescribed in this section and section 16-580, a person shall not be allowed to remain inside the seventy-five foot limit while the polls are open, except for the purpose of voting, and no electioneering may occur within the seventy-five foot limit. Voters having cast their ballots shall promptly move outside the seventy-five foot limit.
- B. The board of supervisors shall furnish, with the ballots for each polling place, three notices, printed in letters not less than two inches high, with the heading: "Seventy-five foot limit" and underneath that heading the following:
- "No person shall be allowed to remain inside these limits while the polls are open, except for the purpose of voting, & except the election officials, one rep at any one time of each political party represented on the ballot who has been appointed by the county chairman of such political party, & the challengers allowed by law. Voters having cast their ballots shall at once retire without the seventy-five foot limit. A person violating any provision of this notice is guilty of a class 2 misdemeanor or a misdemeanor. Notwithstanding section 16-1018, a person may not take photographs or videos while within the seventy-five foot limit.
- G. Notwithstanding section 16-1018, a person may not take photographs or videos while within the seventy-five foot limit.
- H. Any person violating this section is guilty of a class 2 misdemeanor.
- I. For the purposes of this section, electioneering occurs when an individual knowingly, intentionally, by verbal expression and in order to induce or compel another person to vote in a particular manner or to refrain from voting expresses support for or opposition to a candidate who appears on the ballot in that election, a ballot question that appears on the ballot in that election or a political party with one or more candidates who appear on the ballot in that election.

### 16-1018. Additional unlawful acts by persons with respect to voting; classification

- A person who commits any of the following acts is guilty of a class 2 misdemeanor:
1. Knowingly electioneers on election day within a polling place or in a public manner within seveny-five feet of the main outside entrance of a polling place or on-site early voting location established by a county recorder pursuant to section 16-542, subsection A. Electioneering is not permitted within 75 feet of a polling place.

Electioneering or political activity may not result in voter intimidation.



**Closing Procedures**

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**Voting After the Polls Close**

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**Securing and Transporting Ballots / Equipment**

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**Breaking Down Equipment**

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**Closing the Poll**

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## Closing the Poll

Closing Procedures: Voting After the Polls Close: Only voters waiting in line to vote after closing are permitted to vote. Polls close at 7:00pm. Securing and Transporting Ballots / Equipment: The number of voters who have voted (poll list) is included with the ballots placed in ballot box or metal container - which is numbered sealed and secured to be delivered to the central counting place by two members of different parties from the election board.  
Breaking Down Equipment: After the last qualified voter has voted, all voting and marking devices are sealed against further voting and all unused ballots are sealed for return to officer in charge of elections.

### 16-565. Hours polls opened and closed; proclamation of opening and closing polls

A. For any election called pursuant to the laws of this state, the polls shall be opened in every precinct at 6:00 a.m. on the day of election and shall be closed at 7:00 p.m. of election and shall be closed at 7:00 p.m.  
C. The election marshal shall proclaim the opening of the polls at 6:00 a.m. and shall proclaim the closing of the polls at one hour, at thirty minutes, at fifteen minutes and at one minute before closing and again at the moment of closing. The inspector and two judges shall determine when the hour for closing the polls has arrived.  
D. Any qualified voter who at the moment of closing is in the line of waiting voters shall be allowed to vote.

### 16-566. Opening and closing of polling place; unused ballots

B. As soon as the polls have been closed and the last qualified voter has voted, the voting or marking devices shall be sealed against further voting. All unused ballots shall be placed in a container and sealed for return to the board of supervisors or other officer in charge of elections.

### 16-602(I) Removal of ballots from ballot boxes; disposition of ballots folded together or excessive ballots; designated margin; hand counts; vote count verification committee

I. The hand counts prescribed by this section shall begin within twenty-four hours after the closing of the polls and shall be completed before the canvassing of the election for that county. The results of those hand counts shall be provided to the secretary of state, who shall make those results publicly available on the secretary of state's website.

### 16-608. Delivery of ballots; electronic voting system

A. After the close of the polls and after compliance with section 16-602 the members of the election board shall prepare a report in duplicate of the number of voters who have voted, as indicated on the poll list, and place this report in the ballot box or metal container, in which the voted ballots have been placed, which thereupon shall be sealed with a numbered seal and delivered promptly by two members of the election board of different political parties to the central counting place or other receiving station designated by the board of supervisors or officer in charge of elections, which shall not be more than fifty miles from the polling place from which the ballots are delivered. The person in charge of receiving ballots shall give a numbered receipt acknowledging receipt of such ballots to the person in charge who delivers such ballots.  
B. The chairman of the county committee of each political party represented on the ballot may designate a member of his party to accompany the ballots from each polling place to the central counting place. Such party representative shall serve without compensation.



- In Arizona, Election Observers MUST be resident and registered to vote in Arizona and MUST provide their credentials to poll workers at their assigned voting location.
- Election Observers MAY monitor the election process without causing disruptions, MAY challenge a voter's eligibility but must do so in writing with clear and convincing evidence.
- Election Observers MAY NOT enter a voting booth except to mark his own ballot,
- MAY NOT touch or modify voting equipment hardware or software,
- MAY NOT touch or handle election materials,
- MAY NOT electioneer or talk with voters,
- MAY NOT obstruct poll workers or demand they follow procedures and MAY NOT carry a firearm within 75 feet of any polling station.
- All challenges and complaints must be delivered to the Poll Worker.

## **Election Observer Rules & Privileges**

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## Election Observer Rules & Privileges

Public observation at Machine testing only

### 16-590. Appointment of challengers and party representatives

- A. The county chairman of each party may, for each precinct, by written appointment addressed to the election board, designate a party agent or representative and alternates for a polling place in the precinct who may act as challengers for the party which appointed him.
- B. At each voting place, one challenger for each political party may be present and act, but no challenger may enter a voting booth except to mark his ballot.
- C. Not more than the number of party reps for each party which were mutually agreed upon by each political party represented on the ballot shall be in the polling place at one time: If such agreement cannot be reached, the number of representatives shall be limited to one in the polling place at one time for each political party.
- D. A challenger or party representative shall be a resident of this state and registered to vote in this state.

### 16-1004. Interference with or corruption of election officer; interference with voting equipment; violation; classification

- A. A person who at any election knowingly interferes in any manner with an officer of such election in the discharge of the officer's duty, or who induces an officer of an election or officer whose duty it is to ascertain, announce or declare the result of such election, to violate or refuse to comply with the officer's duty or any law regulating the election, is guilty of a class 5 felony.
- B. A person who knowingly modifies the software, hardware or source code for voting equipment without receiving approval or certification pursuant to section 16-442 is guilty of a class 5 felony.
- C. A person who knowingly impersonates any election official, including an election board member or other poll worker or a challenger or party representative designated pursuant to section 16-590, is guilty of a class 6 felony.

### 16-552. Early ballots; processing; challenges

- A. In a jurisdiction that uses optical scan ballots, the officer in charge of elections may use the procedure prescribed by this section or may request approval from the secretary of state for a different method for processing early ballots. The request shall be made in writing at least ninety days before the election for which the procedure is intended to be used. After the election official has confirmed with the secretary of state that all election equipment passes the logic and accuracy test, the election official may begin to count early ballots. No early ballot results may be released except as prescribed by section 16-551.
- B. The early election board shall check the voter's affidavit on the envelope containing the early ballot. If it is found to be sufficient, the vote shall be allowed. If the affidavit is insufficient, the vote shall not be allowed.
- C. The county chairman of each political party represented on the ballot, by written apt addressed to the early election board, may designate party representatives and alternates to act as early ballot challengers for the party. No party may have more than the number of such representatives or alternates that were mutually agreed on by each political party to be present at one time. If such agreement cannot be reached, the number of representatives shall be limited to one for each political party.
- D. An early ballot may be challenged on any grounds set forth in section 16-591. All challenges shall be made in writing with a brief statement of the grounds before the early ballot is placed in the ballot box. A record of all challenges and resulting proceedings shall be kept in substantially the same manner as provided in section 16-594. If an early ballot is challenged, it shall be set aside and retained in the possession of the early election board or other officer in charge of early ballot processing until a time that the early election board sets for determination of the challenge, subject to the procedure in subsection E of this section, at which time the early election board shall hear the grounds for the challenge and shall decide what disposition shall be made of the early ballot by majority vote. If the early ballot is not allowed, it shall be handed pursuant to subsection G of this section.
- E. Within twenty-four hours of receipt of a challenge, the early election board or other officer in charge of early ballot processing shall mail, by first class mail, a notice of challenge at the address listed on the written challenge and provided to the county chairman of each political party represented on the ballot. The board shall meet to determine the challenge at the time specified by the notice but, in any event, not earlier than ninety-six hours after the notice is mailed, or forty-eight hours if the voter with an informal opportunity to make, or to submit, brief statements regarding the challenge. The board may decline to permit comments, either in person or in writing, by anyone other than the voter, the challenger and the party representatives. The burden of proof is on the challenger to show why the voter should not be permitted to vote. The fact that the voter fails to appear shall not be deemed to be an admission of the validity of the challenge. The early election board or other officer in charge of early ballot processing is not required to provide the notices described in this subsection if the written challenge fails to set forth at least one of the grounds listed in section 16-591 as a basis for the challenge. In that event, the challenge shall be summarily rejected at the meeting of the board. Except for election contests pursuant to section 16-672, the board's decision is final and may not be appealed.
- F. If the vote is allowed, the board shall open the envelope containing the ballot in such a manner that the affidavit thereon is not destroyed, take out the ballot without unfolding it or permitting it to be opened or examined and show by the records of the election that the elector has voted.
- G. If the vote is not allowed, the affidavit containing the early ballot shall not be opened and the board shall mark across the face of such envelope the grounds for rejection. The affidavit envelope and its contents shall then be deposited with the opened affidavit envelopes and shall be preserved with official returns. If the voter does not enter an appearance, the board shall send the voter a notice stating whether the early ballot was disallowed and, if disallowed, providing the grounds for the determination. The notice shall be mailed by first class mail to the voter's mailing address as shown on the registration rolls within 3 days after the board's determination.

### 16-594. List of challenges, grounds and rulings

The board shall require one of the clerks to keep a list of the names of all persons challenged, the grounds of the challenge and the determination of the board upon the challenge. Copies of the list shall be kept in the office of the county recorder or other officer in charge of early ballot processing as a public record. Affidavits of challenged voters, decisions of election officials and challenge lists shall be a part of the official returns and shall be delivered to the board of supervisors.

### 16-1018. Additional unlawful acts by persons with respect to voting; classification

1. A person who commits any of the following acts is guilty of a class 2 misdemeanor:
  - A. Knowingly electioneers on election day within a polling place or in a public manner within seventy-five feet of the main outside entrance of a polling place or on-site early voting location established by a county recorder pursuant to section 16-542, subsection A.
  2. Intentionally disables or removes from the polling place, on-site early voting location or custody of an election official a voting machine or a voting record.
  3. Knowingly removes an official ballot from a polling place before closing the polls.
  4. Shows another voter's ballot to any person after it is prepared for voting in such a manner as to reveal the contents, except to an authorized person lawfully assisting the voter. A voter who makes available an image of the voter's own ballot by posting on the internet or in some other electronic medium is deemed to have consented to retransmission of that image and that retransmission does not constitute a violation of this section.
  5. Knowingly solicits a voter to show the voter's ballot, or receives from a voter a ballot prepared for voting, unless the person is an election official or unless otherwise authorized by law.
  6. Knowingly receives an official ballot from a person other than an election official having charge of the ballots.
  7. Knowingly delivers an official ballot to a voter, unless the voter is an election official.
  8. Except for a completed ballot transmitted by an elector by fax or other electronic format pursuant to section 16-543, knowingly places a mark on the voter's ballot by which it can be identified as the one voted by the voter.
  9. After having received a ballot as a voter, knowingly fails to return the ballot to the election official before leaving the polling place or on-site voting location.



## Mail In

Mail Ballots = Early Voting and a voter choosing to vote by mail must be on the Active Early Voting List.

### 16-541. Early voting

- A. Any election called pursuant to the laws of this state shall provide for early voting, including voting by the use of an accessible vote by US mail option for persons who are blind/have a visual impairment. Any qualified elector may vote by early ballot.
- B. A qualified elector of a special district organized pursuant to title 48 shall be permitted to vote early in any special district mail ballot election as provided in article 8.1 of this chapter.

### 16-579.01. Early ballots; on-site tabulation

- A. Every county recorder/other officer in charge of elections may provide for a qualified elector who appears at that elector's designated polling location or at a voting center on election day with the elector's voted early ballot to have the elector's voted early ballot tabulated as prescribed in section 16-579.02.
- B. The county recorder or other officer in charge of elections shall do all of the following if the on-site tabulation of early ballots is allowed:
  1. Designate an area within a precinct or voting center for processing electors w/their voted early ballots that is physically separate from the area for voters who are voting pursuant to section 16-579.
  2. Provide adequate poll workers, election officials/equipment necessary to conduct voting pursuant to this section/section 16-579.02.
  3. Categorize/tally separately in the official canvass/other reports electors whose voted early ballots are tabulated at the precinct or voting center. The tally shall be reported by precinct in the official canvass/other voting reports.
  4. Reconcile for that polling place or voting center the number of electors who appear on the signature roster or e-pollbook w/the number of completed early ballot affidavits/the voted early ballots tabulated on-site.

### 16-579.02. Election day early ballot on-site tabulation procedure; fund

- A. A qualified elector who appears at a voting center or at the elector's designated polling place that allows for the on-site tabulation of early ballots with the elector's voted early ballot shall present identification as prescribed in section 16-579, subsection A, paragraph 1 and proceed as follows:
  1. If the elector does not present identification that complies with section 16-579, subsection A, paragraph 1, the elector shall either deposit the elector's voted early ballot in its affidavit envelope in an official drop box or proceed to the area designated for election day voting to surrender the early ballot to the election board for retention and not for tabulating. The elector shall then be allowed to vote a provisional ballot as prescribed in section 16-584. An election official may not allow for the on-site tabulation of an early ballot if the elector does not present identification that complies with section 16-579, subsection A, paragraph 1.
  2. If the elector presents sufficient identification to comply with section 16-579, subsection A, paragraph 1, the elector shall present the elector's early ballot affidavit to the election official in charge of the signature roster, and the election official shall confirm that the name and address on the completed affidavit reasonably appear to be the same as the name and address on the precinct register.
  3. If the elector's affidavit is not complete, the election official in charge of the signature roster shall allow the elector to complete the affidavit. The election official may not allow for the on-site tabulation of an early ballot until the elector presents a completed early ballot affidavit.
- B. If the elector's affidavit is complete, the elector's name shall be numbered consecutively by the clerk and in the order of application for early ballot tabulation.
- C. For precincts in which a paper signature roster is used, each qualified elector shall sign the elector's name in the signature roster as prescribed in section 16-579, subsection D before proceeding to the tabulating equipment.
- D. For precincts in which an electronic pollbook is used, each qualified elector shall sign the elector's name as prescribed in section 16-579, subsection E before proceeding to the tabulating equipment.
- E. After signing the signature roster or electronic pollbook, the elector shall proceed to the tabulating equipment and while under the observation of an election official, remove the early ballot from the completed affidavit envelope, deposit the empty completed affidavit envelope in the secured and labeled drop box and insert the early ballot into a tabulating machine. An early ballot that has been separated from the elector's completed affidavit envelope may not be removed from the on-site early ballot tabulation area.
- F. The drop box prescribed in subsection E of this section shall be clearly labeled to indicate that the completed affidavits are from ballots tabulated pursuant to this section and shall be secured in a manner substantially similar to other ballot boxes at that location.
- G. Any qualified elector who lawfully brings to a polling place or voting center another elector's voted early ballot that is sealed in its affidavit envelope shall deposit the other elector's voted early ballot in the appropriate ballot drop box before entering the on-site early ballot tabulation area for purposes of tabulating the elector's own early ballot. The county recorder or other officer in charge of elections shall ensure that a voter is not in possession of another voter's ballot within the on-site early ballot tabulation area.