

# 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!



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# Florida 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

### 101.131 Watchers at polls

- (1) Each political party & candidate may have one watcher in each polling room/early voting area at any one time during election. A political committee formed for the specific purpose of expressly advocating the passage/defeat of an issue on the ballot may have one watcher for each polling room/early voting area at any one time during the election. No watcher shall be permitted to come closer to the officials' table/voting booths than is reasonably necessary to properly perform functions, but each shall be allowed within the polling room/early voting area to watch/observe conduct of electors/officials. The poll watchers shall furnish their own materials/necessities & shall not obstruct orderly conduct of any election. Each poll watcher shall pose any questions regarding polling place procedures directly to the clerk for resolution. They may not interact with voters. (2) Each party/political committee/candidate requesting to have poll watchers shall designate in writing to supervisors of elections, on a form prescribed by the division, before noon of the second Tuesday preceding the election poll watchers for each polling room on election day. Designations of poll watchers for early voting areas shall be submitted in writing to the supervisor of elections, on a form prescribed by the division, before noon at least 14 days before early voting begins. The poll watchers for polling rooms shall be approved by the supervisor of elections on/ before the Tuesday before election. Poll watchers for early voting areas shall be approved by the supervisor of elections no later than 7 days before early voting begins. The supervisor shall furnish to each election board a list of the poll watchers designated and approved for such polling rooms/early voting areas. Designation of poll watchers shall be made by the chair of the county executive committee of a political party/chair of political committee/candidate requesting to have poll watchers. (3) No candidate/sheriff/deputy sheriff/police officer/other law enforcement officer may be designated as a poll watcher. (4) All poll watchers shall be allowed to enter & watch polls in all polling rooms/early voting areas within the county in which they have been designated if the number of poll watchers at any particular polling place does not exceed the number provided in this section. (5) The supervisor of elections shall provide to each designated poll watcher an identification badge which identifies poll watcher by name. Each poll watcher must wear his or her identification badge while performing his or her duties.



### **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**

- 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
  - Politely point out correct action from reference materials
  - If not corrected, document and share with your state’s election authority

## **Infractions**

## **Conflict Resolution**

## **Infrctions**

### **104.29 - Inspectors refusing to allow watchers while ballots are counted**

The inspectors or other election officials at the polling place shall, after the polls close, allow as many as 3 persons near to them to see whether the ballots are being reconciled correctly. Any official who denies this privilege or interferes therewith commits a misdemeanor ...

### **104.20 - Ballot not to be seen, and other offenses**

Any elector who, except as provided by law, allows a ballot to be seen by any person; takes/removes/attempt to take/remove, any ballot from the polling place before the close of the polls; places any mark on his or her ballot by which it may be identified; endeavors to induce any elector to show how voted; aids/attempt to aid any elector unlawfully; or prints/procures to be printed/has possession of any copies of any ballot prepared to be voted is guilty ...

### **104.30 - Voting system; unlawful possession; tampering**

(1) Any unauthorized person who unlawfully has possession of any voting system/components/ key thereof is guilty of a misdemeanor ...  
(2) Any person who tampers/ attempts to tamper with/destroy any voting system/equipment with the intention of interfering with the election process or the results is guilty ...

## **Conflict Resolution**

### **101.131 - Watchers at polls**

(1)...The poll watchers shall pose any questions regarding polling place procedures directly to the clerk for resolution. They may not interact with voters. Each poll watcher shall be a qualified and registered elector of the county in which he or she serves.

### **102.141 - County canvassing board; duties.**

(10)(a) 4. All staffing shortages or procedural violations by employees or precinct workers which were addressed by the supervisor of elections or the county canvassing board during the conduct of the election, and the steps that were taken to correct such issues. 5. All instances where needs for staffing or 5. All equipment were insufficient to meet the needs of the voters. 6. Any additional information regarding material issues or problems associated with the conduct of the election. (b) If a supervisor discovers new or additional information on any of the items required to be included in the report pursuant to paragraph (a) after the report is filed, the supervisor must notify the division that new information has been discovered no later than the next business day after the discovery, & the supervisor must file an amended report signed by the supervisor of elections on the conduct of the election within 10 days after the discovery. (c) Such reports must be maintained on file in the Division of Elections & must be available for public inspection.



### **Arrival Checklist**

- Check in with Lead Authority
- Submit any required paperwork upon arrival
- 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

### 101.5610 - Inspection of ballot by election board

The election board of each precinct shall cause the voting devices to be put in order/set/adjusted/ & made ready for voting when delivered to the polling places. Before the opening of the polls, the election board shall compare the ballots or the ballot information used in the voting devices with the sample ballots furnished and see that the names/numbers/& letters thereon agree & shall certify thereon provided by the supervisor of elections.

### 102.012 - Inspectors and clerks to conduct elections

(1)(a) The supervisor of elections of each county, at least 20 days prior to the holding of any election, shall appoint an election board comprised of poll workers who serve as clerks/inspectors for each precinct in the county. The clerk shall be in charge of/responsible for seeing the election board carries out its duties & responsibilities. Each inspector and each clerk shall take and subscribe to an oath/affirmation, which shall be written/printed, to the effect they will perform the duties of inspector/clerk of election according to law & will endeavor to prevent all fraud/deceit/abuse in conducting the election. The oath may be taken before an officer authorized to administer oaths or before any of the persons who are to act as inspectors, one of them to swear the others, and one of the others sworn thus, in turn, to administer the oath to the one who has not been sworn. The oaths shall be returned with the poll list and the returns of the election to the supervisor. In all questions that may arise before the members of an election board, the decision of a majority of them shall decide the question. The supervisor of the election of each county shall be responsible for the attendance and diligent performance of their duties by each clerk & inspector. (b) If two or more precincts share the same building & voting place, the supervisor of elections may appoint one election board for the collocated precincts. The supervisor shall provide that a sufficient number of poll workers are appointed to adequately handle the processing of the voters in the collocated precincts. (2) Each member of the election board shall be able to read/write the English language & shall be a registered/qualified elector of the county in which the member is appointed or a person who has pre-registered to vote, pursuant to s. 97.041(1)(b), in the county in which the member is appointed. No election board shall be composed solely of members of one political party. (3) The supervisor shall furnish inspectors of elections for each precinct with the list of registered voters for that precinct. The supervisor shall also furnish to the inspectors of election at the polling place at each precinct in the supervisor's county a sufficient number of forms and blanks for use on election day. (4) The election board of each precinct shall attend the polling place by 6 a.m. of the day of the election & shall arrange the furniture/electronic/voting equipment. The election board shall conduct the voting, beginning & closing at the time set forth in s. 100.011.

### 100.011 - Opening and closing of polls, all elections, expenses

(1) The polls shall be open at the voting places at 7:00 a.m., on the day of the election, & shall be kept open until 7:00 p.m., of the same day, and the time shall be regulated by the customary time in standard use in the county seat of the locality. The inspectors shall make public proclamation of the opening/closing of polls. During the election and canvass of the votes, ballot box shall not be concealed. Any elector who is in line at the time of the official closing of the polls shall be allowed to cast a vote in the election. (2) The time of opening/closing of the polls shall be observed in all elections held in this state, including municipal & school elections. **Note:** The public is allowed to enter the polling room and observe the procedures before the polls open, however the public should not wander around the room but be confined to a specific area designated for public viewing. The public observers must leave when polls open. The public (including poll watchers) is allowed to enter the polling room and observe the procedures after the polls close, which is after all voters have cast their ballots.

At a minimum, the following steps must be taken before polls open: • Verify that all poll workers have affirmed and signed the poll worker oath or affirmation. • Compare the ballots or the ballot information to be used in the voting devices with the sample ballot and certify in writing that the names, numbers, & letters agree. • Arrange furniture, precinct supplies, and voting equipment. • Set up the voting booths in a way that voters cannot see each other's ballots to ensure privacy. • Set up accessible voting equipment for persons with disabilities, even if you do not expect anyone to use this equipment. Check that equipment works and keep it operational throughout the voting day. All voter interface devices must meet accessibility requirements. Ensure that there is sufficient lighting within the polling place, including the booths with marking devices. • Ensure that paths of travel, doorways, hallways, entrances, and voting areas are clear and accessible. • Make all requisite supplies, forms, and documents available. • Display or make available all required signs, notices, and instructions that are required to be in English, Spanish, and any other language when required by law or court order in the county. • Ensure members of the election team wear badges identifying themselves as staff and their role including if they provide language assistance. • Designate sufficient non-permitted parking to accommodate the anticipated number of voters. • Set-up and clearly designate the secure ballot intake station (only during early voting period). • Designate no-solicitation zone. • Designate an area for poll watchers where they may reasonably observe the check-in area. • Work with election staff to disable or cover security cameras inside polling place during the voting period. • Designate a poll worker who is also responsible for checking booths periodically to ensure that a voter has not left a ballot uncast or other materials in the voting area.





### 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

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

There are 12 forms of accepted ID:

1. Florida driver license.
2. Florida identification card issued by the Department of Highway Safety and Motor Vehicles.
3. United States passport
4. Debit or Credit Card.
5. Military identification.
6. Student Identification
7. Retirement center identification.
8. Neighborhood association identification.
9. Public assistance identification.
10. Veteran health identification card issued by the U.S. Department of Veterans Affairs.
11. A license to carry a concealed weapon fire arm issued pursuant to s. 790.06.
12. Employee identification card issued by any branch/department/agency/or entity of the Federal Government/state/county/or a municipality.

## Voting Area

## Valid Forms of ID

## Voting Area

### 102.031 - Maintenance of good order at polls; authorities; persons allowed in polling rooms and early voting areas; unlawful solicitation of voters

(2) The sheriff shall deputize a deputy sheriff for each polling place and each early voting site who shall be present during the time the polls or early voting sites are open & until the election is completed, who shall be subject to all lawful commands of the clerk or inspectors, & who shall maintain good order. The deputy may summon assistance from among by standers to aid when necessary to maintain peace & order at the polls/early voting sites. (3) (a) No person may enter any polling room/polling place where the polling place is also a polling room/early voting area during voting hours except the following:

1. Official poll watchers;
2. Inspectors;
3. Election clerks;
4. The supervisor of elections or his or her deputy;
5. Persons there to vote, persons in the care of a voter, or persons caring for such voter;
6. Law enforcement officers or emergency service personnel there with permission of the clerk or a majority of the inspectors; or
7. A person, whether or not a registered voter, who is assisting with or participating in a simulated election for minors, as approved by the supervisor of elections.

## Valid Forms of ID

### 101.043 - Identification required at polls

(1)(a) The precinct register, as prescribed in s. 98.461, shall be used at the polls for the purpose of identifying the elector at the polls before allowing to vote. The clerk or inspector shall require each elector, upon entering the polling place, to present one of the following current & valid picture identifications:

1. Florida driver license.
2. Florida identification card issued by the Department of Highway Safety and Motor Vehicles.
3. United States passport
4. Debit or Credit Card.
5. Military identification.
6. Student identification
7. Retirement center identification.
8. Neighborhood association identification.
9. Public assistance identification.
10. Veteran health identification card issued by the U.S. Department of Veterans Affairs.
11. A license to carry a concealed weapon fire arm issued pursuant to s. 790.06.
12. Employee identification card issued by any branch/department/agency/or entity of the Federal Government/state/county/or a municipality.

(b) If the picture identification does not contain the signature of the elector, an additional identification that provides the elector's signature shall be required. ...

(2) If the elector fails to furnish the required identification, the elector shall be allowed to vote a provisional ballot. The canvassing board shall determine the validity of the ballot pursuant to s. 101.048(2).



## Voter Check-In

- **ID Verification:** When a voter presents to vote, ask the voter for a current and valid photo ID and signature. Note: A voter is allowed to present one ID that includes the photo and signature (e.g., Florida driver license) or a photo ID and a separate signature ID. For example, a student ID with a photo and a credit card with the voter's signature.
- Compare the person in the photo to the voter.
  - If determined to be the same person, proceed to Section B. Name.
  - If you doubt they are the same person, the voter shall be allowed to vote a provisional ballot. Follow the procedure in Section B. Provisional Ballot
  - If the voter does not present the proper photo and signature ID, he or she shall still be allowed to vote a provisional ballot. Note: No voter should be turned away from voting for lack of photo identification. Allow the voter to cast a provisional ballot.
  - When any person has been admitted to vote, the person's name shall be checked by the clerk or one of the inspectors at the place indicated upon the registration books or voter history form provided by the supervisor. One of the inspectors shall, at the same time, keep a poll list containing names of electors who have voted or a list of registered electors, on which those electors who have voted are indicated. Such lists shall be available for inspection during regular voting hours by poll watchers designated and appointed pursuant to s. 101.131, except that the election inspector may regulate access to the lists so as to ensure that such inspection does not unreasonably interfere with the orderly operation of the polling place.
- **Identification with Name/Address:** Ask each voter (if you have not already asked before an ID was presented) if he or she has any address change or update to make. If the address on the photo ID presented is the same as the one on the precinct register
- **Signature:** The voter must sign the precinct register, electronic signature pad, or the early voting certificate, whichever is applicable. The precinct register must contain space or allow for voter's signature and for witnessing clerk's or inspector's initials. 1. Compare the voter's signature to the signature on the identification. 2. If the signature signed by the voter differs from the one on the ID or they do not appear to match, instruct the voter to complete a signature affidavit before completing the Voter Check-in process. 3. If the person does not complete the affidavit, follow the procedure for provisional ballots.
- **Eligible to vote:** If the voter is in the proper precinct and it has been established that the voter is eligible and entitled to vote, allow the voter to vote a regular ballot.

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## Voter Check-In

## Voter Check-In

### 101.23 - Election inspector to keep list of those voting

When any person has been admitted to vote, the person's name shall be checked by the clerk or one of the inspectors at the place indicated upon the registration books or voter history form provided by the supervisor. One of the inspectors shall, at the same time, keep a poll list containing names of electors who have voted or a list of registered electors, on which those electors who have voted are indicated. Such lists shall be available for inspection during regular voting hours by poll watchers designated & appointed pursuant to s. 101.131, except that the election inspector may regulate access to the lists so as to ensure that such inspection does not unreasonably interfere with the orderly operation of the polling place.

### 101.045 - Electors must be registered in precinct; provisions for change of residence or name

(1) A person is not permitted to vote in any election precinct/district other than the one in which the person has legal residence & in which the person is registered. However, a person temporarily residing outside the county shall be registered in the precinct in which the main office of the supervisor is registered, as designated by the supervisor, is located when the person has no permanent address in the county & it is the person's intention to remain a resident of Florida & of the county in which registered to vote. Such persons who are registered in the precinct in which the main office of the supervisor, as designated by the supervisor, is located and who are residing outside the county with no permanent address in the county shall not be registered electors of a municipality & therefore shall not be permitted to vote in any municipal election. (2)(a) An elector who moves from the precinct in which the elector is registered may vote in the precinct to which has moved their legal residence, if the change of residence is within the same county or the precinct to which the elector has moved their legal residence is within a county that uses an electronic database as a precinct register at the polling place & the elector completes an affirmation following form: Change of Legal Residence of Registered Voter.

### 98.461 - Registration application, precinct register, contents

(2) A computer printout/electronic database shall be used at the polls as a precinct register. The precinct register shall contain the date of the election/precinct number & the following information concerning each registered elector: last name/first name/middle name or initial/suffix/party affiliation/residence address/registration number/date of birth/sex, if provided; race, if provided; whether the voter needs assistance in voting; & space for the initials of the witnessing clerk/inspector/an electronic device may be provided for this purpose.

### 101.5608 - Voting by electronic or electromechanical method; procedures

(1) Each elector desiring to vote shall be identified to the clerk or inspector of the election as a duly qualified elector of such election & shall sign name on the precinct register/other form/device provided by supervisor. The inspector shall compare the signature with the signature on the identification provided by the elector. If the inspector is reasonably sure that the person is entitled to vote, the inspector shall provide the person with a ballot.  
(2) When an electronic/electromechanical voting system utilizes a ballot card or marksense ballot, the following procedures shall be followed:  
(a) After receiving a ballot from an inspector, the elector shall, without leaving the polling place, retire to a booth or compartment and mark the ballot. After marking ballot, the elector shall place the ballot in a secrecy envelope so that the ballot will be deposited in the tabulator without exposing the voter's choices.  
(b) Any voter who spoils ballot or makes an error may return the ballot to the election official and secure another ballot, except that in no case shall a voter be furnished more than 3 ballots. If the vote tabulation device rejected a ballot, the ballot shall be considered spoiled & a new ballot shall be provided to the voter unless the voter chooses to cast the rejected ballot. The election official, without examining the original ballot, shall state the possible reasons for the rejection and shall provide instruction to the voter pursuant to s. 101.5611. A spoiled ballot shall be preserved, without examination, in an envelope provided for that purpose. The stub shall be removed from the ballot & placed in an envelope.  
(c) The supervisor of elections shall prepare for each polling place at least one ballot box to contain the ballots of a particular precinct, & each ballot box shall be plainly marked with the name of the precinct for which it is intended.  
(3) The Department of State shall promulgate rules regarding voting procedures to be used when an electronic or electromechanical voting system is of a type which does not utilize a ballot card or marksense ballot.  
(4) In any election in which a write-in candidate has qualified for office, the supervisor of elections shall provide for write-in voting pursuant to rules adopted by the Division of Elections.



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

The supervisor of elections shall prepare for each polling place one ballot box of sufficient size to contain all the ballots of the particular precinct, and the ballot box shall be plainly marked with the name of the precinct for which it is intended.

Before each election, the supervisor shall place in the ballot box or ballot transfer container as many ballots as are required in s. 101.21.

After securely sealing the ballot box or ballot transfer container, the supervisor shall send the ballot box/ballot transfer container to the clerk or inspector of election of the precinct in which it is to be used.

The clerk or inspector shall be placed under oath/affirmation to perform duties faithfully and without favor/prejudice to any political party.

### **Electronic Ballots**

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## **Paper Ballots**

## **Electronic Ballots**



## Paper Ballots

### 101.24 - Ballot boxes and ballots

The supervisor of elections shall prepare for each polling place one ballot box of sufficient size to contain all the ballots of the particular precinct, and the ballot box shall be plainly marked with the name of the precinct for which it is intended. An additional ballot box, if necessary, may be supplied to any precinct. Before each election, the supervisor shall place in the ballot box or ballot transfer container as many ballots as are required in s. 101.21. After securely sealing the ballot box or ballot transfer container, the supervisor shall send the ballot box/ballot transfer container to the clerk or inspector of election of the precinct in which it is to be used. The clerk or inspector shall be placed under oath/affirmation to perform duties faithfully and without favor/prejudice to any political party.

## Electronic Ballots

### 101.608 - Voting by electronic or electromechanical method; procedures

(2) When an electronic or electromechanical voting system utilizes a ballot card or marksense ballot, the following procedures shall be followed:

- After receiving a ballot from an inspector, the elector shall, without leaving the polling place, retire to a booth or compartment and mark the ballot. After marking ballot, the elector shall place the ballot in a secrecy envelope so that the ballot will be deposited in the tabulator without exposing the voter's choices.

- Any voter who spoils ballot/makes an error may return the ballot to the election official & secure another ballot, except that in no case shall a voter be furnished more than 3 ballots. If the vote tabulation device has rejected a ballot, the ballot shall be considered spoiled & a new ballot shall be provided to the voter unless the voter chooses to cast the rejected ballot. The election official, without examining the original ballot, shall state the possible reasons for the rejection & shall provide instruction to the voter pursuant to s. 101.5611. A spoiled ballot shall be preserved, without examination, in an envelope provided for that purpose. The stub shall be removed from the ballot & placed in an envelope.
- The supervisor of elections shall prepare for each polling place at least one ballot box to contain the ballots of a particular precinct, and each ballot box shall be plainly marked with the name of the precinct for which it is intended.
- The Department of State shall promulgate rules regarding procedures to be used when an electronic/electromechanical voting system is of a type which does not utilize a ballot card or marksense ballot.
- In any election in which a write-in candidate has qualified for office, the supervisor of elections shall provide for write-in voting pursuant to rules adopted by the Division of Election



### 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

A voter who has requested a vote-by-mail ballot may instead appear to vote at the polling place.

A voter who has requested a vote-by-mail ballot should be noted on the precinct register.

If the voter returns the vote-by-mail ballot, voted or not, to the poll worker, the poll worker must confirm that the voter has not already voted. If not able to confirm, the voter shall be allowed to vote a provisional ballot. If the vote-by-mail ballot is returned, first mark the returned vote-by-mail ballot "Canceled" on the certificate side of the ballot envelope and secure the ballot for return to the supervisor of elections after the polls close.

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## Provisional Ballots

## Mail Ballots



## Provisional Voting

### 101.048 - Provisional ballots

(1) At all elections, a voter claiming to be properly registered in the state & eligible to vote at the precinct in the election but whose eligibility cannot be determined, a person whom an election official asserts is not eligible, including, but not limited to, a person to whom notice has been sent pursuant to s. 98.075(7), but for whom a final determination of eligibility has not been made, & other persons specified in the code shall be entitled to vote a provisional ballot. Once voted, provisional ballot must be placed in a secrecy envelope & thereafter sealed in a provisional ballot envelope. The provisional ballot must be deposited in a ballot box. All provisional ballots must remain sealed in their envelopes for return to the supervisor of elections. The department shall prescribe the form of the provisional ballot envelope. A person casting a provisional ballot has the right to present written evidence supporting eligibility to vote to the supervisor of elections by not later than 5 p.m. on the second day following the election. (2) (a) The county canvassing board shall examine each Provisional Ballot Voter's Certificate and Affirmation to determine if the person voting that ballot was entitled to vote at the precinct where the person cast a vote in the election and Affirmation to determine if the person provided in the Voter's Certificate/Affirmation, written evidence provided by the person pursuant to subsection (1), information provided in any cure affidavit and accompanying supporting documentation pursuant to subsection (6), any other evidence presented by the supervisor & in the case of a challenge, any evidence presented by the challenger. A ballot of a person casting a provisional ballot shall be canvassed pursuant to paragraph (b) unless the canvassing board determines by a preponderance of the evidence that the person was not entitled to vote. (b) If it is determined that the person was registered and entitled to vote at the precinct where the person cast a vote in the election, the canvassing board must compare the signature on the Provisional Ballot Voter's Certificate/Affirmation or provisional ballot cure affidavit with the signature on the voter's registration/precinct register. A provisional ballot may be counted only if: 1. The signature on the voter's certificate or the cure affidavit matches the voter's signature in the registration books/precinct register; however, in the case of a cure affidavit, the supporting identification listed in subsection (6) must also confirm the identity of the voter, or 2. The cure affidavit contains a signature that does not match the voter's signature in the registration books or the precinct register, but the precinct register, but the voter has submitted a current and valid Tier 1 form of identification confirming his or her identity pursuant to subsection (6).

For purposes of this paragraph, any canvassing board finding signatures do not match must be by majority vote and beyond a reasonable doubt. (c) Any provisional ballot not counted must remain in the envelope containing the Provisional Ballot Voter's Certificate and Affirmation and the envelope shall be marked "Rejected as illegal." (d) If a provisional ballot is validated following the submission of a cure affidavit, the supervisor must make a copy of the affidavit, affix it to a voter registration application & immediately process it as a valid request for a signature update pursuant to s. 98.077.

(6)(a) As soon as practicable, the supervisor shall, on behalf of the county canvassing board, attempt to notify an elector who has submitted a provisional ballot that does not include the elector's signature or contains a signature that does not match the elector's signature in the registration books or precinct register by:

1. Notifying the elector of the signature deficiency by e-mail and directing the elector to the cure affidavit ...
2. Notifying the elector of the signature deficiency by text message and directing the elector to the cure affidavit ... or
3. Notifying the elector of the signature deficiency by telephone and directing the elector to the cure affidavit and instructions on the supervisor's website.

## Mail Ballots

### 101.69 - Voting in person; return of vote-by-mail ballot

(1) The provisions of this code shall not be construed to prohibit any elector from voting in person at the elector's precinct on the day of an election or at an early voting site, notwithstanding that the elector has requested a vote-by-mail ballot for that election. An elector who has returned a voted vote-by-mail ballot to the supervisor, however, is deemed to have cast ballot & is not entitled to vote another ballot or have a provisional ballot counted by the county canvassing board. An elector who has received a vote-by-mail ballot and has not returned the voted ballot to the supervisor, but desires to vote in person, shall return the ballot, whether voted or not, to the election board in the elector's precinct or to an early voting site. The returned ballot shall be marked "cancelled" by the board and placed with other canceled ballots. However, if the elector does not return the ballot and the election official:

(a) Confirms that the supervisor has received the elector's vote-by-mail ballot, the elector shall not be allowed to vote in person. If the elector maintains that he or she has not returned the vote-by-mail ballot or remains eligible to vote, the elector shall be provided a provisional ballot as provided in s. 101.048. (b) Confirms that the supervisor has not received the elector's vote-by-mail ballot, the elector shall be allowed to vote in person as provided in this code. The elector's vote-by-mail ballot shall not be counted & shall remain in the mailing envelope, & envelope shall be marked "Rejected as illegal." (c) Cannot determine whether the supervisor has received the elector's vote-by-mail ballot, the elector may vote a provisional ballot as provided in s. 101.048. (2)(a) The supervisor shall allow an elector who has received a vote-by-mail ballot to physically return a vote-by-mail ballot to the supervisor by placing the return mail envelope containing his or her marked ballot in a secure ballot intake station. Secure ballot intake stations shall be placed at the main office of the supervisor, at each permanent branch office. ... (b) A supervisor shall designate each secure ballot intake station location at least 30 days before an election. The supervisor shall provide the address of each secure ballot intake station location to the division at least 30 days before an election. ... (c) 1. On each day of early voting, all secure ballot intake stations must be emptied at the end of early voting hours & all ballots retrieved from the secure ballot intake stations must be returned to the supervisor's office. 2. For secure ballot intake stations located at an office of the supervisor, all ballots must be retrieved before the secure ballot intake station is no longer monitored by an employee of the supervisor. 3. Employees of the supervisor must comply with procedures for the chain of custody of ballots as required by s. 101.015(4). (3) If any secure ballot intake station is left accessible for ballot receipt other than as authorized by this section, the supervisor is subject to a civil penalty...





## **Curbside Voting**

Florida does not have curbside voting noted in election code.

## **Rules on Voters Needing Assistance**

The voter requesting assistance by reason of physical disability, blindness or illiteracy must first register under the procedure and it is noted in the voter's registration record that they are eligible to receive assistance in voting.

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

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

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

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

Any person the voter requests to assist the voter (but not the assisted voter's employer, the agent of the person's employer, or an officer or agent of the person's union) or two elections officials (preferably of two different political parties if possible). No person is permitted to solicit voters to provide that assistance to those voters within 150 feet of polling station and by voting centers.

## **Electioneering**

Electioneering is not allowed within 150 feet of a secure ballot intake station or entrance to a polling station.





### **Closing Procedures**

- The Clerk or other designated official shall announce that the polls are closed.
- The Election Team must complete steps including but not limited to securing equipment and ballots as further detailed below.

### **Voting After the Polls Close**

- Ballots cast after the polling place closes would need to be made on Provisional ballots.

### **Securing and Transporting Ballots / Equipment**

- The election board must secure the voting device so that no more ballots may be cast.
- Then the election board shall follow the procedures outlined in the Voting Systems Operations Manual for the voting system used in the county and the security procedures approved for the county.

### **Breaking Down Equipment**

Election workers are responsible for breaking down equipment; poll watchers only observe and document the process.

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## **Closing the Poll**

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## Closing the Poll

### 100.011 - Opening and closing of polls, all elections: expenses

(1) The polls shall be open at the voting places at 7:00 a.m., on the day of the election, and shall be kept open until 7:00 p.m., of the same day, and the time shall be regulated by the customary time in standard use in the county seat of the locality. The inspectors shall make public proclamation of the opening and closing of the polls. During the election and canvass of the votes, the ballot box shall not be concealed. Any elector who is in line at the time of the official closing of the polls shall be allowed to cast a vote in the election.

### 101.049 - Provisional ballots: special circumstances

(1) Any person who votes in an election after the regular poll-closing time pursuant to a court or other order extending the statutory polling hours must vote a provisional ballot. Once voted, the provisional ballot shall be placed in a secrecy envelope and thereafter sealed in a provisional ballot envelope. The election official witnessing the voter's subscription and affirmation on the Provisional Ballot Voter's Certificate shall indicate whether or not the voter met all requirements to vote a regular ballot at the polls. All such provisional ballots shall remain sealed in their envelopes and be transmitted to the supervisor of elections.

(2) Separate and apart from all other ballots, the county canvassing board shall count all late-voted provisional ballots that the canvassing board determines to be valid.

(3) The supervisor shall ensure that late-voted provisional ballots are not commingled with other ballots during the canvassing process or at any other time they are statutorily required to be in the supervisor's possession.

(4) This section shall not apply to voters in line at the poll-closing time provided in s. 100.011 who cast their ballots subsequent to that time.

(5) As an alternative, provisional ballots cast pursuant to this section may, and for persons with disabilities shall, be cast in accordance with the provisions of s. 101.048(4).

### Additional Notes:

1. Ballot accounting - After all voters who have finished voting and the polls are closed, the proceedings of the election board are open to the public. Ballot accounting must be conducted at the end of each day during early voting and on Election Day after the polls close. Note: Do not let anyone touch or otherwise interfere with the ballot or ballot container or the process for counting ballots. Do not rush through any process or be pressured for results. Accuracy is extremely important.

2. Counties using optical scan and touch screen voting systems - After the voting devices have been locked against further voting and the polls have closed, the election board must verify that the number of voted ballots, unused ballots, provisional ballots, and spoiled ballots corresponds with the number of marksense ballots issued by the supervisor of elections. The election board must then verify that the number of voters equals the number of ballots cast as indicated by the precinct ballot tabulator and the touch screen machine(s) plus the number of provisional ballots voted. The Board must take into consideration whether or not provisional voters signed in at a central point or just signed the Provisional Ballot Voter Certificate and Affirmation. The number of voters may be based either on the signatures on the precinct registers, on the tally of voters who signed in on an electronic device, or on the number of voter authority slips that contains voters' signatures. If there is a difference, the election board shall recount the signatures, the validated voter check-ins, or the authority slips and certificates. If there is still a difference, the clerk shall report such differences in writing to the Canvassing Board, with the reasons for the difference, if known. If ballots have more than one page, the election board must follow the supplemental accounting procedures prescribed by your supervisor of elections.

3. Counties using ballot-on-demand for early voting and Election Day - At the end of each day during the early voting period and on Election Day, after the voting devices have been locked against further voting and the polls have closed, the election board must count the number of persons who signed in to vote, and determine the number of persons who voted as shown by the ballots cast on the precinct tabulator. The election board will determine the number of ballots printed and the number of ballots spoiled and compare that to the number of persons who signed in and the number of persons who voted. If there are discrepancies, the election board shall report the discrepancy to the supervisor of elections.



### **Election Observers MUST**

- Wear their identification badges.

### **Election Observers MAY**

- Roam and are allowed in all polling locations within the county designated.
- Observe the voter check-in process.
- Make written voter challenges with the Precinct Clerk, bring in and use mobile electronic devices discreetly.
- They may not come closer to the inspectors' table or the voting booths than is reasonably necessary to perform the poll watcher's functions.

### **Election Observers MAY NOT**

- Take photos.
- Wear campaign buttons, shirts, hats, or other campaign items.
- Speak to or otherwise interact with voters
- Obstruct the orderly conduct of the election.

## **Election Observer Rules & Privileges**

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## Election Observer Rules & Privileges

### 101.111 - Voter challenges

(1)(a) Any registered elector or poll watcher of a county may challenge the right of a person to vote in that county. The challenge must be in writing and contain the following oath, which shall be delivered to the clerk or inspector:

OATH OF PERSON ENTERING CHALLENGE...

### 101.131 - Watchers at polls

(1) Each political party/candidate may have one watcher in each polling room/early voting area at any one time during the election. A political committee formed for the specific purpose of expediting the passage or defeat of an issue on the ballot may have one watcher for each polling room or early voting area at any one time during the election. No watcher shall be permitted to come closer to the officials' table/voting booths than is reasonably necessary to properly perform their functions, but shall be allowed within the polling room/early voting area to watch/observe the conduct of electors/officials. The poll watchers shall furnish their own materials & necessities & not obstruct the orderly conduct of any election. The poll watchers shall pose any questions regarding polling place procedures directly to the clerk for resolution. They may not interact with voters. Each poll watcher shall be a qualified and registered elector of the county in which they serve.

(2) Each party/political committee/candidate requesting to have poll watchers shall designate, in writing to the supervisors of elections, on a form prescribed by the division, before noon of the second Tuesday preceding the election poll watchers for each polling room on election day. Designations of poll watchers for early voting areas shall be submitted in writing to the supervisor of elections, on a form prescribed by the division, before the Tuesday before the election. Poll watchers for early voting areas shall be approved by the supervisor of elections on or before noon at least 14 days before early voting begins. The poll watchers for polling rooms shall be approved by the supervisor of elections on or before the Tuesday before the election. The supervisor shall furnish to each election board a list of the poll watchers designated and approved for such polling rooms or early voting areas. Designation of poll watchers shall be made by the chair of the county executive committee of a political party, the chair of a political committee, or the candidate requesting to have poll watchers.

(3) No candidate/sheriff/deputy sheriff/pollice officer/other law enforcement officer may be designated as poll watcher.

(4) All poll watchers shall be allowed to enter and watch polls in polling rooms/early voting areas within the county in which they have been designated if the number of poll watchers at any particular polling place does not exceed the number provided in this section.

(5) The supervisor of elections shall provide to each designated poll watcher an identification badge which identifies the poll watcher by name. Each poll watcher must wear identification badge while performing duties.

### 102.031 - Maintenance of good order at polls; authorities; persons allowed in polling rooms and early voting areas; unlawful solicitation of voters

(1) Each election board shall possess full authority to maintain order at polls/enforce obedience to its lawful commands during an election & the canvass of the votes.

(2) Sheriff shall deputize a deputy sheriff for each polling place/early voting site who shall be present during the time polls/early voting sites are open until election is completed, subject to lawful commands of clerk/inspectors. The deputy may summon assistance from among bystanders to aid when necessary ...

(3)(a) No person may enter any polling room/polling place where polling place is also a polling room, or any early voting area during voting hours except the following:

1. Official poll watchers;
2. Inspectors;
3. Election clerks;
4. The supervisor of elections or his or her deputy;
5. Persons there to vote, persons in the care of a voter, or persons caring for such voter;
6. Law enforcement officers or emergency service personnel there with permission of clerk or a majority of the inspectors; or
7. A person who is assisting with/participating in a simulated election for minors, as approved by the supervisor of elections.

(b) The restriction in this subsection does not apply where the polling room is in an area commonly traversed by the public in order to gain access to businesses/homes/area traditionally utilized as a public area for discussion.

(5) No photography is permitted in polling room/early voting area, except an elector may photograph own ballot.



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**Additional Notes**

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