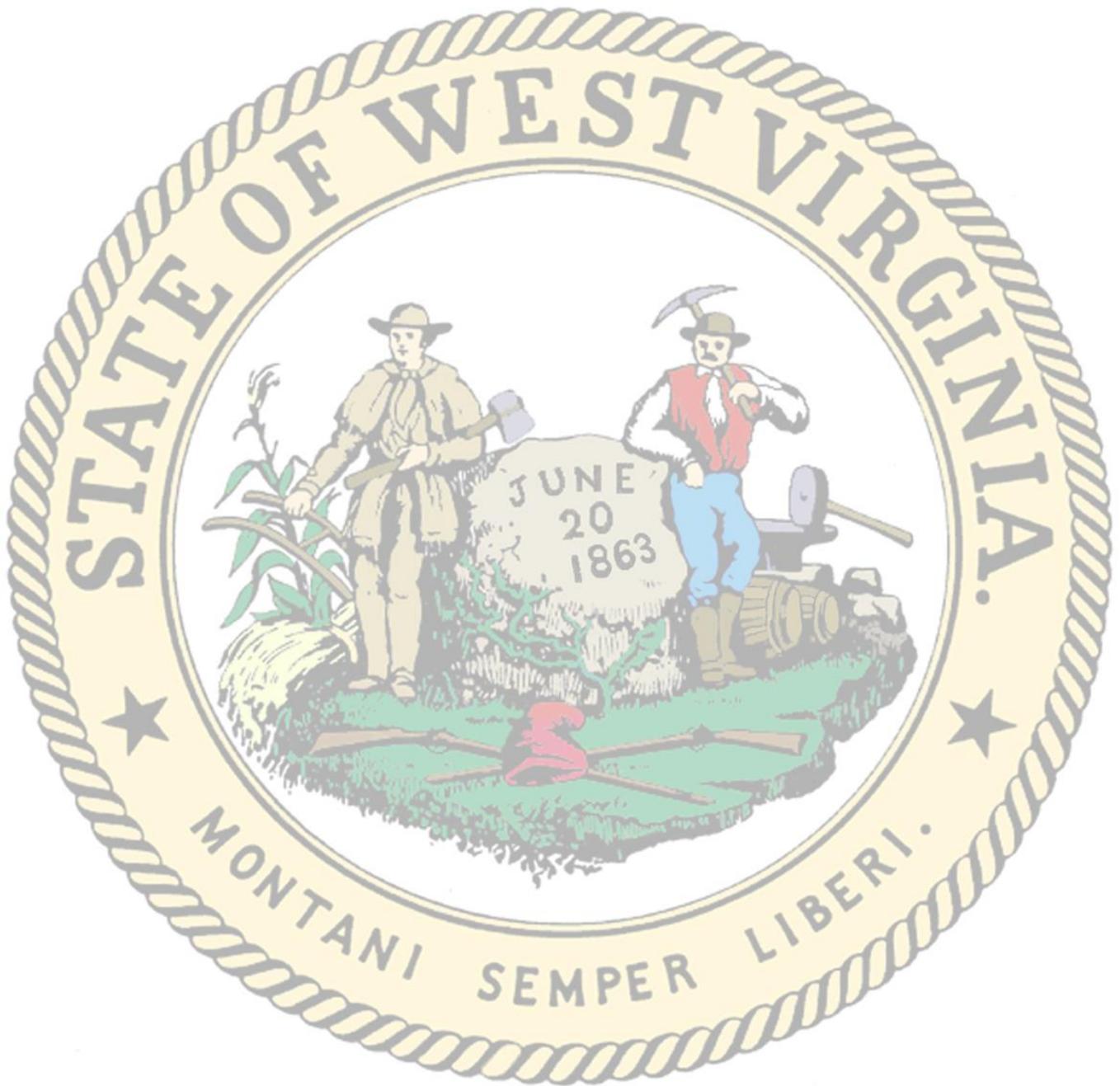


CANVASS AND RECOUNT



WEST VIRGINIA SECRETARY OF STATE'S OFFICE
ELECTIONS DIVISION

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Canvassing Primary, General, and Special Elections

What is the canvass?

Canvass is a proceeding required by law in which the materials, equipment, and results of an election are reviewed, corrected, and officially recorded prior to the certification of that election. The canvass is a public meeting.

Who is the Board of Canvassers?

- | | |
|---|--|
| 1. County elections | County Commission |
| 2. Statewide primary or general elections | County Commission |
| 3. Special elections ordered by the county commissions and held in conjunction with a statewide election using same precincts | County Commission |
| 4. Special levy or bond election ordered by Board of Education | County Commission only as of June 4, 2014 in accordance with HB 4302 |
| 5. Municipal primary, general, or special election NOT held in conjunction with any county or state election | Municipal governing body |
| 6. Municipal primary, general, or special election held in conjunction with any county or state election | County Commission |

NOTE: A quorum of the governing body constituting the board of canvassers must be present to conduct the canvass. If a quorum is not present at the start, the meeting will stand adjourned until the next day. The meeting may recess from time to time if a quorum is not present. If the canvass cannot be completed in one session, the meeting may adjourn, but for no longer than absolutely necessary. All procedures must be conducted under the supervision of a quorum of the board.

Who is the presiding officer at the canvass?

The presiding officer of the governing body

Who assists with the canvass?

- | | |
|---|--------------------|
| • For canvasses conducted by the county commission | County Clerk |
| • For canvasses conducted by municipal governing body | Municipal Recorder |

When is the canvass held?

- Primary elections

The fifth day (not counting Sunday) after the election. If the fifth day falls on a Saturday, Sunday or legal holiday, the canvass begins on the next business day.

- General and Special elections

The fifth day (not counting Sunday) after the election. If the fifth day falls on a Saturday, Sunday or legal holiday, the canvass begins on the next business day.

Where is the canvass held?

For a canvass conducted by the county commission

County Courthouse

For a canvass conducted by a municipal governing body

City Hall

NOTE: The canvass is open to the public. However, only persons authorized to participate in the canvass may handle materials. At the end of the canvass all materials are to be re-sealed and secured.

Materials to be Used at Canvass

Please note: Each type of system in each county must also meet the requirements of a single unassisted voting machine in each precinct.

Electronic Voting Systems (Optical Scan and DRE)

1. Ballots
 - a. Voted
 - b. Provisional (Challenged)
 - c. Early and Absentee
 - i. Absentee ballots received from Military and overseas voters before canvass
 - ii. Applications for absentee ballots
 - iii. Poll slips used for early voting
 - iv. Precinct list of absentee and early voters
 - v. Military and overseas absentee records
 - d. Spoiled
 - e. Unused
2. Ballot Stubs and Poll Slips
3. Provisional Ballot Forms (where applicable)
4. Voter Verified Paper Record (DRE paper rolls or OpScan ballots)
5. Poll Books
6. Tally Sheets for the hand count
7. Certificates and oaths for canvass workers
8. Statements of Ballots Used
9. Voting Devices / Terminals (where applicable)
10. Ballot Boxes (where applicable)
11. Tabulating Equipment
12. Computer Printout of Unofficial Returns
13. Any supplementary tabulation such as tally sheets of hand counted ballots with write-in votes prepared on election night
14. Official list of write-in candidates (if applicable)
15. List of ballots sent to each precinct --- including a list of actual ballot numbers (optical scan only)
16. Personalized Electronic Ballots (DRE only)
17. Flashcards
18. Unity Software

Paper Ballots

1. Ballots

- a. Voted
- b. Provisional (Challenged)
- c. Early and Absentee
 - i. Absentee ballots received from Military and overseas voters before canvass
 - ii. Applications for absentee ballots
 - iii. Poll slips used for early voting
 - iv. Precinct list of absentee and early voters
 - v. Military and overseas absentee records
- d. Spoiled
- e. Unused

2. Ballot and Poll Ticket Stubs

3. Poll Books

4. Tally Sheets for the hand count

5. Certificates and oaths for canvass workers

6. Statements of Ballots Used

7. Ballot Boxes

8. Precinct Return Certificates

9. Cumulative Returns

10. Official list of write-in candidates (if applicable)

11. List of ballots sent to each precinct --- including a list of actual ballot numbers

Conducting an Optical Scan/Paper Ballot Canvass

(Counties must also follow touchscreen procedures for each precinct in counties where touchscreens are used for ADA compliance.)

1. Call the meeting to order --- a quorum of canvassing board must be present.
2. Set the amount of bond for a recount. The bond amount cannot be greater than \$300.00.
3. Select random precincts to hand count and begin to prepare the materials but do not start the hand count at this time. West Virginia law requires an accounting of the tabulating equipment used during the election. **Three percent**** of the precincts in counties using electronic voting equipment must be hand counted.

If you have this amount of precincts	THEN	Hand Count this amount of precincts
1 - 33		1
34 - 66		2
67 - 100		3
101 - 133		4
134 - 166		5
167 - 200		6

** Effective March 8, 2014 in accordance with SB 359

The Board of Canvassers determines which precincts to hand count by random selection held in an open meeting. The method of random selection is determined by the Board of Canvassers.

4. Have the materials for each precinct ready for the canvassing board. ***NOTE: Handle only one precinct at a time. Finish all procedures for one precinct completely before starting the next. A precinct worksheet (found in the back of this booklet) should be completed for each precinct as each step is completed. File the information in the election record.***
5. Compare the number of ballots cast on Election Day, early voting and absentee as reported on the Statement of Ballots Used (SBU) and the Absentee/Early Voting Record (AEVR) with the number of ballots tabulated. Voted paper ballots must be counted manually for comparison. *If the totals are not equal, count the ballot stubs or review the printed reports. Compare them to the number of signatures found on the poll tickets, poll book, or absentee applications.*
6. Open the “spoiled ballot” envelope and count the number of “spoiled ballots.” Compare the number of spoiled ballots to the number reported on SBU and AEVR.
7. Open the “provisional ballot” envelope and count the number of “provisional ballots.” Compare the number of provisional ballots to the number reported on SBU and AEVR.

8. Determine the number of unused ballots, by reviewing the ballot stub numbers on the ballots.
9. Confirm that the total number of ballots received by the precinct equals the total of the ballots voted, the provisional ballots, the spoiled ballots and the unused ballots. If there is a discrepancy, the board of canvassers must make a determination of the difference and document their findings in the record of canvass.
10. Review the absentee ballots by mail received after Election Day that are to be counted. Absentee ballots are accepted if they are postmarked by the United States Postal Service no later than Election Day. Faxed/emailed ballots are not to be accepted if they are received after the polls have closed. If the ballot is returned by an express shipping service, it must be received by the day after the election. If an absentee ballot is from a MILITARY OR OVERSEAS voter, no postmark is required, but the ballot must be received before canvass starts in order to be counted.
11. Count the total number of absentee ballots. Place all absentee ballots that are to be counted in one stack. Place all absentee ballots not to be counted in the envelope for precinct.

Do not open the absentee ballots that are not counted.

12. Open all of the absentee ballots that are to be counted. Remove the outer envelope and stack the inner envelopes in a pile. Separate and shuffle the inner envelopes to maintain voter secrecy.
13. Open the envelopes and remove the ballots. Remove the ballot stub from each ballot (if applicable) and keep them separate from Election Day stubs. Set aside the ballots that have write-in votes to be tallied separately.
14. Tabulate each ballot and then continue with the write-in ballots. Once all ballots are tabulated, place the absentee ballots, stubs, and all other absentee material back in the precinct envelope. (This includes ballots that were not opened.) Document the number of absentee ballots in the record of canvass.
15. Review each provisional ballot. Determine if the provisional ballot is to be counted. (
16. There are two methods to make the motion concerning validity of a provisional ballot.
 - a. You can make the motion for each ballot separately; or
 - b. You can make the motion for two groups of provisional ballots:
those to be counted and those NOT to be counted.
17. Every effort should be made to maintain the secrecy of the provisional voter. The names of the provisional voters should NOT be announced during the canvass.

NOTE: WEST VIRGINIA LAW REQUIRES THAT PRIVACY OF PROVISIONAL BALLOTS MUST BE ENSURED.

If there is only one provisional ballot from a precinct to be counted, place it with ballots from another precinct in the same district and enter the total for that precinct, but make note in the record of canvass. **Provisional ballots that are NOT counted are NOT TO BE OPENED.** They are to remain sealed and maintained with other election materials.

18. Once the decision is made to count a ballot or group of ballots, open the outer envelope of the first provisional ballot. Mark the outer envelope and the front of the inner envelope with the number 1, continue with the other envelopes from that precinct in the same manner, marking those 2, 3, 4 etc. *Please note that the provisional ballots are marked and tracked pending any legal action.*

19. Shuffle the unopened inner envelopes. Open them one by one and remove the ballot. Number the back of the ballot to match the inner envelope. Check for write-in votes. Place the ballots with write-in votes in a stack to be reviewed following the same procedures as election night.

20. Tabulate the provisional ballots from each precinct separately. Add the votes to the original returns. Return the ballots to original inner envelopes only by matching the marked numbers.

21. Make an official record of the findings for each precinct, including the comparisons made, number of ballots cast, spoiled, unused, and provisional, etc. If there are any discrepancies, make a detailed note in the record of canvass for that precinct.

22. Keep a copy of the precinct report available for easy access as it may be needed to determine if ballots which do not have the required signatures may be counted. Ballots which do not contain the required poll clerk signatures may be counted if an accurate accounting is made for **all** ballots in the precinct in which the ballot was voted.

BEGIN THE HAND RECOUNT OF PRECINCTS

23. A quorum of the board of canvassers **must be present at all times**. If a quorum is not present at any time, the hand count must stop, prolonging the canvass. If commissioners need to leave, they should arrange with the other commissioners to ensure there is a quorum present at all times.

24. You can recess the hand count for breaks or lunch, but a quorum of the board must be present to begin again.

25. To perform the actual count, teams of four individuals work together after having taken a written oath to perform duties fairly. Two members read the votes cast on the ballot. The other two members separately record the votes. Tally sheets should be used for this process.

26. Enter results of hand count in the record of canvass. Compare the hand count tallies with tabulated results of the same precincts.

27. If there is a difference between the tabulated results for any office caused by a mechanical failure of the tabulating equipment, the board of canvassers must determine the error and take corrective measures in accordance with West Virginia Code §3-4A-29. Once that correction is complete, those precincts that were affected by the error must be run through the equipment once again for final tabulation. All activities and issues must be entered in the board of canvassers' record.

28. If there is a difference or more than 1% between the tabulated results for all offices on all ballots (total votes cast) in a precinct and the hand count result in that precinct, **all** precincts must be **hand** counted.

29. Load the results into the Election Management Software. Follow the instructions for the utility program to forward the results to the Secretary of State's Office. Verify that the results have been received at the Secretary of State's Office.

30. Reseal all precinct materials in the appropriate envelopes. Declare the results and report the date and time of the declaration to the Secretary of State (multi-county races only) by phone or email (elections@wvsos.com).

31. Enter results in the official record of canvass.

32. West Virginia law now requires the 48-hour recount request period to be uniform in a multi-county race (statewide, Senate, House, circuit and family court, Greater Huntington Parks and Recreation District). The 48-hour period does not begin until **after the last county affected** has declared the results. You cannot certify a race until after the 48-hour recount request period has ended. You can set and announce a date and time to certify the results keeping in mind that you may have to change that time based on when the recount request period legally ends for each race. The Secretary of State's Office will notify you of when the 48-hour period begins.

33. Adjourn the board of canvassers.

33. Secure all election material for a minimum of 22 months following the election.

Conducting a Touch Screen Canvass

1. Call the meeting to order --- a quorum of the canvassing board must be present.
2. Set the amount of bond for a recount. The bond amount cannot be greater than \$300.00.
3. Select random precincts to hand count and begin preparing the materials but do not start the hand count at this time. West Virginia law requires an accounting of the tabulating equipment used during the election. **Three percent**** of the precincts in counties using electronic voting equipment must be hand counted.

If you have this amount of precincts	THEN	Hand Count this amount of precincts
1 - 33		1
34 - 66		2
67 - 100		3
101 - 133		4
134 - 166		5
167 - 200		6

** Effective March 8, 2014 in accordance with SB 359

The Board of Canvassers determines which precincts to hand count by random selection held in an open meeting.

4. Place the materials for a precinct before you. ***NOTE: Handle only one precinct at a time. Start and finish one precinct before starting the next. A precinct worksheet, found in the back of this booklet, should be completed for each precinct as each step is completed. File this information in the election record.***
5. Print precinct reports using the Election Management Software that include a minimum number of ballots cast, number of spoiled ballots, and number of provisional ballots. Instructions to print each report are in the voting machine guide provided by the Secretary of State's Office.
6. Compare the number of cast election day ballots and absentee/early voting ballots entered on "Statement of Ballots Used" (SBU) and Absentee/Early Voting Record (AEVR) with the number of ballots tabulated. *If totals are not equal, review voter verified paper trail and printed reports. You should also compare them to the number of signatures found on the poll tickets, poll book, or absentee applications.*
7. Review the spoiled ballot numbers, provisional ballot numbers, and public count numbers as reported on the SBU to determine that they match the numbers as reported by the Election Management Software. If there is a discrepancy, the Board of Canvassers must make a determination of the difference and document their findings in the record of canvass.

8. Review the absentee ballots by mail received after Election Day that are to be counted. Absentee ballots are accepted if they are postmarked by the United States Postal Service no later than Election Day. Faxed/emailed ballots are not to be accepted if they are received after the polls have closed. If ballots are returned by express shipping service, they must be received by the day after the election. If the absentee ballot is from a MILITARY OR OVERSEAS voter, no postmark is required, but the ballot must be received before canvass starts.

9. Count the total number of absentee ballots. Place all absentee ballots to be counted in one stack. Place all absentee ballots not to be counted in the envelope for the precinct.

Do not open the absentee ballots that are not counted.

10. Open all absentee ballots that are to be counted. Remove the outer envelope and stack the inner envelope in a pile to be counted. Separate the envelopes and shuffle the inner envelopes to maintain the secrecy of the ballot.

11. Open the envelopes one by one and remove the ballot from the envelope. Remove the ballot stub and keep it separate from Election Day stubs.

12. Ballots can be tabulated by entering them onto a designated touchscreen device and merging the results into the Election Management Software, or by manually entering the tallied results into the Election Management Software.

NOTE: If you are entering the ballots into the Election Management Software by hand, open the program and select “Update Election Results Manually” from the “Update Menu.” Then select the precinct number from the applicable list. A screen will appear to manually input the results. You can print a precinct number report from the software to confirm correct numbers.

13. Once you have tabulated all of the ballots, place the absentee ballots, stubs, and all other absentee material back in the original envelope. (This includes ballots that were not opened.) Enter number of absentee ballots in the record of canvass.

14. Review the provisional ballot sheets completed by the voter and poll workers on Election Day. Determine if each provisional ballot is to be counted. (See the enclosed provisional ballot chart on page 13.)

15. There are two methods to make the motion concerning validity of a provisional ballot.

- a. You can make the motion for each ballot separately; or
- b. You can make the motion for two groups of provisional ballots: those to be counted and then those NOT to be counted.

16. Every effort should be made to maintain the secrecy of the provisional voter. Although, the information is accessible to the public, names of the provisional voters should NOT be announced during the canvass.

NOTE: WEST VIRGINIA LAW REQUIRES THAT PRIVACY OF PROVISIONAL BALLOTS MUST BE ENSURED.

If the voter used a paper ballot for provisional instead of the voting machine and if there is only one provisional ballot from a precinct to be counted, place it with ballots from another precinct in the same district and enter the total for that precinct, but make note in the record of canvass. **Provisional ballots that are NOT counted are NOT TO BE OPENED.** They are to remain sealed and maintained with other election materials.

17. Once the decision is made to count a ballot or group of ballots, use the Election Management Software to enter the provisional ballot number from each sheet within each respective precinct. Instructions on completing this process can be found in the “Canvassing Processes” section of the *Preparation through Canvass* manual for your voting equipment. The Election Management Software will automatically provide new results that include the provisional ballots.

The coded ballots can be found under the “Tabulator” menu on the software. Select “Process Coded Ballots,” and then choose the numbers of the ballots that coincide with the approved provisional ballots.

BEGIN THE HAND COUNT

18. A quorum of the board of canvassers **must be present at all times**. If a quorum is not present at any time, the hand count must stop, prolonging the canvass. If commissioners need to leave, they should arrange with the other commissioners to ensure there is a quorum present at all times.

19. You can recess the hand count for breaks or lunch, but a quorum of the board must be present to begin again.

20. To perform the actual count, teams of four individuals work together after having taken a written oath to perform duties fairly. Two members read the votes cast on the paper trail and the other two members separately record the votes on the tally sheets. ***This requirement must be met by removing each roll from the envelope and manually reviewing each vote. The results can only be certified after each roll is reviewed as it is unrolled.***

21. Enter the results of the hand count in the record of canvass. Compare the hand count tallies with tabulated results of the same precincts.

22. If there is a difference between the tabulated results for any office caused by a mechanical failure of the tabulating equipment, including a paper jam of the printer, the board of canvassers must determine the error and take corrective measures in accordance with West Virginia Code §3-4A-29. Therefore, if during the canvass, the board of canvassers comes across a paper jam that misconstrues the recorded votes, it will be necessary to print ballot images from the applicable flashcard(s) of each machine affected. These ballot images should be used in place of only the unreadable ballots.

Select the “Create Vote Image Log” from the “Tabulators” menu. (This can only be done after processing the coded ballots.) Once the log is created, select the “iVotronic DRE” from the “Tabulators” menu and then select “Print Vote Image Log.”

23. Once the error has been corrected and the correct tabulation ascertained, all activities and issues must be entered in the record of the canvass.

24. If there is a difference or more than 1% between the tabulated results for all offices on all ballots (total votes cast) in a precinct and the hand count result in that precinct, **all** precincts must be **hand** counted.

25. Make an official record of the findings on each precinct, including the comparisons made, number of ballots cast, spoiled, unused, and provisional, etc. If there are any discrepancies, make a detailed note in the record of canvass for that precinct.

26. Keep a copy of the precinct report available for easy access as it may be needed to determine if the ballots which do not have the required signatures may be counted. Ballots which do not contain the required signatures may be counted if an accurate accounting is made for **all** ballots in the precinct in which the ballot was voted.

27. Reseal all precinct materials. Declare the results. *Reminder:* In accordance with West Virginia code §3-4A-28(a), during the seven days immediately after the canvass, “any candidate or the local chair of a political party may be permitted to examine any of the materials sealed: Provided that a notice of the time and place of the examination is posted at the central counting center before or on the hour of nine o’clock in the morning on the day the examination is to occur...”

28. Enter results in the official record of canvass.

29. West Virginia law now requires the 48-hour recount request period to be uniform in a multi-county race (statewide, Senate, House, circuit and family court, Greater Huntington Parks and Recreation District). The 48-hour period does not begin until **after the last county affected** has declared the results. You cannot certify a race until after the 48-hour recount request period has ended. You can set and announce a date and time to certify the results keeping in mind that you may have to change that time based on when the recount request period legally ends for each race. The Secretary of State’s Office will notify you when the 48-hour period begins. *(See page 29 for further instructions on Certification.)*

28. Adjourn the board of canvassers.

29. Once the information is completely loaded into the Election Management Software, follow the instructions for the utility program to forward the results to the Secretary of State’s Office.

Canvassing Provisional Ballots

The following is provided as guidance for deciding whether or not to count provisional ballots. In all instances it is the duty of the Board of Canvassers to evaluate the information provided and make the determination whether to count the ballot.

	Reason for Provisional Ballot	Suggestion for counting
A.	Voter is NOT a registered voter in your county	NO
B.	Voter had a name change . If voter meets all of the following... <ul style="list-style-type: none"> • is a registered voter of your county; • voted in precinct in which registered; • affirmed change with signature on poll ticket; and • has no other valid challenge 	YES
C.	Voter moved to address within county in a new precinct. If voter meets all of the following... <ul style="list-style-type: none"> • is a registered voter of your county; • voted in precinct for the new address; • affirmed change with signature on poll ticket; and • has no other valid challenge 	YES WV Code §3-2-31
D.	Voter changed address in county. If voter... <ul style="list-style-type: none"> • voted in precinct which is NOT the precinct of the new address. 	NO
E.	Voter is handicapped and voted outside current precinct but within county. If voter... <ul style="list-style-type: none"> • is a registered voter in your county; and • is currently registered in a precinct that is NOT handicapped accessible. <p style="text-align: center;">- OR -</p> is currently registered in a precinct that is appropriately handicapped accessible.	YES -- but count only races and/or issues on the ballot in voter's correct precinct NO WV Code §3-1-34
F. <i>(primary elections only)</i>	Voter voted a ballot for a political party different from the one in which he/she is registered. If voter... <ul style="list-style-type: none"> • voted a ballot of a different political party affiliation than that of their current, signed registration card. ** Does not apply to those not registered in one of the four political parties in West Virginia.	NO
G.	Voter was a poll worker. If voter... <ul style="list-style-type: none"> • was working out of his/her current precinct; and • has no other valid challenge. 	YES -- but count only races and/or issues on the ballot in voter's correct precinct.

H.	<p>Voter received assistance believed unnecessary. If it is determined by the board of canvassers that...</p> <ul style="list-style-type: none"> • assistance received was NOT necessary <p style="text-align: center;">- OR -</p> <ul style="list-style-type: none"> • assistance received WAS NECESSARY 	<p style="text-align: center;">NO</p> <p style="text-align: center;">YES</p>
I.	<p>Voter requested an absentee ballot by mail and appeared at the polls to vote. The voter did not return the absentee ballot to the election commissioners.</p>	<p>Board of Canvassers must determine if an absentee ballot was returned to the county clerk.</p>
J.	<p>Voter voted an absentee ballot but absentee ballot application was completed incorrectly.</p>	<p>Board of Canvassers determines if the errors were sufficient to deny the ballot.</p>
K.	<p>Voter voted an absentee ballot but absentee ballot application contained false statements or declaration.</p>	<p>Board of Canvassers determines if statements are false.</p>
L.	<p>An absentee voter's handwriting is not the same on his/her voter's registration card, ballot application, and absent voter's ballot envelope.</p> <ul style="list-style-type: none"> • Consider illness, age, disabilities, etc. when comparing the absentee ballot application and the absent voter's ballot envelope to the voter's registration card. 	<p>Board of Canvassers determines if signature is the same and acts accordingly.</p>
M.	<p>Signature on poll slip is not in the same handwriting as the signature on the registration card.</p> <ul style="list-style-type: none"> • Consider illness, age, disabilities, etc. when making this determination 	<p>Board of Canvassers determines if signature is the same and acts accordingly.</p>
N.	<p>Ballot does not contain proper signatures of poll clerks. (This includes election day, absentee and early voting ballots.)</p> <p>This is considered an error on the part of the poll clerks.</p>	<p>YES - if all ballots in precinct can be accounted for</p>
O.	<p>Absentee envelope does NOT contain signature of voter.</p>	<p style="text-align: center;">NO</p>
P.	<p>Voter has died after absentee ballot was cast. (Absentee ballot should not be challenged due only to death.)</p>	<p style="text-align: center;">YES</p>

Recount Process

Time-Line for Recounts

- A. The declaration of results occurs at the completion of canvass. The announcement of the recount period and bond requirement must occur at that time. The board of canvassers sets the amount of bond for a recount “in a reasonable amount with good sufficient surety” but not to exceed three-hundred dollars (\$300.00). The recount bond amount shall be determined during the canvass procedures before any recount request is received. (§3-6-9(h))
- B. The declaration starts a 48-hour countdown after the last county has certified their results in a multi-county election, during which time a candidate or eligible person may request a recount. The 48-hour period begins when the last county involved in a race has declared the results. Each county **must** notify the Secretary of State that they have declared their results. Saturdays, Sundays and legal holidays are excluded when computing the 48-hour period.
- C. At the end of the 48-hour period: (**NOTE:** This could be different dates and times for different races.)
- All election races and questions in which a recount has not been requested must be certified at the end of the 48-hour recount request period.
 - If there is a recount request, the end of the 48-hour period starts a new 48-hour notification period. Within this 48-hour period, an official notice of the date, time and locations of the recount is served to persons involved.
- D. Within 24 hours after the notice of recount is served, the person served with the notice has the opportunity to notify the board (in writing) that they intend to preserve their right to demand a recount of precincts not requested in the original recount request and pay the same bond.
- E. The date for a recount shall be set by the board of canvassers can be no sooner than three (3) days after the notice of recount is served to the persons involved.

Requesting a Recount

The recount request must be received in writing by the county clerk or municipal recorder within the 48-hour period.

Remember that, in a multi-county race, the 48-hour period begins after the last county has declared their results.

*The person requesting a recount for an elected office must be a **candidate** for that same elected office.*

*The person requesting a recount for a special issue election must be a **voter** of the jurisdiction of the election or the governing board.*

The written **request for a recount** must include:

1. The name of the candidate requesting a recount;
2. The office or issue to be recounted;
3. If it is an issue, the voter's name and address;
4. All the precincts to be recounted;
5. Any specific precincts which are not to be hand counted;
6. The bond as required.

Important: If the candidate filing the request specifies only specific precincts to be recounted, that candidate cannot afterwards add other precincts to the list to be recounted. The request for a recount shall include all precincts covered by that election unless the person filing the request specifies otherwise. **The person requesting a recount or preserving the right to demand a continuation of the recount may specify precincts which are not to be hand counted.**

Upon receipt of the recount request the county clerk/municipal recorder must give notice to the candidates who filed for the same elected office as the one in which the recount has been requested or the governing body that officially requested the special issues election in which a recount has been requested within 48 hours. For recount requests of a special issues election, the notice of recount shall also be posted on the door of the office where the recount is to be held.

Other candidates involved in the recounted race have the opportunity to reserve the right to continue the recount. The candidate who wants to reserve this right must respond to the recount notice within 24 hours and post the same bond amount. This option is also available in issue recounts.

The request to preserve the right to recount has to be filed in writing to the county clerk/municipal recorder who presents the request to the board. The request to preserve the right to recount must state the following:

1. The name of the candidate(s), eligible person, or governing board filing the request to preserve the right to recount;
2. The intention to preserve the right to request the recount of precincts not originally requested;
3. Or to continue the recount should the initiating person stop the recount.

The candidate(s), eligible person, or the governing board filing the request to preserve the right to recount must pay bond in the same amount as the bond required of the original candidate or eligible person requesting the recount.

Notification of Recount

The recount notice has to be served in the 48-hour period beginning at the end of the 48 hours following the declaration of the election results given at the end of the canvass.

The recount notice must state:

- the date of the recount;
- the time of the recount;
- the place of the recount; and,
- the information in the original recount request.

The recount notice must be delivered by the sheriff of the county or the sheriff's designee. In a municipality, it must be delivered by the appropriate municipal police officer. The recount notice has to be delivered to the candidate in person or to the members of the governing board that officially requested a special issue election in person. The sheriff or the sheriff's designee or municipal police officer who delivers the notice must record how, to whom and the time each notice is delivered.

If a candidate or board member cannot be found, the notice may be given to the spouse of the candidate or board member or to some other family member over the age of 16. If the notice is given to a person other than the candidate or board member, the sheriff or the sheriff's designee must inform the person receiving the notice of its purpose and meaning. If no one can be found to receive the notice, it must be posted on the front door of the usual place of residence of the candidate or board member.

If the candidate or board member does not have a usual place of residence in the county where the recount notice is being served, the recount notice must be delivered to the sheriff of the county in which the candidate or board member does have a usual place of residence. The sheriff of that county serves the recount notice in the same manner as discussed above.

If a sheriff or municipal police officer fails to make the recount notice delivery, he is penalized twenty dollars (\$20.00).

Recount Preparation

The recount shall take place in the county courthouse for a county election or the town hall for a municipal election.

After receiving a recount notice, the board immediately schedules a date for the recount to begin. This date can be no earlier than three (3) days after the recount notice is served.

The board prepares the proper recount notices and has them served on each of the other candidates in the race in which the recount has been requested or to the governing board that officially requested the special issue election in which the recount has been requested. The board must also post the notice on the door of the place where the recount is to be held.

The county commission oversees the recount in the case of a county or statewide election and the municipal governing body for a municipal election. All procedures must be conducted under the supervision of a quorum of the board.

A member of the board can still serve on the board even if the recount is for his/her office. For example, if there is a recount in a race for County Commissioner and the sitting commissioner was running for reelection, he/she still serves in a supervisory role during the recount. *Supervising* and *Assisting* are two different roles in the recount. However, if the election goes to a contest, that individual **MUST** recuse himself/herself.

Others who may assist in a recount:

- County Clerk/Municipal Recorder
- County Clerk/Municipal Recorder staff
- Others hired to assist with recount

Those who may **NOT** assist in a recount:

- Candidate of office involved in recount
- Immediate family of candidate of office involved in recount
- Member of governing board which requested a special issue election
- Any member of a board member's immediate family which requested a recount
- Any voter that requested the recount of a special election or his immediate family

The recount teams consist of four (4) people – two (2) to count and two (2) to tally. Each team of two must be of opposite political parties.

Everyone working in the recount proceedings must be deputized in writing and take an oath that they will faithfully perform their duties.

Recount Materials

1. What materials are used in a recount?

Electronic Voting Systems (Optical Scan and DRE)

1. Ballots
 - a. Voted
 - b. Provisional (Challenged)
 - c. Early and Absentee
 - i. Absentee ballots not counted after polls closed
 - ii. Applications for mail-in/faxed absentee ballots
 - iii. Poll slips used for early voting
 - iv. Precinct list of absentee and early voters
 - v. Military and overseas absentee material
 - d. Spoiled
 - e. Unused
2. Ballot Stubs and Poll Slips
3. Provisional Ballot Forms (where applicable)
4. Voter Verified Paper Record (DRE only)
5. Poll Books and other official registration records
6. Tally Sheets for the hand count
7. Certificates and oaths for those participating
8. Statements of Ballots Used
9. Voting Devices / Terminals (where applicable)
10. Ballot Boxes (where applicable)
11. Tabulating Equipment
12. Computer Printout of Unofficial Returns
13. Any supplementary tabulations such as tally sheets of hand counted ballot with write-in votes prepared on election night
14. Official list of write-in candidates (if applicable)
15. List of ballots sent to each precinct --- including a list of actual ballot numbers (optical scan)
16. Personalized Electronic Ballots (DRE)
17. Flashcards
18. Unity Software

Paper Ballots

1. Ballots
 - a. Voted
 - b. Provisional (Challenged)
 - c. Early and Absentee
 - i. Absentee ballots not counted after polls closed
 - ii. Applications for mail-in/faxed absentee ballots
 - iii. Poll slips used for early voting
 - iv. Precinct list of absentee and early voters
 - v. Military and overseas absentee material
 - d. Spoiled
 - e. Unused
2. Ballot and Poll Ticket Stubs
3. Poll Books and other official registration records
4. Tally sheets for the hand count
5. Certificates and oaths for those participating
6. Statements of Ballots Used
7. Ballot Boxes
8. Precinct return certificates
9. Cumulative Returns
10. Official list of write-in candidates (if applicable)
11. List of ballots sent to each precinct --- including a list of actual ballot numbers

Conducting the Recount

A quorum of the board of canvassers must be present at all times during the recount of the ballots and the recount is conducted under their supervision. If a quorum of the board of canvassers is not present, the recount is recessed until a quorum is present or stands adjourned until the next business day. The presiding officer of the governing body acts as the presiding officer of the board.

Before starting the recount, the board determines the order in which the precincts will be recounted, either by random drawing or using a sequential order beginning with the lowest number and continuing to the highest number. The determined order should meet with the agreement of the parties to the recount or their designated representatives.

At the appropriate time, the paper ballots, the electronically tabulated ballots, the paper rolls and the record of the tally of votes for all election precincts are brought before the board.

Only the board, the clerks, the employees of the clerk and persons specifically employed to assist in the recount can handle election materials. **NO ONE ELSE** is permitted to touch the election materials at any time.

Everyone who has requested the recount or preserved the right to continue the recount (or an officially designated representative) and a reasonable number of the general public are allowed to attend and observe the recount. The board needs to hold the recount in a room of sufficient size and satisfactory arrangement to permit observation.

The official representative of a candidate or eligible person must have a written and signed statement from the candidate, voter or governing board member designating him or her as the official representative. The name of the representative must be included in the statement. Each candidate or eligible person may appoint only one official representative to act for him or her.

The candidates, voter or governing board (or official representatives) have the right to observe the recount proceeding, including observing each ballot as it is read in a hand count process. They may view and examine the tally sheets and ballots, but may not handle the election material. If you have a way to project the ballot images onto a monitor, screen or wall so that it can be easily seen by anyone observing the recount, it will help eliminate the need for candidates, etc., to be watching over the shoulders of the recount teams.

The candidate (or his or her representative) or eligible person (or his or her representative) has the right to question any ballot during the recount. If a ballot is questioned, the deputized team (all 4 members) has to reexamine that ballot and vote on the voter's intent on that ballot. If a majority of the deputized team cannot agree on the intent of the voter's markings on a ballot, it remains questioned and the votes for that ballot are not recorded.

Any ballot that is questioned needs to be marked to provide for its identification at any future contest of the election. The ballots can be marked in numerical or alphabetical order, or they can be tracked by the candidate questioning the ballot plus a number (ex: Smith 1, Jones 1, Smith 2, etc.).

The evidence considered at a recount is only what can be viewed on the election material as it exists or from relevant evidence from the election commissioners, poll clerks or other persons present at the election. The board may not consider extraneous evidence.

Numerous court cases have determined that it is inappropriate for additional evidence to be presented during the recount. Only evidence presented during the canvass can be considered.

When ballots are being hand counted, one of the deputized teams reads the ballots together. The votes are read aloud so that the deputized team that is recording the vote can hear. Each member of the recording team marks separate tally sheets. The recording team should compare their vote count on a scheduled basis (as an example, after every 20 ballots) in order to catch errors.

Keep in mind that during a recount, all ballots are to be hand tabulated. This includes all paper rolls from the electronic touch screens. If precincts are specified to not be hand counted, then the recount procedures from canvass are in place for electronically tabulated ballots. If the random drawing brings up one or more of the same precincts that were hand-counted at canvass, then those precincts must be counted by hand again.

If a recount has been requested in more than one elected office or special issue, each deputized team may handle only one elected office or special issue recount proceeding at a time. The team works with its elected office or special issue recount one precinct at a time until that recount is completed. After a recount of a particular elected office or special issue is completed, the teams that worked with the completed recount can be assigned to work with a recount of another elected office or special issue.

Each team works with only one precinct at a time. The precinct materials cannot be mixed. If more than one team is required to efficiently complete the recount, it is imperative that the teams are made up of the appropriate party affiliations. The canvassing board should determine the number of teams required in advance to allow for time to assemble the appropriate individuals. State law does not limit the number of teams that can be utilized, this is important when dealing with a county wide recount.

The challenged ballots of each precinct are handled the same way they were during the canvass. The same procedures shall be in place to maintain the secrecy of the ballots and to preserve them for any future contest.

Each precinct can only be recounted one time. However, if after recounting a precinct, the results do not match the canvass results, the ballots and tallies can be checked at that time in order to discover any error in reading the ballots or marking and computing the tally figures.

The candidate or eligible person who requested the recount has the right to stop the recount at the conclusion of any precinct by withdrawing his or her request. When that happens, the candidate(s), eligible person or governing board that has preserved the right to continue may exercise that right.

The costs of the recount are paid by the candidate or voter asking for the recount, as long as it continues at his or her request. However, if the outcome of the election is reversed at the conclusion of the recount, costs shall not be assessed.

For example, Candidate Smith asks for a recount and the result changes after 2 so he stops the recount. Because the result changed, Candidate Smith is not charged for the recount. Candidate Jones had reserved the right to continue the recount and exercises that right. After 4 more precincts are recounted, the result changes again. Candidate Jones stops the recount and also owes nothing because, again, the result changed. Candidate Smith cannot restart the recount because he already stopped it.

The recount is not complete until the board puts the ballots in a sealed package and signs across the seal. The sealed packages are kept by the county clerk or municipal recorder. When the recount is complete, the board takes official action to certify the result of the election as it is determined by the recount.

Certifying the Results

The board has 30 days from the date of the election to transmit the Certificate of Results of the election to the Secretary of State. There are different places to send the certificates depending on what office is involved. Refer to the chart below to determine where to send the certificates.

<u>Office</u>	<u>Originals</u>	<u>Copies</u>
Federal Offices	County Clerk/Governor	Secretary of State
Supreme Court Justice	County Clerk/Governor	Secretary of State
State Senate	County Clerk/Secretary of State	
House of Delegates	County Clerk/Secretary of State	
Circuit Court Judge	County Clerk/Governor	Secretary of State
Family Court Judge	County Clerk/Governor	Secretary of State
State Executive Committee	County Clerk/Secretary of State	
County Executive Committee	*County Clerk/Secretary of State	
Congressional Executive Comm.	County Clerk/Secretary of State	
Senatorial Executive Comm.	County Clerk/Secretary of State	
Delegate Executive Comm.	County Clerk/Secretary of State	Secretary of State
County Commission	County Clerk	Secretary of State
Board of Education	County Clerk/Board of Education	Secretary of State
Greater Huntington Parks	County Clerk	Secretary of State
Conservation District Supervisor	County Clerk	Secretary of State

*WV Code §3-1-9 requires the certificate of announcement for county executive committee to be sent to the Secretary of State's Office in addition to the certificate of results.

Worksheets & Forms

**** Forms may be found on the Secretary of State's website at www.wvsos.com
In the Election Administrators section of the Elections Division**

RECOUNT RESULTS WORKSHEET

_____ County

Candidate/Registered Voter Requesting Recount: _____

Office or Issue Subject to Recount: _____

Recount Request Date: ___/___/___ Recount Notice Date: ___/___/___

Recount Start Date: ___/___/___ Recount End Date: ___/___/___

Precincts Canvass Recount Recounted Results

- No. _____

page _____ of _____

RECOUNT CERTIFICATION WORKSHEET

_____ County

We the undersigned certify that to the best of our knowledge and belief, the results of this recount are true and correct as recorded this _____ day of _____, 20_____.

Signature and Title

OPTICAL SCAN/PAPER PRECINCT CANVASSING WORKSHEET

This worksheet follows the steps found under "Performing an Optical Scan/Paper Ballot Canvass."

_____ PRIMARY/GENERAL/SPECIAL ELECTION
Precinct # _____ District _____

Precinct Ballots Tabulated

Number of Election Day ballots cast: _____
Number of early voting ballots cast: + _____
Number of absentee ballots cast: + _____
Total Number of Ballots Tabulated: = _____

Total Number of Ballots Tabulated should equal the total of all ballots cast for that precinct.

Election Day Ballot Verification

Only use Election Day ballots for each calculation

Number of ballots cast: _____
Number of spoiled ballots: + _____
Number of provisional ballots: + _____
Number of unused ballots: + _____
Total Number of Ballots: = _____

Total Number of Ballots should equal the total number of ballots sent to precinct. This should be documented on the supply receipt and report on file with the County Clerk.

Precinct Ballots Counted at Canvass

Total Number of Absentee Ballots received after Election Day tabulations: _____

Total Number of Absentee Ballots counted at canvass: _____

Total Number of Provisional Ballots received for precincts: _____

Primary Only: Democratic Ballots: _____

Republican Ballots: _____

Mountain Ballots: _____

Libertarian Ballots: _____

Non-Partisan Ballots: _____

Total Number of Provisional Ballots counted at canvass: _____

Primary Only: Democratic Ballots: _____

Republican Ballots: _____

Mountain Ballots: _____

Libertarian Ballots: _____

Non-Partisan Ballots: _____

**TOUCH SCREEN DEVICE
PRECINCT CANVASSING WORKSHEET**

This worksheet follows the steps found under "Performing an Optical Scan/Paper Ballot Canvass."

_____ **PRIMARY/GENERAL/SPECIAL ELECTION**

Precinct # _____ District _____

Ballots cast (Utilize Public Count): _____

Number of Early Voting ballots cast: + _____

Number of Absentee ballots cast: + _____

Total Number of Ballots Tabulated: = _____

Total Number of Ballots Tabulated should equal the total of all ballots cast for that precinct.

Total Number of Spoiled Ballots and Provisional Ballots reported on the Election Management Software should equal the numbers reported by the poll workers.

Total Number of Absentee Ballots received after Election Day tabulations: _____

Total Number of Absentee Ballots counted at canvass: _____

Total Number of Provisional Ballots received for precincts: _____

<i>Primary Only:</i>	<i>Democratic Ballots:</i>	_____
	<i>Republican Ballots:</i>	_____
	<i>Mountain Ballots:</i>	_____
	<i>Libertarian Ballots:</i>	_____
	<i>Non-Partisan Ballots:</i>	_____

Total Number of Provisional Ballots counted at canvass: _____

<i>Primary Only:</i>	<i>Democratic Ballots:</i>	_____
	<i>Republican Ballots:</i>	_____
	<i>Mountain Ballots:</i>	_____
	<i>Libertarian Ballots:</i>	_____
	<i>Non-Partisan Ballots:</i>	_____

Findings of Board of Canvassers: *(Attach additional sheets if necessary.)*

BALLOTS CAST AND COUNTED - PRIMARY

_____ ELECTION YEAR

(to be completed at the end of canvass)

COUNTY OF _____

Type Of Ballot	Number of Ballots (include ALL DRE, Absentee & Provisional Ballots) <small>*will equal # of poll slips signed</small>	- (minus)	Number of Provisional Ballots NOT Counted	= (Equals)	Total Number of Ballots Counted
Democrat		-		=	
Republican		-		=	
Mountain		-		=	
Libertarian		-		=	
Non-Partisan <small>(person who voted non-partisan ballot only)</small>		-		=	
Total		-		=	

Send copy of Ballots Cast & Counted to Secretary of State upon declaration of election results.

Provisional Ballot Categories:	Not Counted	Counted	Total
Not Registered:	_____	_____	_____
Wrong Precinct:	_____	_____	_____
No Signature:	_____	_____	_____
Other:	_____	_____	_____
 Total # of Provisional Ballots:	_____		
 Total # of Early Voted Ballots:	_____		
 Total # of Absentee Ballots:	_____		
 Total # of Absentee by Fax/Email:	_____		

BALLOTS CAST AND COUNTED - GENERAL/SPECIAL

_____ ELECTION YEAR

(to be completed at the end of canvass)

COUNTY OF _____

	Number of Ballots Voted (include ALL DRE, Absentee & Provisional Ballots) <small>*will equal # of poll slips signed</small>	- (minus)	Provisional Ballots NOT Counted	= (equals)	Counted Total Ballots
Total Ballots		-		=	

Send copy of Ballots Cast & Counted to Secretary of State upon declaration of election results.

Provisional Ballot Categories:	Not Counted	Counted	Total
Not Registered:	_____	_____	_____
Wrong Precinct:	_____	_____	_____
No Signature:	_____	_____	_____
Other:	_____	_____	_____
 Total # of Provisional Ballots	 _____		
Total # of Early Voted Ballots	_____		
Total # of Absentee Ballots	_____		
Total # of Absentee by Fax/Email	_____		

Statement of Ballots Used

Paper Ballots with DRE Device

_____ General/Special Election

Time Polls Open: _____ Precinct: _____ Time Polls Closed: _____

Total # of Paper Rolls Used _____
(Removed from DRE)

Total # of Ballots Received: _____
(# on receipt in wrapped package of ballots)

I. Paper Ballots Used

Total Strung Ballot Stubs:	_____	
Plus Total # of Provisional Ballots:	+ _____	
Plus Total # of Spoiled Ballots:	+ _____	
Equals Total Ballots Used:	_____	

II. Total Paper Ballots Received

Total Ballots Used (<i>from above</i>)	_____	
Plus Total Ballots Unused	+ _____	
Equals Total Ballots Received (<i>compare to above</i>)	_____	

III. DRE Terminals

Terminal Serial Number:	Public Count (opening- <i>must be zero</i>)	Public Count (end of day)
_____	_____	_____
Total of Public Count (Ballots Cast on DRE)		_____

IV. Total Ballots Cast

Total Strung Ballot Stubs: _____

Plus Total Public Count on DRE: + _____

Equals Total Ballots Cast: = _____

V. Absentee and Early Ballots Counted

Total Absentee Paper Ballots by Mail Received & Counted: _____

Plus Total Early Voted Ballots Received & Counted: + _____

Equals Total Absentee & Early Voted Ballots Received & Counted: = _____

VI. Total Ballots Counted

Total Absentee & Early Voted Ballots Counted: _____

Plus Total Election Day Paper Ballots Counted: + _____

Plus Total of DRE Public Count: + _____

Equals Total Ballots Cast in Precinct: = _____

Signatures of Officials:

Poll Clerk: _____ Poll Clerk: _____

Commissioner: _____ Commissioner: _____

Commissioner: _____ Counting Board: _____

Counting Board: _____ Counting Board: _____

Counting Board: _____ Counting Board: _____

Statement of Ballots Used Optical Scan Ballots with DRE

Time Polls Open: _____ **Primary Election** **Precinct:** _____
Time Polls Closed: _____ **Total # of Paper Rolls Used** _____
(Removed from DRE)

	Democrat	Republican	Mountain	Libertarian	Nonpartisan
Total # of Ballots Received: (# on receipt in wrapped package of ballots)	_____	_____	_____	_____	_____

I. Optical Scan Ballots Used

Total Strung Ballot Stubs:	_____	_____	_____	_____	_____
Plus Total # of Provisional Ballots:	+ _____	+ _____	+ _____	+ _____	+ _____
Plus Total # of Spoiled Ballots:	+ _____	+ _____	+ _____	+ _____	+ _____
Equals Total Ballots Used:	= _____	= _____	= _____	= _____	= _____

II. Total Optical Scan Ballots Received

Total Ballots Used <i>(from above)</i>	_____	_____	_____	_____	_____
Plus Total Ballots Unused	+ _____	+ _____	+ _____	+ _____	+ _____
Equals Total Ballots Received <i>(compare to above)</i>	= _____	= _____	= _____	= _____	= _____

III. DRE Terminals

Terminal Serial Number:	Public Count (opening)	Public Count (closing)
_____	_____	_____
Total of Public Count (Ballots Cast on DRE)	_____	

IV. Total Ballots Cast

	Democrat	Republican	Mountain	Libertarian	Nonpartisan
Total Strung Ballot Stubs:	_____	_____	_____	_____	_____
Total Paper Ballots Cast (Add all Ballots Stubs):					+ _____
Plus Total Public Count on DRE:					+ _____
Equals Total Ballots Cast:					= _____

Signatures of Officials:

Poll Clerk: _____	Poll Clerk: _____
Commissioner: _____	Commissioner: _____
Commissioner: _____	

Statement of Ballots Used Optical Scan Ballots with DRE Device

General/Special Election

Time Polls Open: _____ Precinct: _____ Time Polls Closed: _____

Total # of Paper Rolls Used _____
 (# on receipt in wrapped package of ballots)

Total # of Ballots Received: _____
 (Removed from DRE)

I. Optical Scan Ballots Used

Total Strung Ballot Stubs:	_____
Plus Total # of Provisional Ballots:	+ _____
Plus Total # of Spoiled Ballots:	+ _____
Equals Total Ballots Used:	= _____

II. Total Optical Scan Ballots Received

Total Ballots Used (<i>from above</i>)	_____
Plus Total Ballots Unused	+ _____
Equals Total Ballots Received (<i>compare to above</i>)	= _____

III. DRE Terminals

Terminal Serial	Number: Public (opening-must be zero)	Count Public Count (end of day)
_____	_____	_____
Total of Public Count (Ballots Cast on DRE) _____		

IV. Total Ballots Cast

Total Opt. Scan Ballot Stubs:	_____
Plus Total Public Count on DRE:	+ _____
Equals Total Ballots Cast:	= _____

Signatures of Officials:

Poll Clerk: _____	Poll Clerk: _____
Commissioner: _____	Commissioner: _____
Commissioner: _____	

STATEMENT OF BALLOTS USED

(Optical Scan/AutoMark)

For the Primary Election held: _____, 20____

Precinct _____ Polls opened _____ .M. Polls closed _____ .M.

Total # of Ballots Received: (# shown on receipt for wrapped package of ballots)	Democratic _____	Republican _____	Mountain _____	Libertarian _____	Nonpartisan _____
---	---------------------	---------------------	-------------------	----------------------	----------------------

I. Optical Scan Ballots Used

Total # of ballot stubs strung:	_____	_____	_____	_____	_____
+ Total # Provisional Ballots:	+ _____	+ _____	+ _____	+ _____	+ _____
+ Total # of Spoiled Ballots:	+ _____	+ _____	+ _____	+ _____	+ _____
Equals Total # Ballots Used:	= _____				

II. Ballots Received Confirmation

Total ballots used (from Part I):	_____	_____	_____	_____	_____
+ Total Ballots Unused:	+ _____	+ _____	+ _____	+ _____	+ _____
+ _____ (count remaining ballots)					
Equals Total # Ballots Received:	= _____				
= _____					

III. Total Ballots Cast

Total # of poll slips from all poll books:	_____	+ _____	+ _____	+ _____
= _____				

We, the undersigned, certify that the numbers above represent the true and accurate number of ballots used, cast and received in the _____ (General/Special/Primary) Election held on _____, 20____.

_____ (Commissioner/Clerk)	_____

Please indicate position by circling "commissioner" or "clerk."

Statement of Ballots Used Optical Scan Ballots with AutoMark Device

_____ General/Special Election

Time Polls **Open:** _____ **Precinct:** _____ **Time Polls Closed:** _____

Total # of Ballots Received: _____
 (# on receipt in wrapped package of ballots)

I. Optical Scan Ballots Used

Total Strung Ballot Stubs: _____

Plus Total # of Provisional Ballots: + _____

Plus Total # of Spoiled Ballots: + _____

Equals Total Ballots Used: _____

II. Total Ballots Cast

Total # of Poll Slips Signed (*poll book*): _____

Total # of Ballots Cast Should Equal Total of All Ballot Stubs Strung

II. Total Optical Scan Ballots Received

Total Ballots Used (*from above*) _____

Plus Total Ballots Unused + _____

Equals Total Ballots Received _____
 (*Should Equal Total Received From Above*)

Signatures of Officials:

Poll Clerk: _____ Poll Clerk: _____

Commissioner: _____ Commissioner: _____

Commissioner: _____

STATEMENT OF BALLOTS USED DRE(Touchscreen)

For the Primary Election held: _____, 20____

Time Polls Open: _____ Precinct: _____ Time Polls Closed: _____

Total # of Paper Rolls Used: _____
(Removed from DRE)

Democratic Republican Mountain Libertarian Nonpartisan

I. Total Ballots Cast

Total # of poll slip Stubs:	_____	_____	_____	_____	_____
+ Total # Provisional Ballots:	+ _____	+ _____	+ _____	+ _____	+ _____
- Total # of Cancelled Ballots: NOT Re-Voted	- _____	- _____	- _____	- _____	- _____
Equals Total # Ballots Cast:	= _____				
Cumulative # of all Ballots Cast	_____				

II. DRE Terminals

<u>Terminal Serial Number:</u>	Public Count Opening (must be zero)	Public Count Closing (end of day)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
Total of Public Count (Add Each Public Count)	_____	

** Note: Total Public County and Total Ballots Cast Should Equal**

We, the undersigned, certify that the numbers above represent the true and accurate number of ballots used, cast and received in the _____ (General/Special/Primary) Election held on _____, 20____.

_____ (Commissioner/Clerk)	_____
(Commissioner/Clerk)	_____
_____ (Commissioner/Clerk)	_____
(Commissioner/Clerk)	_____
_____ (Commissioner/Clerk)	_____
(Commissioner/Clerk)	_____

Please indicate position by circling "commissioner" or "clerk."

Statement of Ballots Used DRE (Touchscreen)

General Election

Time Polls Open: _____ Precinct: _____ Time Polls Closed: _____

Total # of Paper Rolls Used _____
(Removed from DRE)

I. Total Ballots Cast

Total Poll Slip Stubs: _____

Plus Total # of Provisional Ballots: + _____

Minus Total # Cancelled Ballots **NOT Re-Voted**: - _____

Equals Total Ballots Cast: _____

Total Ballots Cast (Add Dem., Rep., and Nonpartisan Ballots Cast): _____

II. DRE Terminals

Terminal Serial Number:

Public Count
(opening-must be zero)

Public Count
(end of day)

Total of Public Count (Add Each Public Count) _____

****Note: Total Public Count and Total Ballots Cast Should Equal****

Signatures of Officials:

Poll Clerk: _____

Poll Clerk: _____

Commissioner: _____

Commissioner: _____

Commissioner: _____

STATEMENT OF BALLOTS USED Paper Ballots

For the Primary Election held: _____, 20____

Time Polls Open: _____ Precinct: _____ Time Polls Closed: _____

Total # of Ballots Received: (#shown on receipt for wrapped package of ballots)	➔	Democratic	Republican	Mountain	Libertarian	Nonpartisan
		_____	_____	_____	_____	_____

I. Paper Ballots Used

Total # of ballot stubs strung:	_____	_____	_____	_____	_____
+ Total # Provisional Ballots:	_____	+ _____	+ _____	+ _____	+ _____
+ Total # of Spoiled Ballots:	_____	+ _____	+ _____	+ _____	+ _____
Equals Total # Ballots Used:	= _____				

II. Ballots Received Confirmation

Total ballots used (from Part I):	_____	_____	_____	_____	_____
+ Total Ballots Unused:	_____	+ _____	+ _____	+ _____	+ _____
+ _____					
(count remaining ballots)					
Equals Total # Ballots Received:	= _____				
= _____					

III. Total Ballots Cast

Total # of poll slips from all poll books: PB1+ _____ PB2+ _____ PB3+ _____ +PB4 _____

= _____

(Enter totals from each poll book used)

We, the undersigned, certify that the numbers above represent the true and accurate number of ballots used, cast and received in the _____ (General/Special/Primary) Election held on _____, 20____.

_____ (Commissioner/Clerk)	_____
(Commissioner/Clerk)	
_____ (Commissioner/Clerk)	_____
(Commissioner/Clerk)	
_____ (Commissioner/Clerk)	_____
(Commissioner/Clerk)	
_____ (Commissioner/Clerk)	_____
(Commissioner/Clerk)	

Please indicate position by circling "commissioner" or "clerk."