

November 2015

Procedure for Handling Provisional Envelope Ballots Returned to Clerk's Office for Review

Within 6 days after the election, the city or township clerk must evaluate each Provisional Envelope ballot voted by the jurisdiction's voters to determine if the ballot can be counted. When making this determination, the city or township clerk is not permitted to open the *Provisional Ballot Form* envelope holding the ballot.

I. **MISSING REGISTRATION: Determining the validity of a Provisional Envelope ballot issued to an elector whose name did not appear in the ePollbook or on the QVF Precinct List**

All of the information needed to determine the validity of a Provisional Envelope ballot issued to such an elector is recorded on the *Provisional Ballot Form* completed by the precinct board.

THE PROVISIONAL ENVELOPE BALLOT CAN BE COUNTED IF:

- A valid voter registration application for the elector is located and the registration application was submitted by the elector on or before the "close of registration" for the election at hand;

OR

- The elector completed the *Provisional Ballot Form* properly by:
 - Signing the affidavit and confirming registration prior to the close of registration
 - Completing a the voter registration form portion of the Provisional Ballot Form
 - Showing an acceptable form of photo ID¹
 - Showing an acceptable form of proof of residency²

In either case, ensure that the Provisional Envelope ballot was voted in the proper precinct. Only Provisional Envelope ballots processed in the proper precinct are valid.

Submission of picture ID and residence confirmation document during 6-day evaluation period permitted.

¹ Acceptable IDENTIFICATION documents include: Michigan Driver's License, Michigan Personal Identification Card, other government-issued photo identification card or a photo identification card issued by a Michigan university or college.

² Acceptable proof of RESIDENCY documents include: Any of the above identification documents OR a current utility bill, current bank statement, current paycheck or government check or any other government document.

- In an instance where the elector was unable to identify himself or herself with acceptable form of picture ID¹ and/or an acceptable form of proof of residency² (see above), the ballot can be counted if the voter is able to produce the required document(s) during the 6-day evaluation period. The voter can appear in person in the city or township clerk's office to show the document(s), fax the document(s) to the clerk or mail a copy of the document(s) to the clerk. The document(s) must reach the city or township clerk no later than the sixth calendar day after the date of the election.
- In any instance where a Provisional Envelope ballot is counted because the voter was able to produce the required picture ID¹ and/or residence confirmation² document(s) during the 6-day evaluation period, the clerk must enter a notation on the *Provisional Ballot Form* completed when the voter was issued the Provisional Envelope ballot in the polls.

THE PROVISIONAL ENVELOPE BALLOT CANNOT BE COUNTED IF:

- The elector was unable to identify him or herself at the polls or during the 6-day evaluation period by showing an acceptable form of picture ID¹ and/or an acceptable form of proof of residency². Both ID and residency must be verified before a Provisional Envelope ballot can be counted.

IMPORTANT NOTE REGARDING ELECTORS WHO VOTED IN WRONG PRECINCT:

In any situation where a Provisional Envelope ballot has been issued to a voter who 1) appeared to vote in the wrong precinct and 2) declined to travel to his or her proper precinct to vote, you must make every effort to accurately confirm that the voter did, in fact, vote in the wrong precinct before rejecting the Provisional Envelope ballot as invalid. The evaluation must include a check of the QVF street index to verify that the voter was not assigned to the wrong precinct in error. If a check of the street index reveals that a voter in this situation actually voted in the proper precinct, the Provisional Envelope ballot must be counted.

<p>II. FEDERAL ID REQUIREMENT: Determining the validity of a Provisional Envelope ballot issued to an elector subject to the federal identification requirement</p>
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- The Provisional Envelope ballot can be counted if during the 6-day Provisional Envelope ballot evaluation period the elector provides an acceptable form of picture ID¹ **OR** an acceptable form of proof of residency² (see above). Only one of these forms is necessary to meet the federal ID requirement. The voter can appear in person in the city or township clerk's office to show the required ID, fax the required ID to the clerk or mail a copy of the required ID to the clerk. In an instance where a Provisional Envelope ballot is counted because the voter was able to produce the required ID during the 6-day evaluation period, the clerk must enter a notation on the *Provisional Ballot Form*.
- The Provisional Envelope ballot cannot be counted if the voter fails to provide the proper identification to satisfy the federal ID requirement during the 6-day evaluation period.

III. MICHIGAN VOTER IDENTIFICATION REQUIREMENT: Determining the validity of a Provisional Envelope ballot issued to a voter because questions over the voter's identity remained after an inspection of the picture identification produced by the voter

- The Provisional Envelope ballot can be counted if the elector appears in person and provides a Michigan Driver's License or a Michigan Personal Identification Card during the 6-day evaluation period. Voters can also show any of the following forms of picture identification as long as they are current: a driver's license or personal identification card issued by another state; a federal or state-government issued photo identification; a U.S. passport; a military identification card with photo; a student identification with photo from a high school or an accredited institution of higher education; or a tribal identification with photo. In all cases, the picture identification must resolve the questions over the voter's identity which prompted the issuance of a Provisional Envelope ballot to the voter.
- The Provisional Envelope ballot cannot be counted if the voter fails to personally appear in the clerk's office during the 6-day evaluation period and provide an acceptable form of picture ID.

IV. Processing & Tabulating of Valid Provisional Envelope Ballots

Using two people of differing political parties:

- If the Provisional Envelope ballot can be counted, remove the ballot from the *Provisional Ballot Form* and remove the stub from the ballot. Do not remove the ballot from its secrecy sleeve during this step.
- Place the ballot in a ballot container.
- After you have placed all of the valid Provisional Envelope ballots that can be counted in the container, remove the ballots and count the valid votes on the ballots.
- After counting the valid votes on the ballots, document the votes cast using a tally sheet. After completing the tally sheet, submit it to the county canvassing board. The form must be transmitted to the canvassing board no later than the 7th day after the election so the valid votes can be added to the canvass.
- After recording the valid votes on the ballots that can be counted, seal the counted ballots into an approved ballot container, attaching a ballot tag to the seal which indicates that the container holds the provisional envelope ballots returned after the election which were determined valid and counted. Retain the *Provisional Ballot Forms* in a separate secure place in your office.
- Register each voter who completed a *Provisional Ballot Form* regardless if the ballot was determined valid or invalid, envelope or affidavit, and associate voter history as necessary.