

Title 33 STATE BOARD OF ELECTIONS

Subtitle 16 PROVISIONAL VOTING

Chapter 05 Canvass of Ballots — Procedures

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 3-305(e), 9-402, 9-403, 9-404, 9-406, and 11-303(c) and (e), Annotated Code of Maryland

.03 Disposition of Provisional Ballot Application.

- A. – B. (text unchanged)
- C. Acceptance of Provisional Ballot Application. The local board shall accept a provisional ballot application only if:
 - (1) (text unchanged)
 - (2) The voter signed [Part II of] the provisional ballot application;
 - (3) (text unchanged)
 - (4) In a primary election, the party affiliation the voter indicated [in Part II of] *on* the provisional ballot application is the party affiliation of the voter's record;
 - (5) – (6) (text unchanged)
 - (7) The voter voted a provisional ballot because the voter's identity was challenged and the local board, after reviewing the affidavits and any other relevant information, has denied the challenge; *and*
 - (8) An individual who was not a pre-qualified voter during early voting was determined to be eligible to vote and satisfied the proof of residency requirement under COMAR 33.16.04.02E; and].
 - [(9) A voter who provided an address change during early voting but did not provide proof of residency under COMAR 33.16.04.02E submitted the required proof before the start of the provisional canvass.]
- D. – E. (text unchanged)

.04 Record of Disposition.

- A. The local board *or the election director* shall record on the back of the provisional ballot application whether the provisional ballot application was accepted, either in full or in part, or rejected and, if rejected, the reason why the application was rejected.
- B. (text unchanged)

LINDA H. LAMONE
STATE ADMINISTRATOR