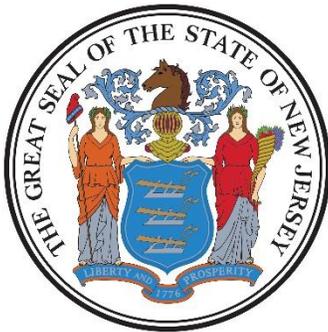


New Jersey Early Voting Provisional Ballot Guide



Updated September 30, 2021

Early Voting Provisional Ballot Guidelines

The mode and manner of voting with provisional ballots at an early voting site shall in all respects conform as nearly as possible to the mode and manner of voting with provisional ballots at an election district on Election Day unless otherwise instructed in these Guidelines.

Preparation of Provisional Ballot Envelopes, Pre-printed Ballots, and Return Bags

While the current early voting equipment has the ability to produce a provisional ballot that cannot be tabulated at the early voting site, the need for provisional ballot envelopes still exists. N.J.S.A. 19:15A-1g(1); 19:15A-1i; 19:15A-4; and 19:53C-1. In addition, pre-printed provisional ballots will also be needed in the event that the e-poll books and/or voting machines fail to operate at the early voting site.

Pre-printed provisional ballots shall be delivered to the early voting site. It is recommended that a minimum of 10 pre-printed provisional ballots for each unique ballot style per town be delivered to each early voting site in either a separate provisional ballot bag or in the emergency ballot bag.

Provisional ballot envelopes shall be delivered to the early voting site in a sealed provisional ballot envelope bag. It is recommended that a minimum of 100 provisional ballot envelopes be delivered to each early voting site in the sealed provisional ballot envelope bag. The provisional ballot envelopes should be separated into bundles of no more than 25 for easier counting at the early voting site. In addition to the provisional ballot envelopes, each bag shall contain enough seals to seal the bag at the end of each early voting day if opened.

The provisional ballot envelope bag and the pre-printed provisional ballot bag (unless these ballots are delivered in the emergency ballot bag) shall have an outer sleeve to hold an inventory/chain of custody sheet indicating the number of provisional ballot envelopes inside the bag, the numbers on the seal used to seal the bag, as well as a place for the supervising board worker and two board workers (not of the same political party) to sign indicating that they have verified the contents of the bag and the seal numbers. N.J.S.A. 19:53C-1. The provisional ballot envelope bag, the pre-printed provisional ballot bag, and the provisional ballot return bag shall be prepared by the same office and in the same manner as the Election Day provisional ballot bags are prepared.

Use of Provisional Ballots at Early Voting Sites

If it becomes necessary to open the provisional ballot envelope bag at an early voting site, a supervising board worker and two other board workers (not of the same party) shall confirm that the numbers on the seal of the provisional ballot envelope bag match the numbers recorded on the outside of the provisional ballot envelope bag. If the numbers on the seal match, a supervising board worker and two other board workers (not of the same political party) shall open the bag and confirm the number of provisional ballot envelopes inside. A supervising board worker shall remove the envelope containing the numbered end-of-day seals from the bag; shall open the envelope and verify there are enough seals for each day of early voting; shall place the end-of-day seals back in the

envelope; and shall return the envelope to the provisional ballot envelope bag. If the numbers on the seals do not match, a supervising board worker shall immediately contact the board of elections.

Processing a Provisional Ballot Voter

After it has been determined that a voter, at an early voting site, requires a provisional ballot, the board worker shall process the voter in accordance with e-poll book and voting machine instructions for provisional voting. N.J.S.A. 19:31-35; 19:53C-3. In addition, the board worker shall notify the supervising board worker that a provisional ballot envelope is needed.

The board worker shall provide the voter with a provisional ballot envelope and instruct the voter to complete the required information on the provisional ballot envelope prior to going to the voting machine. N.J.S.A. 19:53C-4. The board worker shall further instruct the voter that once the voter has completed the provisional ballot envelope, the voter shall go to the voting machine, and after voting their provisional ballot and before leaving the voting machine or the designated voting area, as the case may be, the voter shall place the voted provisional ballot in the provisional ballot envelope, seal the envelope, and hand the envelope to the board worker at the voting machine. N.J.S.A. 19:53C-4; 19:53C-10.

A voting authority ticket shall **NOT** be issued for a provisional ballot voter.

Use of Pre-Printed Provisional Ballots at Early Voting Sites

If, for any cause, the e-poll book fails to operate at an early voting site, the board workers shall look up the voter's election district on the administrative laptop and manually program the voting machine to activate the correct provisional ballot for that voter. If the board worker is not able to activate the correct provisional ballot on the voting machine then the board worker shall use the supply of pre-printed provisional ballots located in either a separate provisional ballot bag or the emergency ballot bag for those voters required to vote by provisional ballot.

If, for any cause, the voting machine fails to operate at an early voting site, the board workers shall use emergency ballots for voters verified as eligible to vote in the e-poll book and shall use the supply of pre-printed provisional ballots located in either a separate provisional ballot bag or the emergency ballot bag for those voters required to vote by provisional ballot. If, for any cause, the e-poll book and the voting machine fail to operate at an early voting site, the board workers shall use the supply of pre-printed provisional ballots located in either a separate provisional ballot bag or the emergency ballot bag for **all** voters.

If it becomes necessary to use the pre-printed provisional ballot bag or the emergency ballot bag (depending on the method of delivery), a supervising board worker and two board workers (not of the same political party) shall confirm that the numbers on the green seal match the numbers recorded on the outside of the ballot bag. If the numbers on the green seal match, a supervising board worker and two board workers (not of the same political party) shall open the appropriate bag and confirm the number of ballots inside. A supervising poll worker shall: remove the pre-printed provisional ballots and the envelope containing the numbered red seal from the bag; open the envelope, remove the seal, compare the numbers on the seal with those on the face of the envelope, and note on the envelope any discrepancies; place the red seal back in the envelope; and return the envelope to the emergency ballot bag. If the numbers on the seals do not match, a supervising board worker shall immediately contact the Board of Elections.

The board worker shall issue the appropriate pre-printed provisional ballot to the voter and shall instruct the voter how to place the voted provisional ballot into the provisional ballot envelope, seal the envelope, and submit the sealed envelope pursuant to the procedure outlined in the next section.

Deposit of Sealed Provisional Ballot Envelope into Provisional Ballot Return Bag

The voter shall hand the sealed provisional ballot envelope to the board worker having charge of the voting machine. The board worker shall keep the provisional ballot envelope in full view of the voter, the other district board workers and all other persons present until it is deposited in the provisional ballot return bag. The voter may also take hold of the provisional ballot envelope, with that board worker, in full view of the other district board workers and all other persons present, until the provisional ballot envelope is deposited into the provisional ballot return bag. N.J.S.A. 19:53C-10.

End of Day Process and Return of Voted Provisional Ballots

At the close of the early voting site each night, a supervising board worker and two other board workers (not of the same political party) shall verify the number of unused provisional ballot envelopes, place them in the provisional ballot envelope bag, seal the bag, record all of the information on the inventory/chain of custody sheet, and sign the sheet indicating that they have so verified that information. N.J.S.A. 19:53C-11.

If pre-printed provisional ballots were used during the day then at the close of the early voting site each night, a supervising board worker and two other board workers (not of the same political party) shall verify the number of unused pre-printed provisional ballots, place them in the pre-printed provisional ballot bag, seal the bag, record all of the information on the inventory/chain of custody sheet, and sign the sheet indicating that they have so verified that information. N.J.S.A. 19:53C-11. If pre-printed provisional ballots were delivered in the emergency ballot bag then follow the emergency ballot bag guidelines for end of the night procedure.

If provisional ballots were cast, the provisional ballot return bag shall be returned to the board of elections and a new provisional ballot return bag will be issued for that early voting site for the next day. N.J.S.A. 19:15A-1g(1).