



Important Points about Provisional Ballots

Anyone who cannot vote by regular ballot has the right to vote by provisional ballot. Unless the voter's ballot has already been cast during early voting or their absentee ballot has already been received by their county, no voter should leave the polling place without casting a ballot. Provisional ballots should be properly issued to any voter who is unable to use the touchscreen unit. However, because a provisional ballot is not guaranteed to be counted, anyone who IS allowed to vote on a touchscreen unit should be allowed to do so. A provisional ballot is the "best last option." Importantly, if a voter has to cast a provisional ballot because they could not show acceptable ID, inform the voter that they have three days after the election (until Nov. 6) to contact their board of elections and show acceptable identification.

What is a provisional ballot?

- The provisional ballot system was created by the Help America Vote Act of 2002 to allow a person to cast a ballot even if their qualifications to vote in that election were not confirmed.
- After Election Day, election officials investigate provisional ballots to see whether they were cast by someone who is qualified to vote and registered. If a person is qualified and registered, the provisional ballot will be counted.
- A provisional ballot is *rejected* when:
 - The voter was not registered
 - The voter was not otherwise eligible
 - Registrars are unable to determine within three days of the election if the voter was registered or eligible to vote.
- In Georgia, one has to cast their provisional ballot in the same county in which they are registered in order for that provisional ballot to end up counting.

Situations in which a provisional ballot should be issued:

- 1) If the voter is not on any list of registered voters. Be sure to check the poll pad list and the supplemental voter list before determining the voter is not on the voter rolls.
- 2) If the voter is unable to show one of the required forms of ID. (See [Important Points to Know about Voter Identification](#))
- 3) If the voter registered by mail, did not provide ID in their mailed registration application, and cannot present acceptable ID while attempting to vote in person. (See section about IDR Voters in [Important Points to Know about Voter Identification](#))
- 4) If the voter arrives to vote in person at the wrong polling location but in the correct county and they decide they cannot travel to the correct polling place.
- 5) If the voter arrives to vote in person and the poll pad shows they are registered to vote in a different county, but they believe they registered on time to vote in this county.
- 6) If the voter is voting during court-ordered extended polling hours in an election in which federal candidates are on the ballot.



Provisional ballots should not be issued to:

- A voter whose name appears on the poll pad (active or inactive status) or the supplemental list. This voter should vote normally on the ballot marking device.
- A voter whose absentee ballot has been cancelled by a poll manager or a deputy registrar. Once the absentee ballot has been cancelled, this voter should vote normally on the ballot marking device.
- A voter who simply does not want to use the voting machine. This voter should vote normally on the ballot marking device.
- A voter who admits that they have already voted or otherwise admits that they are not eligible to vote. In this case, defer to a poll manager and the registration office.

Issues such as signature placement can disqualify a provisional ballot. Additionally, provisional ballots are not standard across counties. Therefore, an election in a voter's home precinct may not appear on a provisional ballot. For these reasons, you should always make a voter aware of their option to use a provisional ballot, but if alternatives exist, such as traveling to their correct precinct, those should take priority.

Once provisional ballots are issued:

- *Curing a ballot:* If a voter has cast a provisional ballot because they were unable to show acceptable identification, they have three days after the election to remedy the issue (called "curing" the ballot) with their county board of elections. This usually involves showing acceptable ID to the county in person, by email, by fax or, in the case of disabled voters, by third party delivery. Voters need to be made aware of this time frame and persistent in resolving their voter ID issue.
- *Self-curing ballots:* If a voter casts a provisional ballot for any other reason, and has proper ID with them (e.g. They believe they are in the correct county but they are not on the rolls, or they were not able to make it to the correct precinct in their county.), the county will determine within three days if they were in fact eligible to vote in that county and their vote will be counted accordingly. The voter does not need to "cure" their ballot.
- According to Georgia law, county registrars are responsible for establishing a free access system, such as a toll-free number or a website, for voters to call and find out if their ballot was counted and if not, why it was not counted.