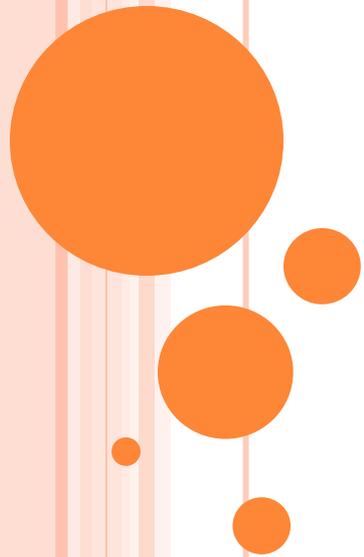


BALLOT COUNTING, CANVASSING AND RECOUNTING



PROVISIONAL BALLOTS

- Provisional ballots **ARE NOT** opened or counted on election night.
- If your ballots are counted at the polling place, all the provisional ballot envelopes must be placed unopened in the Provisional and Uncounted Absentee Ballot Return Envelope (**ARSD 5:02:16:44**) and returned to you. Keep them secure!
- The day after the election you must “diligently investigate” to determine if the voter was legally entitled to cast a ballot in that precinct.
- Use the information provided by the voter on the affirmation to begin your investigation. Ask the county auditor to assist you with this determination.



PROVISIONAL BALLOT ENVELOPE

You will use the information provided by the voter to assist you in determining if the provisional ballot will be counted or not.

R-113—Provisional ballot envelope. 5:02:05:22

Voter's Affirmation for a Provisional Ballot

My voter registration was completed on or about the following date and was left with the following person or agency for delivery to the country auditor: _____.

My name is _____, I reside at _____,
my mailing address is _____, My date of birth is _____,
my SD driver license number is _____, my daytime telephone number is _____,
and my evening telephone number is _____.

If I do not have a South Dakota driver license the last four digits of my social security number are _____.

I understand if the election authority determines that I am not registered in this precinct and therefore not eligible to vote in this precinct, my vote will not be counted. I further understand that my vote may not be secret if only one provisional ballot is cast in the precinct. I declare or affirm under penalty of perjury that I registered and am eligible to vote in this precinct.

Signature of Voter

Date

To be completed by a precinct election worker:

Precinct number _____

Type of ballot provided to voter _____.

Signature of precinct worker

Source: 29 SDR 177, effective July 2, 2003; 31 SDR 214, effective July 4, 2005; 33 SDR 230, effective July 1, 2007. General Authority: SDCL 12-18-40. Law Implemented: SDCL 12-18-40.



BALLOT COUNTING, CANVASSING AND RECOUNTING

PROVISIONAL BALLOTS *cont'd*

- Determining which ballots should be counted.
 - Voter was registered in that precinct by deadline.
 - Identity has been verified.
 - Voter has not been removed from the voter list.
 - Voter is a resident.
- If you determine that there are provisional ballots which must be counted, a provisional ballot counting board is appointed ([SDCL 12-20-13.1](#)). Follow [SDCL 12-15-1](#) for process to appoint the board.
- Provisional ballot counting board meets **one hour prior** to the **official canvass**.
- Provisional ballot counting board shall count the provisional ballots which you have certified as countable. The **board will complete** a Certification of Provisional Ballot Count ([ARSD 5:02:17:13](#)).
- Your canvassing board will add the tally from this certification to the tallies from the pollbooks.



BALLOT COUNTING, CANVASSING AND RECOUNTING

PROVISIONAL BALLOT NOTIFICATION

- Within ten days after the official canvass, you must send each provisional voter a Notice of Provisional Ballot Determination. (ARSD 5:02:05:24)
 - The notice sent to the mailing address of a person who has cast a provisional ballot shall contain:
 - Voter's name;
 - Voter's mailing address;
 - Election at which the ballot was cast;
 - Whether the ballot was counted;
 - If the ballot was not counted, the reason why it was not counted; and
 - A telephone number for further information.

QUESTIONS?



BALLOT COUNTING, CANVASSING AND RECOUNTING

BOARD OF CANVASSERS

- The duties of the official board of canvassers for a local jurisdiction are as follows ([ARSD 05:02:17:12](#)):
 - Open the returns from each precinct which are found in each poll book;
 - Satisfy itself that the returns are genuine and not forged;
 - Tabulate the returns from the precincts and the certification of provisional ballot count;
 - Declare the result; and
 - Make an abstract ([ARSD 05:02:17:11](#)) of the results of the votes cast for each of the candidates and each of the issues. The abstract must be signed and certified by the canvassers under the seal of the business manager or finance officer of the local jurisdiction.
- There is no need to take the ballot box to the canvassing. They **DO NOT** open the ballot box or recount ballots.



OFFICIAL CANVASS SHEET

Date of Election: _____
 Type of Election: _____
 Jurisdiction: _____

ARSD
05:02:17:11

OFFICE OR QUESTION										
Names of Candidates or "Yes" and "No"										
Precincts										
Precinct 1										
Precinct 2										
Precinct 3										
Precinct 4										
Precinct 5										
Precinct 6										
Totals										

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF _____)

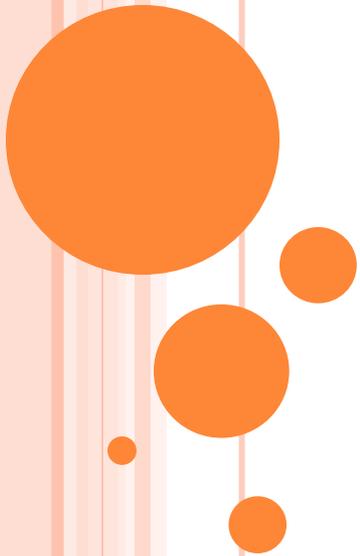
We, _____ (list names) _____, appointed as the Board of Canvassers because of our positions on the governing board in the jurisdiction of _____ for the _____ election held on the _____ day of _____, 20____, hereby certify that the foregoing is a true abstract of the votes cast in the jurisdiction of _____ at the election as shown by the returns certified to the person in charge of the election.

Sworn to before me this _____ day of _____, 20____.

 Person in Charge of the Election



QUESTIONS?



BALLOT COUNTING, CANVASSING AND RECOUNTING

CANDIDATE RECOUNTS

SDCL 9-13-27.2 and 27.3 and 13-7-19.1 and 19.2

- Purpose:
 - Used to recount the results for a specific municipal or school board candidate's race.
- Deadline to request a recount:
 - Within five days after official canvass for that office.
- Who requests:
 - A tied or losing candidate.
- A recount can be requested for the following reasons:
 - Municipal- if a race is tied, defeated by five votes or less or defeated by a margin not exceeding two percent.
 - School- if a race is tied or defeated by a margin not exceeding two percent
- File with:
 - Municipal finance officer or school business manager.



BALLOT COUNTING, CANVASSING AND RECOUNTING

CANDIDATE RECOUNT BOARD

- Appointed by the person in charge of the election.
- One person chosen by each candidate declared elected.
- One person chosen by each candidate who is eligible to request a recount.
- If the board consists of an even number of persons, one additional recount board member shall be appointed who is mutually agreeable to each candidate involved in the recount.
- The person in charge of the election sets the time and place for the recount.



BALLOT COUNTING, CANVASSING AND RECOUNTING

BALLOT QUESTION RECOUNTS

SDCL 9-13-27.4 and 13-7-19.3

- Purpose:
 - Used to recount the results for a ballot question.
- Deadline to file a petition for recount:
 - Within five days after official canvass for that question.
- Who petitions:
 - Any three registered voters of the municipality or school district.
- Required when:
 - Defeated by a margin not exceeding two percent.
- Petition:
 - ARSD 5:02:19:10
- File with:
 - Municipal finance officer or school business manager.



BALLOT COUNTING, CANVASSING AND RECOUNTING

BALLOT QUESTION RECOUNT BOARD

- Appointed by the person in charge of the election and consists of one person on each side of the question and one person mutually agreed upon by the other two appointed.
- Person in charge of the election shall set the time and place for the recount.

QUESTIONS?

