



ALEX PADILLA | SECRETARY OF STATE | STATE OF CALIFORNIA
ELECTIONS DIVISION

1500 11th Street, 5th Floor, Sacramento, CA 95814 | **Tel** 916.657.2166 | **Fax** 916.653.3214 | www.sos.ca.gov

October 5, 2016

County Clerk/Registrar of Voters (CC/ROV) Memorandum # 16310

TO: All County Clerks/Registrars of Voters

FROM: /s/ Jana M. Lean
Chief, Elections Division

RE: General Election: Provisional Ballots

While the number of people who vote provisionally on Election Day tends to be relatively steady, there is always the potential that a larger than normal amount of people will register on the deadline either online or by mail leading to an increase in the number of people who may not be listed on your polling place rosters and who thus need to vote using a provisional ballot.

To prepare for that possibility, the Secretary of State's office urges you to remind poll workers of the provisional balloting procedures and that every person has a right to cast a provisional ballot for any reason under Elections Code section 14310 and Help America Vote Act of 2002, section 302.

You may wish to provide to your poll workers the following information regarding provisional ballots:

As a poll worker, you have a duty to assist in the administration of the election. You should *never* turn a voter away from the polls. A voter *always* has the right to cast a ballot, although scenarios will arise where a voter may not be able to cast a regular ballot and he or she will be required to vote a provisional ballot.

A provisional ballot is used when:

- A voter's name does not appear on any of the roster lists provided.
- A voter is at the wrong precinct, but still wants to vote at this polling site.
- A vote-by-mail voter wants to vote at this precinct, but cannot surrender his or her complete vote-by-mail ballot, which includes the vote-by-mail return envelope/ID envelope and all of the ballot cards.
- A voter's name or address is different than that listed on the roster lists.

- A voter with “Proof of Residence Required” next to his or her name in the roster is unable to provide proof of residence.
NOTE: The “Proof of Residence” requirement can be satisfied with over 30 acceptable documents listed in your poll worker handbook. A photo ID is acceptable, but is not required to satisfy proof of residence.
- A voter is challenged and the challenge is not resolved in his or her favor.

Furthermore, the Secretary of State’s office recommends that you consider providing each polling place with extra supplies of provisional ballots, provisional ballot envelopes, and voter registration cards.

If you have any questions, please feel free to contact me at Jana.Lean@sos.ca.gov or (916) 657-2166. Thank you.