



October 3, 2006

TO: All County Clerks/Registrars Of Voters/Vendors (06353)

FROM: 
Susan Lapsley, Assistant Secretary of State, Elections

SUBJECT: Provisional voting and paper ballots at polling places for November 7, 2006 General Election

As the Secretary of State directed in the November 2005 Special Election and the June 2006 Primary Election, any county using a direct recording electronic (DRE) voting system that is certified for use in California with an electronic provisional ballot module may use this module for casting of provisional ballots in accordance with the adopted procedures for the voting system or, alternatively, may use paper provisional ballots. However, *all county elections officials shall have an adequate supply of paper ballots, as determined by the elections official, available at the voting locations for use in the event of a temporary loss of the ability to use electronic equipment, or if a voter chooses not to vote on electronic equipment.*

This back-up supply can be absentee ballots or other option as determined to be reasonable by the elections official. If absentee ballots are used at the polls, the voter need NOT apply for an absentee ballot in order to be able to use it to vote at the polls. You may also use paper provisional ballots to satisfy voters wishing to vote on paper in the event that DRE counties do not have a sufficient supply of absentee ballots to satisfy the needs of the precinct voters. In such instances, the ballots of verified eligible voters who wish to vote on paper and are provided a provisional ballot to do so should not be treated as a provisional ballot cast but, rather, as a regular ballot. If your supply of back-up paper ballots becomes exhausted, the elections official, pursuant to Elections Code Section 14299, shall deliver the necessary additional supplies to the polling place. Since voters can vote absentee ballots at the polls (as we noted above), by extension it is possible that officials might provide a supply of "reasonable facsimiles" of sample ballots to polling places since such facsimiles are allowed to function as absentee ballots, pursuant to Elections Code Sections 13316 and 13317, until additional supplies can be delivered to the polling place.

Thanks for your cooperation. If you have questions or concerns about this, please feel free to contact me at slapsley@ss.ca.gov or (916) 653-7244.