

ALABAMA MUNICIPAL ELECTION POLLING OFFICIAL GUIDE



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SECRETARY OF STATE**

ALABAMA LEAGUE OF MUNICIPALITIES

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POLL WATCHERS

- 1) The **NUMBER** of poll watchers:
 - Each candidate may name one (1) poll watcher for every polling place (§11-46-35(a)).
- 2) The **APPOINTMENT** of poll watchers:
 - A poll watcher must have a written appointment letter or document signed by a candidate (§11-46-35(b)).
 - There is no provision of law for the appointment of poll watchers for non-candidate elections.
- 3) **OATH OF OFFICE** – Each poll watcher shall be sworn to faithfully observe the rule of law prescribed for the conduct of elections (§11-46-35(b)).
- 4) **PRIVELEGES** – Poll watchers have the right to observe and monitor all conduct and records of the election throughout Election Day (§11-46-35(b-d)).
- 5) **LIMITATIONS** – Poll watchers may not disturb voters, attempt to influence voters, campaign, or display or wear any campaign material or buttons while inside the polling place (§11-46-35(b)).
- 6) **PENALTIES** – Any official who refuses to allow any poll watcher to exercise his or her rights as a watcher shall be guilty, upon conviction, of a Class C misdemeanor (§17-17-22).

WITHDRAWAL OF CANDIDACY

If a candidate properly withdraws his or her candidacy with the Mayor **AFTER** ballots have been printed and prepared:

- 1) If **PAPER** ballots are used in the election:
 - Election officials shall draw a line in ink through the name of the candidate (§11-46-25(j)).
- 2) If **ELECTRONIC** vote tabulators are used in the election:
 - The name of the candidate shall be removed from the ballot in accordance with the manufacturer's guidelines or instructions (§11-46-25(j)).

ABSENT POLLING OFFICIALS

If precinct officials are absent, the following procedure should take place:

- 1) If any precinct election official fails to show up at their appointed voting place in time to perform their official duties, those precinct election officials who are present shall appoint from qualified electors (§11-46-29).
- 2) If the Inspector is absent:
 - The other present officials shall choose one among them to serve as Inspector, and
 - The officials shall also appoint an elector qualified at that polling place to complete the requisite number of polling officials (§17-8-6).
- 3) If NONE of the appointed polling officials are present, any three (3) electors who are qualified to vote at that polling place may open the polls and serve as polling officials during the absence of the appointed polling officials (§11-46-29).

Oath of Office for polling officials (located on the back of the Voters Poll List):

Before entering upon their duties, precinct election officials must take an oath to perform their duties at the election, according to law (§11-46-28(c)). The oath may be administered by any person authorized by law to administer oaths or by any inspector (§11-46-28(c)).

PHOTOGRAPHY IN THE POLLING PLACE

The use of mobile phones or cameras should not disturb any voters or disrupt the polling place in any way.

Voters are not allowed to take general photographs, such as photos of the room where the voting takes place, as it may intimidate the other voters.

The right to vote a secret ballot is essential. Photographing or otherwise revealing the contents of another voter's ballot is not permissible and is a Class A misdemeanor.

However, a voter may take a photograph of and/or with his or her own ballot without violating any existing law (§17-9-50.1).

STUDENT POLL WORKER INTERNS

The Probate Judge in each county may appoint no more than two (2) students for each precinct to serve as unpaid student poll worker interns during elections. Probate Judges are the only authority in the county who may appoint student poll worker interns in state, county, or municipal elections. City Clerks are encouraged to work with their Probate Judge to select and train these student interns.

1) **QUALIFICATIONS:**

- Be recommended by a principal or other school official or by the individual responsible for the student's home instruction program.
- Be at least 16 years of age at the time of the election.
- Be a resident of the county or municipality for which the appointment is made.
- Be enrolled in a public high school, an accredited private high school, a home instruction program, or be enrolled in a two-year or four-year institution of higher learning.

2) **DUTIES:**

- Shall be determined by the officials in charge of the election. However, the duties may not include either of the following:
 - Determining the qualifications of a voter in the event a voter is challenged.
 - The operation and maintenance of any voting equipment.
- Shall attend all required training for poll workers and any additional training considered necessary before performing any duties.

A student poll worker intern who works four (4) or more hours on a school day on Election Day or any day of training shall be entitled to an excused absence from school (§17-8-14).

TIME ALLOWED TO VOTE

VOTING TIME ALLOWANCE – Poll workers should make every effort to give each voter adequate time to vote. Only if others are waiting in line to vote may poll workers use the following procedures to prevent long delays:

- 1) Any voter remaining in a voting station for four (4) minutes or longer may be asked by a poll official if he or she requires assistance (§17-9-13(b)).
- 2) Remind the voter that he or she has the right to have the assistance of anyone who is in the polling place, including another voter or poll worker (§17-9-13(b)). Exception: *The voter's employer, an agent of the employer, or an officer or agent of the voter's union may not assist the voter (§17-9-13(a)).*
- 3) **If the voter does not desire assistance:**
 - The voter shall be permitted to remain in the voting station for **no less than one additional minute** (§17-9-13(b)).
 - At the end of this additional minute, and if there exists a line of individuals waiting to vote, the voter may be informed that time is up and be asked to leave. If there is no line, the voter shall have as much time as necessary to finish voting (§17-9-13(b)).
- 4) **If the voter requests assistance:**
 - The voter may have the assistance of any person of his or her choosing currently in the voting place, (except for the voter's employer, an agent of the employer, or an officer or agent of the voter's union) and may have no less than an additional five (5) minutes to vote (§17-9-13(b)). The voter must specifically request assistance by naming the person from whom assistance is sought (§17-9-13(a)).
 - At the end of this additional five (5) minutes, and if a line of individuals is waiting to vote, the voter may be informed that time is up and be asked to leave the voting station. If there is no line, the voter shall have as much time as necessary to finish voting (§17-9-13(b)).
 - Before an assigned voter exits the voting place, the voters poll list must be revised to reflect that assistance was received (§17-9-13(b)). The voter must sign in the appropriate column of the voters list, and the assistant must sign in the adjacent column on the same line as the assisted voter's name (§17-9-13(a)).

ELECTIONEERING ♦ LOITERING ♦ DISTURBANCES

1) ELECTIONEERING

- Election officials must run the polling place in a strictly impartial manner. Election officials must not attempt to influence voters (§11-46-68(c)).
- Election officials may not disclose how any elector voted (§§11-46-68(h)).
- **SAMPLE BALLOTS** – Voters may carry prepared sample ballots into the polling place for use in the voting booth or voting area, but cannot leave a sample ballot in the voting booth or voting area. This is not electioneering, as long as the voter does not attempt to influence other voters within the polling place.

2) LOITERING

- Loitering is not allowed around the polling place for purposes of discouraging qualified electors from entering the polling place or from voting (§17-17-17).
- A person is not allowed to stand in line after they vote (§17-17-17).
- A person is not permitted within 30 feet of the door of the polling place if they are not a voter admitted to vote, a person assisting the voter, the Probate Judge, the Marshal, Chief of Police, or other law enforcement officer of the city or town, the polling official, or a poll watcher (§11-46-28(i)). If the city or town does not have a police department, call the County Sheriff for assistance.

3) DISTURBANCES

- Intoxication or disorderly conduct is not permitted in the polling place (§§11-46-61(b), 11-46-65, 17-17-33).

In the case of **ELECTIONEERING, LOITERING, or DISTURBANCES**, ask the person to stop or leave the polling place. If the person refuses to leave, call the Marshal, Chief of Police, or other law enforcement officer of the city or town (§11-46-28(i)). If the city or town does not have a police department, call the County Sheriff for assistance.

ELECTION SECURITY

Election Day ballots will be received and packaged by precinct. The Chief Inspector should confirm he or she has received the correct ballots, the correct number of boxes, and that all boxes are securely packaged. The overall shipment of ballots will arrive at the municipality sealed, with instructions for the receiving authority to advise the vendor if the shipment seal has been broken.

Absentee ballots and associated supplies will be received by the Absentee Election Manager in sealed boxes. The receiving authority should advise the vendor if there are any signs of tampering or broken seals.

Ballots shall be secured behind locked doors at all times except when in use on Election Day. However, absentee ballots can be accessed by the Absentee Election Manager once they are made available.

Voting machines, including electronic poll books, shall be secured behind locked doors at all times except when in use on Election Day.

All voting equipment shall be stored in a climate-controlled environment at all times.

Electronic media, either memory cards or USB sticks, must be kept secured at all times.

After media is installed in the appropriate voting machine and all testing has been completed, the machine must be sealed with a numbered seal and the seal number recorded. The Chief Inspector should receive this information as part of his or her Election Day materials and check to ensure the seal, with the correct number, is in place and secure.

If it appears someone is tampering with or misusing voting equipment on Election Day, inform the Chief Inspector immediately.

VOTING ASSISTANCE ♦ SPOILED BALLOTS

1) VOTING ASSISTANCE

- **RIGHT** - Any voter who requests voting assistance may receive help from any person the voter chooses *except the voter's employer, an agent of the employer, or an officer or agent of the voter's union*. **THE VOTER MUST STATE THE REASON FOR REQUESTING ASSISTANCE** (§11-46-51(a)).
- **PROCEDURE** - To obtain assistance, the voter must specifically request assistance by naming the person from whom assistance is sought and by signing in the appropriate column of the voters' poll list. The assistant shall legibly sign in the adjacent column on the same line as the assisted voter's name. By signing the poll list, the assistant shall certify that he or she is *not the voter's employer, an agent of the employer, or an officer or agent of the voter's union*. If the voter is unable to sign the poll list, the assistant shall write the voter's name in the appropriate column and then sign his or her own name in the adjacent column (§17-9-13(a)).
- **DISABLED VOTERS and SENIOR CITIZENS** - The voting process must be accessible to persons with disabilities (§17-2-4(c)) and senior citizens. Polling officials shall make available voting aids, and poll workers shall extend courtesy and consideration to persons with disabilities and senior citizens and offer assistance when requested. A polling official may allow a voter who is physically disabled or over the age of 70 to move to the front of the line at a polling place upon request of the voter. (§17-9-13(e)).

2) SPOILED BALLOTS

- If a voter accidentally or mistakenly spoils the ballot and he or she cannot conveniently or safely vote using the ballot, the voter may return the ballot to the Inspector, and the voter will be given another ballot (§11-46-39(c)).
- Spoiled ballots shall be placed in the envelope provided for spoiled ballots (§17-9-14(b)).

INACTIVE VOTER ♦ UPDATING

A voter may be placed on the **INACTIVE VOTER LIST** if the Board of Registrars is unable to confirm the voter's address through the NVRA-compliant voter file maintenance process (§17-4-30(b))

Voters on the **INACTIVE VOTER LIST** are indicated on the poll list by the letter "I" next to their names. However, in some municipalities, inactive voters may be listed on a separate poll list. Your City Clerk will provide instruction regarding how inactive voters are indicated on your municipality's poll list.

Inactive status: Once on the inactive list, the voter can be restored to "active" status by updating his or her address information with the local Board of Registrars (§17-4-9) or by updating and voting on Election Day (§17-4-30(c)).

NOTE: A voter on the inactive list may vote a regular or provisional ballot after the voter completes a Voter Reidentification "Update" Form (§17-4-9). Please follow these steps for an inactive voter at the poll:

Once you determine a voter is inactive, a poll worker should:

- 1) Inform the voter that he or she is on the inactive list because the Board of Registrars needs to obtain current address information from him or her.
- 2) Provide the voter with the **Voter Reidentification "Update" Form (NVRA-20)** included with the supplies for the polling place, and instruct the voter to fill out the form completely.
- 3) If a change in address does not change the voter's polling place, allow the voter to vote a regular ballot following the standard voting procedures after completely filling out the **Voter Reidentification "Update" Form (NVRA-20)** and returning it to the poll worker.
- 4) If a change in address is within the same municipality and changes the voter's polling place, direct the voter to the new polling place. Inform the voter that he or she will be required to vote a provisional ballot at the new polling place, *Davis v. Bennett*, 154 So.3d 114 (ALA. 2014), but once the properly completed PB-3 form and the **Voter Reidentification "Update" Form (NVRA-20)** are received by the Board of Registrars, the vote should be counted.
- 5) If a change in address is outside the municipality, the person is not eligible to vote.
- 6) After the closing of the polls, collect all of the completed **Voter Reidentification "Update" Forms (NVRA-20)** and place them in the envelope addressed to the Board of Registrars.

CHECKING IN VOTERS

When a voter shows up to vote on Election Day:

- 1) **Ask the voter for his or her name.**
- 2) **Look on your list of registered voters to see if his or her name is on the list.**
- 3) **If the voter's name is on your list, follow normal voting procedures as follows:**
 - Check voter identification.
 - Highlight voter's name on the poll list.
 - Print name on the clerk's list beside corresponding number on voter's list.
- 4) **If his or her name is marked as "inactive":**
 - Ask the voter to fill out a "**Voter Reidentification Update Form**" before letting him or her vote (§17-4-9). Review form to ensure it is complete.
 - Instruct the person to check the "update" box on the form.
 - If there is a **change in the inactive voter's address** and the voter now lives in a new precinct in the same municipality, ask the voter to go to the new polling place, contact the City Clerk to gather more information regarding the new polling place. The voter must cast their vote by provisional ballot at the new polling place.
 - If there is a **change in the inactive voter's address** and the voter lives in the same precinct in the same municipality, the voter may cast a regular ballot upon completing the "**Voter Reidentification Update Form.**"
- 5) **If you cannot find the person's name on your registered voters list:**
 - Take the voter to the provisional ballot officer, and
 - Inform the voter that because his or her name is not on the list of registered voters, he or she will receive help from the provisional ballot officer.
- 6) **If his or her name is marked off because he or she applied for an absentee ballot (§§17-10-2(a)(5), 17-11-5(c)):**
 - Take the voter to the provisional ballot officer, and
 - Tell the provisional ballot officer that the voter is marked off for having applied for an absentee ballot.
- 7) **If the person does not provide the necessary photo identification (§§17-10-1(c), 17-10-2(a)(3)):**
 - Take the voter to the provisional ballot officer, and
 - Inform the provisional ballot officer that the voter did not provide photo identification.
- 8) **If an Inspector challenges the person's right to vote in the precinct (§17-10-2(a)(2)):**
 - The Inspector will take the voter to the provisional ballot officer, and
 - The Inspector will fill out the inspector challenge statement.

PHOTO VOTER IDENTIFICATION

A voter may use any of the following forms of photo identification at the polls:

1. A valid **Alabama Driver's License** (not expired or has been expired less than 60 days)
 - Alabama Law Enforcement Agency **Digital Driver's License**
2. A valid **Alabama Non-Driver ID** (not expired or has been expired less than 60 days)
 - Alabama Law Enforcement Agency **Digital Non-Driver's License**
3. A valid **Alabama Photo Voter ID Card**
4. A valid **State-Issued ID** (Alabama or any other state)
 - Examples
 - Valid AL Department of Corrections Release – Temporary ID (Photo Required)
 - Valid AL Movement/Booking Sheet from Prison/Jail System (Photo Required)
 - Valid Pistol Permit (Photo Required)
5. A valid **Federal-Issued ID**
6. A valid **US Passport**
7. A valid **Employee ID** from the Federal Government, State of Alabama, County, Municipality, Board, Authority, or other entity of this state
8. A valid **Student or Employee ID** from a public or private college or university in the State of Alabama (including postgraduate, technical, or professional schools)
9. A valid **Student or Employee ID** issued by a state institution of higher learning in any other state
10. A valid **Military ID**
11. A valid **Tribal ID**

NOTE: If you have a question about the validity of a form of photo ID, please contact the Board of Registrars or the Secretary of State's Office at (334) 242-7200.

Provisions for voters who fail to bring a proper form of photo ID to the polls:

- If two (2) election officials positively identify a voter as a voter on the poll list who is eligible to vote and sign the **Election Officials' Affidavit for Identifying Qualified Elector**, the voter can cast a regular ballot (§17-9-30(f)).

If a voter cannot be positively identified by two (2) election officials, the voter can cast a provisional ballot. The voter should be directed to the precinct's provisional ballot officer for ballot processing. In order for the provisional ballot to be counted, the voter is required to present a proper form of photo identification to the Board of Registrars no later than 5:00 p.m. on the Friday following Election Day (§§17-10-1(c), 17-10-2(a)(3)).

PROVISIONAL BALLOT OFFICER

When a poll worker brings a voter to you, do the following:

- 1) Explain the provisional process to the voter and to the voter's assistant, if the voter has requested assistance.
- 2) Find out why the voter was identified as a potential provisional voter.
 - **Reasons that trigger provisional voting:**
 - The voter's name is not on the voter list (§17-10-2(a)(1)).
 - The voter's name was marked off the voter list because he or she applied for an absentee ballot (§§ 17-10-2(a)(5), 17-11-5(c)).
 - The voter did not provide voter identification, as required by law (§17-10-1(c), 17-10-2(a)(3)).
 - The voter's right to vote is being challenged by an inspector (§17-10-2(a)(2)).
- 3) If the voter's name is not found on the voter list, call the Board of Registrars to find out if the voter is eligible to vote.
- 4) If the Board of Registrars or a member of the appointing board confirms that the voter is eligible to vote:
 - Write the name of the Registrar or appointing board member (Probate Judge, Circuit Clerk, Sheriff, or designee) who confirmed voter's eligibility, in shaded space on the back of update form.
 - Have voter fill out update form. Make sure that verification box is check-marked on form.
 - Direct voter to a poll worker to vote a regular ballot. Remind voter to give update form to poll worker.
- 5) **If the voter's eligibility to vote cannot be verified:**
 - Explain to the voter and the voter's assistant, if applicable, that he or she has a legal right to vote a provisional ballot and the details of provisional voting. Provide written instructions.
- 6) **If the voter wants to vote a provisional ballot, secure the proper roster, and:**
 - Instruct the voter to sign or mark the provisional ballot roster and complete all requested information.
- 7) **Obtain a provisional verification statement (PB-3), and then:**
 - Write on **PB-3** the line number from the provisional ballot roster.
 - Write the election date, precinct number, and ballot style on the **PB-3**.
 - Check the correct box on **PB-3** to mark the reason why the voter is casting a provisional ballot.
 - After you have completed your portion of the **PB-3**:
 - Explain to the voter and the voter's assistant, if applicable, that a sworn statement must be signed by the voter.
 - Have the voter or the voter's assistant complete the requested information on a sworn statement.
 - The voter must sign or mark the "signature line."
 - Direct the voter to fill out the **Voter Reidentification "Update" Form** that is attached to **PB-3**.
 - Make sure "provisional" box is checked on the form.
 - Place the completed **PB-3** in the Precinct Provisional Return Envelope (**PB-4**).
- 8) **If voter is voting a provisional ballot because of an Inspector's challenge:**
 - Separate multi-part challenge statement.
 - Place original statement (**white copy**) in provisional ballot box.
 - Place **yellow copy** in **Precinct Provisional Return Envelope (PB-4)**.
 - Give **pink copy** to voter.
- 9) Before giving the voter a provisional ballot, place a provisional sticker over timing mark area located on the left-hand side of the ballot and instruct the voter not to remove the pre-affixed sticker.
- 10) Give the voter the provisional ballot and direct him or her to the designated voting area for provisional voters.
- 11) Instruct the voter to place his or her completed ballot in the inner envelope (**PB-1**) and to seal the envelope.
- 12) Instruct the voter to place the inner envelope (**PB-1**) in the outer envelope (**PB-2**) and seal the envelope. **Write the voter's name and roster number in designated areas on this envelope.**
- 13) Direct the voter to place the provisional ballot outer envelope (**PB-2**) into the provisional ballot box.

CONTACT INFORMATION

To Contact Your Probate Judge's Office:

Autauga: 334-361-3728	Dale: 334-774-2754	Marion: 205-921-2471
Baldwin: 251-937-0285	Dallas: 334-876-4830	Marshall: 256-571-7764
Barbour: 334-687-1530	DeKalb: 256-845-8510	Mobile: 251-574-6000
Bibb: 205-926-3108	Elmore: 334-567-1140	Monroe: 251-743-4107
Blount: 205-625-4191	Escambia: 251-867-0297	Montgomery: 334-832-1240
Bullock: 334-738-2250	Etowah: 256-549-5342	Morgan: 256-351-4675
Butler: 334-382-3512	Fayette: 205-932-4519	Perry: 334-683-2210
Calhoun: 256-241-2825	Franklin: 256-332-8801	Pickens: 205-367-2010
Chambers: 334-864-4380	Geneva: 334-684-5640	Pike: 334-566-1246
Cherokee: 256-927-3363	Greene: 205-372-3340	Randolph: 256-357-4933
Chilton: 205-755-1555	Hale: 334-624-8740	Russell: 334-298-7979
Choctaw: 205-459-2414	Henry: 334-585-3257	Shelby: 205-669-3713
Clarke: 251-275-3251	Houston: 334-677-4792	St. Clair: 205-594-2120
Clay: 256-354-2198	Jackson: 256-574-9290	Sumter: 205-652-7281
Cleburne: 256-463-5655	Jefferson: 205-325-5428	Talladega: 256-362-4175
Coffee: 334-347-2688	Lamar: 205-695-9119	Tallapoosa: 256-825-4266
Colbert: 256-386-8542	Lauderdale: 256-760-5804	Tuscaloosa: 205-349-3870
Conecuh: 251-578-1221	Lawrence: 256-974-2439	Walker: 205-384-7284
Coosa: 256-377-4919	Lee: 334-745-9761	Washington: 251-847-2201
Covington: 334-428-2510	Limestone: 256-233-6427	Wilcox: 334-682-4883
Crenshaw: 334-335-6568	Lowndes: 334-548-2365	Winston: 205-489-5219
Ext. 226	Macon: 334-724-2611	
Cullman: 256-775-4665	Madison: 256-532-3330	
	Marengo: 334-295-2210	

To Contact Your Board of Registrars:

Autauga: 334-358-6740	Dale: 334-774-9038	Marion: 205-921-3625
Baldwin: 251-937-0229	Dallas: 334-874-2534	Marshall: 256-571-7740
Barbour: 334-775-8579	DeKalb: 256-845-8598	Mobile: 251-574-8586
Bibb: 205-926-3102	Elmore: 334-567-1150	Monroe: 251-743-4107
Blount: 205-625-4182	Escambia: 251-867-0243	Ext. 141
Bullock: 334-738-5372	Etowah: 256-549-5384	Montgomery: 334-832-1215
Butler: 334-382-5685	Fayette: 205-932-5432	Morgan: 256-351-4660
Calhoun: 256-241-2930	Franklin: 256-332-8849	Perry: 334-683-2218
Chambers: 334-864-4313	Geneva: 334-684-5655	Pickens: 205-367-2071
Cherokee: 256-927-5336	Greene: 205-372-9669	Pike: 334-566-1757
Chilton: 205-755-3820	Hale: 334-624-4672	Randolph: 256-357-2138
Choctaw: 205-459-2531	Henry: 334-585-6080	Russell: 334-298-1443
Clarke: 251-275-3062	Houston: 334-677-4776	Shelby: 205-669-3913
Clay: 256-354-7815	Jackson: 256-574-9339	St. Clair: 205-338-3954
Cleburne: 256-463-5299	Jefferson: 205-325-5550	Sumter: 205-652-7902
Coffee: 334-894-5347	Lamar: 205-695-6348	Talladega: 256-761-2132
Colbert: 256-386-8535	Lauderdale: 256-760-5840	Tallapoosa: 256-825-1081
Conecuh: 251-578-7024	Lawrence: 256-974-2460	Tuscaloosa: 205-349-3870
Coosa: 256-377-2418	Lee: 334-737-3635	Ext. 415
Covington: 334-428-2685	Limestone: 256-233-6405	Walker: 205-384-7279
Crenshaw: 334-335-6568	Lowndes: 334-548-2389	Washington: 251-847-3255
Ext. 252	Macon: 334-724-2617	Wilcox: 334-682-9753
Cullman: 256-739-3530	Madison: 256-532-3510	Winston: 205-489-3966
Ext. 9	Marengo: 334-295-2249	