

**§606. Official ballots**

The Secretary of State shall furnish each municipality with official ballots to be used for absentee voting and for voting on election day. [PL 2013, c. 131, §17 (AMD).]

**1. Number of ballots furnished.** The Secretary of State shall review the number of votes cast at the last election of that type as well as current registration and enrollment statistics in each voting district when determining the number of ballots to be furnished to each municipality. If the clerk believes that extra ballots will be needed, the clerk must request them from the Secretary of State a reasonable time before the election and provide a written justification for the request. The Secretary of State may send the requested number to the clerk and may furnish as many additional ballots as the Secretary of State believes necessary. [PL 2011, c. 342, §16 (RPR).]

**2. How packaged.** The ballots must be bundled and sealed in units as determined by the Secretary of State. Each package to be shipped must be labeled on the outside with the name of the municipality for which it is intended and indicate that it contains state ballots. If the municipality has more than one voting place or voting district, then each package of ballots for election day must be labeled on the outside to indicate the voting place or voting district for which it is intended. [PL 2011, c. 342, §16 (RPR).]

**2-A. Sample ballots for special, primary and general elections.** [PL 1993, c. 447, §10 (RP).]

**2-B. Test ballots.** [PL 1993, c. 447, §11 (RP).]

**3. Receipt issued; inspection of ballots by the clerk.** Upon receipt of one or more packages of official ballots for an election, the clerk shall use the following process to inspect and verify the contents of the packages.

A. Upon receipt of absentee ballots or blank absentee ballots, the clerk shall open each sealed package and verify that the ballots do not have any errors and that the correct amount of ballots has been received. The clerk shall immediately complete and return the receipt form provided by the Secretary of State, confirming receipt and noting any discrepancies in the type or amount of ballots received. The clerk shall then proceed to issue absentee ballots or blank absentee ballots in response to pending requests. [PL 2011, c. 342, §16 (NEW).]

B. Upon receipt of regular ballots to be used on election day, the clerk shall open, in the presence of one or more witnesses, each sealed package and verify that the ballots do not have any errors and that the correct amount of ballots has been received. The clerk shall immediately complete and return the receipt form provided by the Secretary of State, confirming receipt and noting any discrepancies in the type or amount of ballots received. The clerk may remove ballots to be used for testing electronic tabulating systems or other voting devices and mark them as provided by section 854. The clerk shall complete the clerk's portion of the warden's receipt of ballots and shall then reseal each package of regular ballots and secure each package until election day when it is delivered to the warden at the voting place. [PL 2011, c. 342, §16 (NEW).]

[PL 2011, c. 342, §16 (RPR).]

**3-A. Use of test ballots in an election.** [PL 2011, c. 342, §16 (RP).]

**4. Records kept.** The Secretary of State shall keep a record of the time when and the manner in which the ballots were furnished to each municipality. [PL 2011, c. 342, §16 (RPR).]

**5. Reproducing official ballots.** It is unlawful for a person to copy or reproduce an unmarked official ballot without the express authorization of the Secretary of State.

[PL 2011, c. 342, §16 (RPR).]

#### SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1989, c. 558, §§1,2 (AMD). PL 1991, c. 347, §§1,2 (AMD). PL 1991, c. 780, §U24 (AMD). PL 1991, c. 862, §4 (AMD). PL 1993, c. 447, §§10-13 (AMD). PL 1993, c. 695, §§26-28 (AMD). PL 1995, c. 459, §§41-44 (AMD). PL 1997, c. 436, §80 (AMD). PL 2001, c. 516, §7 (AMD). PL 2001, c. 667, §B11 (AMD). PL 2001, c. 667, §B12 (AFF). PL 2005, c. 568, §13 (AMD). PL 2007, c. 455, §23 (AMD). PL 2011, c. 342, §16 (RPR). PL 2013, c. 131, §17 (AMD).

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