

PROPOSED PERMANENT AMENDMENTS

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CHAPTER 25. BALLOT PRINTING

SUBCHAPTER 3. RESPONSIBILITIES FOR BALLOT PRINTING

230:25-3-3. County Election Board responsibilities for printing ballots

(a) The County Election Board Secretary shall be responsible for printing ballots, at county expense, for Primary and Runoff Primary Elections for county officers if there is no federal or state office, state legislative office, district office, or nonpartisan judicial office on the ballot in the county on the same election date. The County Election Board Secretary shall be responsible for printing ballots, at county expense, for county questions. A county question may be printed on the state ballot for regular Primary and Runoff Primary Elections if there is ~~a state ballot and if there is~~ adequate space available on the state ballot for the county question. County questions shall not be printed on the state ballot for the biennial General Election.

(b) ~~The~~ County Election Board Secretary's responsibilities for printing ballots for municipal, school district or other local elections shall include, but shall not be limited to, the following items:

(1) Entering all office, candidate, and proposition or question text into MESA.

(2) Receiving, proofreading, and approving ballot proofs provided by the State Election Board before printing begins. See 230:25-17-2.

(c) In the case of municipal elections, school district elections and other local elections the County Election Board Secretary shall be responsible for paying the ballot printing bill from the proceeds of the reimbursement for post-election expenses from the entity for which the election was conducted.

(d) In the case of a multi-county election, ballots for each affected county in the election shall be printed by the printer holding the affected county's ballot printing contract. Ballots for the control (parent) county shall be printed by the printer holding its ballot printing contract. Each affected County Election Board shall receive the bill for ballot printing from its own ballot printer and shall include this expense in the Record of Expense submitted to the ~~control (parent) parent~~ County Election Board following the election.

SUBCHAPTER 5. DETERMINING BALLOT QUANTITIES ~~AND METHODS OF~~ BALLOT PRINTING

230:25-5-1. Ballot styles [REVOKED]

~~—A ballot style is a unique combination of applicable districts or offices appearing on a single ballot. When candidate names are rotated in partisan primary elections as outlined in 230:25-13-2, each rotation is considered a separate ballot style.~~

230:25-5-3. Quantity of ~~regular~~ ballots

(a) The Secretary of the State Election Board shall determine the quantity of ~~regular~~ ballots to be printed for elections involving federal, state, and county races. [26:6-115] The percentage of registered voters used to calculate the quantity can be adjusted as needed when authorized by the Secretary of the State Election Board for elections involving federal, state, and county races.

(b) The Secretary of the County Election Board shall determine and may adjust the quantity of

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~~regular~~ ballots to be printed for school district, municipal, and other local entity elections. [26:6-115]

(c) When determining the quantity of ~~regular~~ ballots to print for an election, the Secretary of the appropriate election board shall consider the highest percentage of registered voters likely to vote in the election. [26:6-104] The Secretary also shall consider historical experience with similar elections and with previous elections held in the jurisdiction. The Secretary shall not necessarily be required to print a ballot for each registered voter, but shall ensure that a sufficient quantity of ballots is printed to provide a ballot to every registered voter who desires to vote in the election. [26:6-104]

(d) MESA automatically calculates the quantity of ~~regular~~ ballots for an election based on a percentage of registered calculation ~~defaults to ninety~~ is one hundred percent of registered voters. The percentage used can be adjusted as needed by designated and authorized State Election Board personnel when such change determined by the Secretary of the State Election Board to be necessary for elections involving federal, state, and county races. ~~The percentage used can be adjusted by the County Election Board Secretary for school district, municipal, and other local entity elections.~~ The County Election Board Secretary may adjust the ballot quantities for school district, municipal, and other local entity elections. The Secretary of the County Election Board shall review the ballot quantities calculated automatically by MESA for all elections and shall verify that the quantities are correct and sufficient prior to the creation of ballot print files by the State Election Board staff. ~~Regular ballots~~ Ballots shall be printed by precinct and shall be bound in books of 100 ballots each. However, if fewer than 25 ballots are needed for a precinct, the ballots for that precinct may be bound in a book of 50 ballots, except on the date of a regular election involving federal, state, or county races when ballots shall be bound in books of 100 ballots each.

(e) ~~The the~~ Secretary of the State Election Board may authorize the adjustment of the percentage used to calculated the quantity of ballots to be printed for elections involving federal, state, and county races, state questions, and for local entity elections held on the same date as an election involving federal, state, and county races. The County Election Board Secretary may adjust the ballot quantities for school district, municipal, and other local entity elections. The Secretary of the County Election Board shall review the ballot quantities automatically calculated by MESA for all elections and shall verify the quantities are correct and sufficient prior to the creation of ballot print files by the State Election Board staff. Regular ballots shall be printed by precinct and shall be bound in books of 100 ballots each. However, if fewer than 25 ballots are needed for a precinct, the ballots for that precinct may be bound in a book of 50 ballots, except on the date of a regular election involving federal, state, or county races when ballots shall be bound in books of 100 ballots.

SUBCHAPTER 13. PLACING PARTIES, CANDIDATES ON BALLOT

230:25-13-2. Candidate names rotated on ~~regular~~ ballots for Primary and Runoff Primary Elections only

(a) The names of candidates for all partisan offices on ~~regular~~ ballots for Primary and Runoff Primary Elections shall, ~~to the extent practicable,~~ be rotated so that each candidate's name in ~~each~~ each partisan ~~race~~ elections shall appear in each position on the ballot, ~~an equal number of times.~~

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[26:6-109] Rotation of candidate names shall be accomplished ~~the election programming software.~~ by entering the order of names determined by the drawing described in 230:25-13-2.1(b) into the election programming software. The order determined by the drawing shall be rotation one for each party and race. The software generates subsequent rotations to accomplish the requirements of Title 26, Section 6-109. If any adjustment to the rotation created by the software is needed, it shall be performed only by ~~the designated and authorized~~ State Election Board ~~staff personnel.~~

(b) The names of candidates for nonpartisan judicial, school, and nonpartisan municipal offices shall be placed on the ballot by lot and shall not be rotated. [26:6-109]

230:25-13-2.1. Order of candidates' names on partisan primary ballots

(a) Following the close of the candidate filing period for a partisan election, the Secretary of the County Election Board shall cause to be determined the order in which the names of candidates who filed for nomination of recognized political parties to county offices will be placed on ballots for partisan Primary Elections. [26:6-107] The determination shall be made by drawing the names of party candidates for each county office, as described in (b) of this Section. [26:6-107] The Secretary of the County Election Board shall conduct a public drawing for the order of candidate names. The Secretary shall provide advance public notice of the date, place and time for the drawing.

(b) The Secretary of the State Election Board shall provide written instructions to the County Election Board Secretary for the conduct of the public drawing for order of candidates' names for county offices.

SUBCHAPTER 15. SAMPLE AND EDUCATIONAL BALLOTS

230:25-15-1. Sample ballots

Sample ballots shall be exact duplicates of the ~~regular~~ ballots for each precinct. [26:6-117] Sample ballots shall be printed in such a manner that they cannot be scanned and counted by a voting device. The words "SAMPLE BALLOT" shall be printed on the face of the ballot. [26:6-117]

SUBCHAPTER 17. ~~PROOFING OF~~ PROOFREADING BALLOTS

230:25-17-2. Proofreading ballots

It shall be the responsibility of the Secretary of the County Election Board to insure correctness of all ballots printed by the County Election. The Secretary shall verify a perfect proof from the State Election Board before the ballots are printed. The Secretary shall verify the accuracy of all information on the ballots as outlined below.

- (1) Use copies of the resolution and the Declarations of Candidacy to verify that the correct offices appear on the ballots, that each candidate's name is spelled correctly, and that questions appear on the ballot exactly as in the resolution.
- (2) Mark any errors on the proof and write the correct information on the proof if necessary.
- (3) ~~Notify~~ Send the marked ballot proof to the State Election Board immediately.

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230:25-17-4. Recording ballot numbers and storing ballots

After ballots are received from the printer, they shall be examined for accuracy. The Secretary of the County Election Board shall record the ballot numbers to be issued to each precinct for use in live ballot testing, as absentee ballots, early in-person absentee ballots, and as election day ballots on the Precinct Checklist-Ballot Distribution Log. After recording the numbers ~~on the checklist~~ on the Ballot Distribution Log, the Secretary shall place the ballots in numerical sequence inside ~~a ballot transfer box~~ boxes labeled for the appropriate precinct and assignment and shall store the filled ballot transfer boxes in a secure ~~place~~ location within the County Election Board office or in another location that is controlled by the County Election Board Secretary. Extra ballots for each precinct also shall be stored securely, but shall not necessarily be placed in transfer boxes.

230:25-17-5. Live ballot testing required prior to every election

(a) Live ballot testing shall be conducted within 48 hours of receipt of the official election database from the State Election Board. Live ballot testing serves as the final logic and accuracy test (LAT) of the election database, the voting device, and the printed ballots. Live ballot testing shall be conducted prior to every election. The State Election Board shall provide procedures for the conduct of such testing.

(b) Prior to every partisan election in the county, the Secretary shall ~~provide an opportunity for~~ invite the chairpersons of each recognized political party in the county, to observe a live ballot testing procedure. The testing procedure conducted for the benefit of the political party chairpersons may be separate from the required testing described in (a) of this Section. The Secretary shall provide written notice to said chairpersons of the date, time, and place of such testing procedure. Attendance of the chairpersons at such testing ~~shall be~~ is voluntary.

SUBCHAPTER 21. PRINTER CERTIFICATION FOR DIGITAL BALLOT PRINTING

230:25-21-4. On-site certification review

(a) Following a printer's successful completion of the first part of the certification process, the Secretary of the State Election Board may direct the ballot printing staff shall conduct a certification review on site at the ~~printer's~~ printing facility. The printer shall be required to produce an additional quantity ballots from .pdf files provided by the State Election Board with the State Election Board ballot printing staff observing the process. The ballots shall be produced as follows:

- (1) A specified quantity of 14-inch ballots (11-inch ballot with a 3-inch stub).
 - (2) A specified quantity of 17-inch ballots (14-inch ballots with a 3-inch stub).
 - (3) A specified quantity of 19-inch ballots (17-inch ballots with a 2-inch stub).
- (b) The State Election Board staff will evaluate the ballots according to the following criteria.
- (1) The ballots meet all requirements included in the ballot printing specifications.
 - (2) The ballots meet all component specifications, including but not limited to, ballot length, printing text area restrictions, and front-to-back registration.

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(3) The ballots meet post-production specifications, including but not limited to, trim lines, stub, perforation, stitching, shrink-wrapping, packaging, and shipping of ballots.

(c)) ~~The~~ Upon return to the State Election Board offices with the ballots produced during the on-site certification review shall be marked and processed through a voting device and through a high-speed scanner controlled by the voting device system software. The results then shall be tabulated and all necessary reports shall be printed and examined.

(1) If the ballots cannot be read by the voting device or by the high-scanner or if the tabulated results are not as expected, the printer shall be determined to have failed the second part of the certification process. A printer who fails the second part of the certification process may repeat the process one time. If the printer also fails the second time, the printer shall be disqualified from bidding on ballot printing contracts for the State Election Board or a County Election Board.

(2) If the ballots are read by the voting device and the high-speed scanner and if the tabulated results are as expected, the printer shall be determined to have passed the second part of the certification process. At this point, the printer shall be certified to print ballots for the eScan A/T in Oklahoma and to bid on ballot printing contracts for the State Election Board and for a County Election Board.

(d) Travel arrangements for ballot generation staff members making on-site reviews of potential ballot printers located in other states shall be made through regular state employee travel procedures. The out-of-state ballot printer seeking certification shall reimburse the State Election Board for the cost of such out-of-state travel.