

	Code Section	Title	Change	Notes
Section 1				
1.	28.10.040	Definitions	Adds a definition of “tabulate”	This change is to provide more clarity regarding the difference between “counting” and “tabulating.”
Section 2				
2.	28.40.010D.1.a.	Contents of official and sample ballots	Makes clear that in creating the runoff ballots, they do not have a space for a write-in candidate	This clarification is consistent with section 28.20.040B.4. which sets forth that a notice of election shall state “The offices for which candidates are to be elected with the names of candidates which will appear on the ballot for each such office together with a statement to the effect that, <u>except in run-off elections</u> , voters may vote for any person qualified for such offices by writing-in such person's name on the ballot and marking the oval or square preceding such written name;” and section 28.80.050B.11. which specifies that “A write-in vote shall not be counted...in a runoff election...”
3.	28.40.010D.1.e.	Contents of official and sample ballots	Rewords to better express the requirements (e.g., for ballots that will scan and tabulate properly) and better describes the equipment used	
Section 3				
4.	28.40.020C.	Preparation and distribution	Adds the state status “list maintenance (LM)” to the list of voter statuses to whom the clerk does not mail a ballot package	Persons in LM status in the state voter registration database have “had no contact [with the SOA Division of Elections], no voter history, and [have] been sent the first notice as part of the [state’s] list maintenance process.” A person in LM status may still vote in person at an AVC or be sent a replacement ballot upon request.
Section 4				
5.	28.50.130	Assisting voter at a polling location or vote center	<ul style="list-style-type: none"> • Updates the voter assistant oath to add that the voter assistant may not vote for the voter or coerce the voter • Adds specific persons who may <u>not</u> assist a voter: voter’s employer (or agent of the employer); officer or agent of the voter’s union; a candidate; a paid or unpaid campaign worker of a candidate or organization supporting/opposing a ballot measure 	The revised oath and prohibitions are consistent with the oath and prohibitions of the special needs representative in section 28.60.040.

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Section 5				
6.	28.50.140B.	Replacement ballots	Changes “tabulated” to “counted”	“Tabulate” is for use when the action is tallying votes.
Section 6				
7.	28.50.300	Appointment and privileges of observers	<ul style="list-style-type: none"> • Reorganizes section B for better readability without changing any substance • Clarifies that an observer registration is generally valid for a single election • Clarifies that number of observers depends on space or regulatory constraints. For example, in an election for mayor with 13 candidates, election officials may not be able to accommodate 52 (13x4) observers at the Election Center. • Sets timelines for registering observers to allow election officials to prepare materials and conduct training • Clarifies the rules for devices that take photos, or record video or audio; encourages directing observer questions to the Municipal Clerk or designee, following instructions, and following the Observer’s Handbook 	The timelines for registering observers ensures that all observers will be able to go through training to support observers’ understanding of election processes and to increase their effectiveness, as set forth in the Observer’s Handbook.
Section 7				
8.	28.70.010A.	Time for ballot return envelope review	<ul style="list-style-type: none"> • Removes unnecessary and potentially confusing language • Clarifies that no votes will be tabulated before 8:00 p.m. on Election Day 	This change is to provide more clarity regarding the difference between “counting” and “tabulating.” While at any certain point prior to Election Day, we may know the number of <u>ballots</u> received that will be counted (because they have been scanned), there is no tallying of <u>votes</u> before 8:00 p.m. on Election Day.
Section 8				
9.	28.70.030A.2.c.i.	Ballot return envelope review standards: Regular	Conforming changes to allow ballot from MUOCAVA voter to be counted if it arrives before certification instead of before public session of canvass	This policy change was added to section A.1. in 2020; the code change in this ordinance is a conforming change.
Section 9				
10.	28.80.005	Ballot counting procedure	Relocates language regarding an “improper” ballot (when a voter votes a ballot containing races for which they are not eligible to vote)	Moves this language from section 28.80.010B.

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Section 10				
11.	28.80.010B.	Methods of counting	Deletes concepts that are either moved or addressed elsewhere	Language regarding “improper ballots” is moved to section 28.80.005 (see ordinance section 9). Language regarding damaged ballots already exists in section 28.80.050A. so is unnecessary here.
Section 11				
12.	28.80.015	Supervision and observation of <u>ballot tabulation</u> [COUNTING]	Changes the title for clarification	This change is to provide more clarity regarding the difference between “counting” and “tabulating.”
Section 12				
13.	28.80.050	Preparation and rules for counting <u>votes</u> [BALLOTS]	<ul style="list-style-type: none"> • Paragraph A: rewords to better express the process and equipment • Paragraph B: clarification of topic; correction of numbering error • Paragraphs B.4., B.11., B.12., and B.13.: Clarifies and rewords, including adding in the affirmative, the various scenarios of when a voter writes in the name of a candidate already listed on the ballot, and when write-in votes are counted • Paragraph D: specifies that adjudication of a vote under the rules of this section may be challenged by a registered observer 	<p>These changes to language regarding “ballots” and “votes” are to provide more clarity—this section is about how a <u>vote</u> in a particular contest may be adjudicated if the voter has improperly marked the ballot.</p> <p>In general, write-in votes are not counted in a regular election, except for votes for qualified write-in candidates for service area supervisory boards. In a recount, write-in votes are counted in some circumstances, and these circumstances are more clearly set out in these sections.</p> <p>Paragraph D. specifically sets forth that the decision on how to adjudicate a vote may be challenged, if the registered observer believes that the adjudication rules have not been properly applied.</p>
Section 13				
14.	28.90.040	Procedure (for Recount)	Clarifies that adjudication rules apply to all recounts	Moves language from C.2. to new D. to clarify its universal applicability in recounts