U.S. ELECTION ASSISTANCE COMMISSION

2016 Election Administration & Voting Survey

Statutory Overview

In order to better understand state laws governing Federal elections, the U.S. Election Assistance Commission, as part of its biennial Election Administration and Voting Survey, is collecting information on state election laws and procedures. These answers will help EAC to better understand the quantitative data relating to the 2016 general election that we are collecting from all U.S. states and territories.

EAC understands that responding to this Statutory Overview may require significant staff time on the part of your office. Please be assured that we have attempted to minimize the burden, and we appreciate your cooperation in this very important project.

Information Supplied By	
Name	Alice Miller
Title	Executive Director
Office/Agency Name	District of Columbia Brd. of Elections
Address 1	441 4th Street, NW suite 250N
Address 2	
City	Washington
State	D.C.
Zip Code	20001
E-mail Address	apmiller@dcboee.org
Telephone (area Code and number)	(202) 727-6511
Fax Number (area code and number)	(202) 347-2648

DIRECTIONS AND EXAMPLE

As appropriate, please provide your state's legal citation for the responses to the questions beginning on the following page.

Please answer each question to the best of your ability. If a term or concept is ambiguous, please explain why. If a question is not applicable to your state, please explain why. If a definition or term lacks statutory reference in your state but is widely used in practice, please explain. If election procedures vary at the local level within your state, please explain these variations to the best of your ability.

The Statutory Overview data collection document has two columns below each question.

- On the left, we have provided you with the answer your state provided for the 2014 Statutory Overview. If there has not been a change in your state's laws or legal citation in the response to a question, please mark the box labeled **No Change since 2014** at the top of the left column.

- If the response has changed since 2014 – or your state has not answered this question previously for some reason— please mark the box labeled **Changed since 2014** at the top of the right column and then provide the new answer in the text box provided. If your response is too long to fit in the box, please make a note in the text box and place your response in the "Notes" page at the end of the document. Additionally, if a law was repealed in full, please answer "repealed in full" in the box.

If any of your state laws are currently enjoined or otherwise blocked from enforcement by a state or federal court or by executive decision, please specify.

Example:

A1. How does your state define the following terms related to votes and ballots? Please provide your state's legal citation defining these terms, where applicable.

a) Over-vote

☒ **No Change since 2014** ☐ **Changed since 2014**

State code 1.11 - An attempt to vote for a larger number of candidates than is allowed.

b) Under-vote

☐ **No Change since 2014** ☒ **Changed since 2014**

This term has no legal definition.

State code 1.12 - An attempt to vote for a smaller number of candidates than is allowed.

SECTION A: GENERAL

A1. How does your state define the following terms related to votes and ballots? Please provide your state's legal citation defining these terms, where applicable.

a) Over-vote

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Instance in which a voter casts a vote for a greater number of candidates or positions than the number for which he or she was lawfully entitled to vote; no vote shall be counted with respect to that office or question. 3 DCMR sect 9900.1

2016 Response:

b) Under-vote

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Instance in which a voter casts a vote for a lesser number of candidates or positions than the number for which he was lawfully entitled to vote. 3 DCMR sect 9900.1

2016 Response:

c) Blank ballot

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

The term lacks statutory definition in the District of Columbia, but we deem this a ballot on which a voter has not voted in any contests.

2016 Response:

d) Void/Spoiled ballot

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

A ballot on which a voter has made a mistake in marking or has erroneously defaced or torn. 3 DCMR 716.1.

2016 Response:

e) Provisional/Challenged ballot

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

See Notes section.

2016 Response:

f) Absentee

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

The term lacks statutory definition in the District of Columbia, but we deem this a ballot that is cast by mail, during in-person absentee voting, or by email or fax (in the case of military and overseas voters).

2016 Response:

g) Early voting

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

The term lacks statutory definition in the District of Columbia, but we deem this the period prior to Election Day in which a voter can appear at an early voting center to cast a ballot.

2016 Response:

h) Active Voter

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

The term lacks statutory definition in the District of Columbia, but we deem this a voter who is not inactive.

2016 Response:

i) Inactive Voter

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Inactive voters means registrants who have been sent but have not responded to a confirmation mailing sent in accordance with 42 U.S.C. 1973gg-6(d) and have not since offered to vote. 11 CFR 9428.2(d).

2016 Response:

j) Other terms (please specify) N/A

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

2016 Response:

A2. Please provide the legal citation for any *significant* changes to election laws or procedures that have been enacted or adopted since the previous Federal election. "Significant" does not include routine or technical changes (such as changes to election district boundaries or polling place changes). However, EAC would like to learn about any new identification requirements for voters or registrants; changes in eligibility for voting or registering; adoption of alternative voting methods; and other changes that you believe represent a significant change in the way your state runs its elections.

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:	2016 Response:
	See Notes section.

SECTION B: VOTER REGISTRATION

B1. Is your state's voter registration database system best described as a bottom-up, a top-down, or a hybrid? (Note: A bottom-up system generally uploads information retained at the local level and compiled at regular intervals to form the statewide voter registration list. A top-down system is hosted on a single, central platform/mainframe and is generally maintained by the state with information supplied by local jurisdictions. A hybrid is some combination of both systems described above.)

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:	2016 Response:
Top-down	

If your state uses a bottom-up or hybrid system, how often do local jurisdictions transmit registration information to the state list?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:	2016 Response:
N/A	

B2. Please describe the process used in your state to move voters from the active list to the inactive list, and from the inactive list to the active list. Is a different process used for UOCAVA voters?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:	2016 Response:
See Notes section.	

B3. Please describe your state's process for removing voters from the voter registration rolls (not merely moving them from active to inactive). Please include information regarding notices and confirmations. Are these procedures the same for UOCAVA voters?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:	2016 Response:
Where a registered voter who has been designated inactive on the voter roll fails to respond to the forwardable notice referred to in B2 and fails to vote during the period beginning on the date the notice was mailed and ending on the day after the second subsequent general election for federal office, the registrant's name shall be removed from the voter roll. YES. The procedures are the same for UOCAVA voters.	

B4. Can your state's voter registration database (or equivalent) share information electronically with your state's driver's license agency (for example, to match records or trace changes in address)? Can your voter registration database be similarly linked with databases in any other state or Federal agencies? Please describe these links, including any use of database matching to verify voter registration applications.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

YES. The Department of Motor Vehicles (DMV) sends data electronically to the Board of Elections when a person registers to vote or updates his/her registration record at the DMV.

2016 Response:

B5. Please describe how your state uses National Change of Address (NCOA). What has been your state's experience with NCOA?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

The Board may utilize information obtained from the National Change of Address System (NCOA), which identifies registrants who have moved from the addresses listed on the Board's records. The Board mails the forwardable notice referred to in B2 to the identified registrants and proceeds in accordance with the list maintenance procedure described therein.

2016 Response:

B6. Please describe your state's voting eligibility requirements as they relate to individuals with a felony conviction. (For example, are convicted felons allowed to vote while in prison or while on parole or probation? Are voting rights automatically restored or does the individual have to apply for a pardon, certificate of eligibility or other similar certificate? Does an individual whose voting rights have been restored have to produce documentation of his/her status when registering to vote?)

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Individuals who are incarcerated for crimes which are felonies in the District may not vote. Felons no longer incarcerated and those that are incarcerated awaiting or on felony trial are eligible to vote, as are individuals incarcerated for misdemeanor offenses.

Individuals need not apply for a pardon, certificate of eligibility, or other similar certificate, nor must they produce documentation of his/her status when registering to vote.

2016 Response:

B7. Does your state currently use the Internet in any way to facilitate voter registration? If yes, please describe how your state allows voters to use the Internet in the registration process (e.g., entire registration completed online; completed online but then must be printed, signed, and mailed by voter, etc.).

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

YES. A voter can fill out an application to register to vote on-line via the Board's voter registration website, but the voter must print, sign and submit the application to the agency in order for the registration to be valid.

The Board has also developed a mobile app, called Vote4DC, that allows users with a smartphone or mobile tablet to register fully online by signing the screen of their device.

2016 Response:

SECTION C: ELECTION ADMINISTRATION

C1. Please describe how all votes cast at a place other than the voter's precinct of registration are tabulated (for example, please include descriptions of such votes as absentee ballots, mail-in ballots, votes cast at vote centers, provisional ballots, early voting locations, etc.).

a. Are the votes counted centrally or at the precincts?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Votes are counted centrally at the main headquarters.

2016 Response:

b. If centrally tabulated, are the votes redirected to the appropriate precinct for reporting in the canvass?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Yes.

2016 Response:

c. Are the absentee, mail, etc., votes reported separately for each precinct, or are they added to the in-precinct results and reported as just a single number?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Absentee, mail, etc. votes are added to the in-precinct results.

2016 Response:

d. How are UOCAVA ballots counted and reported?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

UOCAVA ballots are included in the absentee ballot count.

2016 Response:

C2. Does your state require a reason for voting absentee, or does your state allow no-excuse absentee voting? (If a reason is required, please provide the legal citation.)

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

The District of Columbia allows for no-excuse absentee voting, as stipulated by the Omnibus Election Reform Amendment Act of 2009 and D.C. Official Code §1001.09(b)(2).

2016 Response:

C3. Does your state provide for in-person early voting? If so, how is early voting defined? When early voting is used, are the ballots counted at the precinct or at a central location? How are these votes reported?

☒ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

YES. The term lacks statutory definition in the District of Columbia, but we deem this the period prior to Election Day in which a voter can appear in person at an early voting center to cast a ballot. Early voting ballots are tabulated centrally at the main headquarters and reported at the precinct level.

2016 Response:

C4. Do any jurisdictions in your state use a vote-by-mail system to replace (and not merely supplement) at-the-precinct voting in any elections?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

N/A.

2016 Response:

C5. Please list each of the situations that require a provisional ballot in your state. Please provide the relevant legal citation for each situation.

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

See response to A1. e.

2016 Response:

C6. Does your state count provisional ballots of voters who are registered in different precincts, or are those ballots automatically rejected? Please describe the process used by local election officials in determining whether to count a provisional ballot.

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

2016 Response:

The Primary Date Alteration Act eliminated out-of-precinct voting:

D.C. Official Code 1-1001.09:

(b)(1): Except as provided in paragraphs (2) and (3) of this subsection, each registered qualified elector shall cast his or her vote in the voting precinct that serves his or her current residence address.

(2) The Board shall permit any duly registered voter to vote by absentee ballot, for any reason, under such rules as the Board may issue.

(3) No registered qualified elector of the District may cast a vote in a precinct that does not serve his or her current residence; provided, that a senior or voter with a disability whose precinct is inaccessible as defined by section 8 of the Voting Accessibility for the Elderly and Handicapped Act, approved September 28, 1984 (98 Stat. 1678; 42 US.C. § 1973ee-6), may be assigned by the Board to an accessible polling place.

Provisional ballots cast by voters who vote out-of-precinct are rejected.

Election officials review each provisional ballot to determine the root cause of the provisional ballot and to determine if the voter is properly registered. If the cause is found to be valid, and the voter is properly registered, eligible to vote in the election, has not already cast a ballot, and/or provides whatever acceptable documentation necessary, the provisional ballot will be accepted.

C7. Please describe your state's laws regarding post-election audits, if any. A post-election audit refers to hand-counting votes on paper records and comparing those counts to the corresponding vote counts originally reported, as a check on the accuracy of election results, and resolving discrepancies using accurate hand counts of the paper records as the benchmark.

If your state has post-election auditing, consider including in your response information such as the unit being audited (e.g., precincts, machines); the sampling method (e.g., fixed percentages); whether there is a specific trigger for the audit; the location of the random selection (e.g., state, county); and the races that can be audited.

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

2016 Response:

The only change is that, as a result of the Primary Date Alteration Act, audits are no longer conducted after primary elections.

C8. Please describe any state requirements for poll worker training.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Training and Certification of Poll Workers (3 DCMR 705.6) As stipulated by the Omnibus Election Reform Act of 2009, all poll workers must complete at least 4 hours of training and receive certification as polling place workers under standards that the Board has established.

2016 Response:

SECTION D: ELECTION DAY ACTIVITIES

D1. Please describe your state's process for capturing "over-vote" and "under-vote" counts.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Over votes and under votes are tallied and reported in all contests.

2016 Response:

D2. What identification does your state require from voters in the following situations:

a. registering to vote;

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

See Notes section.

2016 Response:

b. casting an in-person ballot;

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

No identification required unless voter is a first-time voter who registered by mail who is required to provide identification and did not do so at the time of registration.

2016 Response:

c. casting a mail-in or absentee vote;

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

No identification required unless voter is a first-time voter who registered by mail who is required to provide identification and did not do so at the time of registration.

2016 Response:

d. casting a ballot under UOCAVA;

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

No identification required.

2016 Response:

e. any other stage in registration or voting process in which identification is required (please specify).

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

2016 Response:

D3. Please describe your state's laws regarding access to the polling place for election observers. Election observers are people allowed inside the polling place who are not poll workers, election officials or voters. If decisions on access to observers are left to local jurisdictions, please explain.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:	2016 Response:
See Appendix A.	

SECTION E: OTHER

E1. Under HAVA, Section 402, states are required to establish and maintain administrative complaint procedures to remedy grievances. Has your state revised its administrative complaint procedures since they were first implemented? If so, how?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

2016 Response:

E2. Please add any additional comments or information about your state's election administration processes that would help to inform the EAC's interpretation of your data.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

2016 Response:

* The information collection associated with the Election Administration and Voting Survey is required for the EAC to meet its statutory requirements under the Help America Vote Act (HAVA) of 2002 (42 U.S.C. 15301), the National Voter Registration Act (NVRA) (42 U.S.C. 1973gg-1 et seq.), and the Uniformed and Overseas Citizens Absentee Voters Act (UOCAVA) (42 U.S.C. 1973ff-1). Respondent's obligation to reply to this information collection is mandatory as required under NVRA (42 U.S.C. 1973gg-1 et seq.) and UOCAVA (42 U.S.C. 1973ff-1). This part of the information collection is being requested to help the EAC to better understand state laws governing Federal elections. Respondents include the fifty states, the District of Columbia, and the U.S. Territories. This information will be made publicly available on the EAC website (www.eac.gov). According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is OMB Control No. 3265-0006 (expires 04/30/2017). The time required to complete this information collection is estimated to average 59 hours per state response. This estimate includes the time for reviewing the instructions, gathering information, and completing the form. Comments regarding this burden estimate should be sent the U.S. Election Assistance Commission – 2014 Election Administration and Voting Survey, 1335 East West Highway, Suite 4300, Silver Spring MD, 20910.

NOTES – please place longer responses below

A1e.

3 DCMR 714.2: A ballot cast by an individual whose eligibility to vote in the election cannot be determined during the in-person absentee voting period, at an early voting center, or at a polling place on Election Day because of one (1) or more of the reasons cited in 3 DCMR § 714.1.

Pursuant to 3 DCMR sect 714.1, uses for a Special Ballot (or Provisional Ballot) include instances where the voter:

(a) Votes in a precinct that does not serve the address listed on the Board's registration records;

(b) Is listed as an absentee voter on the alphabetical or supplemental lists of registered voters (poll book) in the precinct but claims that he or she has not voted by absentee ballot;

(c) Is listed on the poll book in the precinct but claims, in a primary election, that the party affiliation indicated on the listing is in error;

(d) Is listed on the poll book in the precinct but claims, in a general election, that the ANC Single-Member District indicated on the listing is in error;

(e) Alleges that his or her name has been erroneously omitted from the poll book, or alleges that his or her name or address is incorrectly printed on the poll book;

(f) Has moved from the address listed on the Board's registration records and presents himself or herself to vote at the precinct serving his or her current residence address;

(g) Has been challenged pursuant to this chapter, and that challenge is accepted;

(h) Votes in an election for federal office as a result of a federal or District of Columbia court order, or any other order, extending the statutory poll-closing time;

(i) Has not previously voted in a federal election in the District and who registers to vote by mail and fails to present, either at the time of registration, at the polling place, or when voting by mail, either a copy of a current and valid government-issued photo identification, a copy of a current (the issue, bill, or statement date is no earlier than 90 days before the attempt to register and/or vote, whichever is applicable) utility bill, bank statement, government check, or paycheck, or other government-issued document that shows his or her name and address; or

(j) Resides temporarily at a District of Columbia licensed nursing home or assisted living facility, or at a qualified retirement home and casts a ballot at such facility.

A2. "Election Day Change of Address Emergency Amendment Act of 2016." B 21-0860. Amends, on an emergency basis, the District of Columbia Election Code of 1955 to allow registered voters who moved within the District of Columbia, but did not notify the Board of Elections of their change of address before the deadline, to vote at the precinct serving their current address as opposed to the old address.

"District of Columbia Primary Date Alteration Amendment Act of 2014." L20-0273. Effective from May 2, 2015. Amended the District of Columbia Election Code of 1955 to alter the date of District of Columbia primary elections. The Primary Date Alteration Act:

• Established that the primary elections for federal and local offices would be held on the second Tuesday in June in 2016, and that, afterwards, primary elections for local offices and the Delegate to the U.S. House of Representatives would be held on first Tuesday in September, and presidential preference primaries would be held on the 2nd Tuesday in June in presidential election years;

• Required that all absentee ballots must be received by no later than 8:00 p.m. on Election Day;

A2 (cont.)

• Established that same-day registrants who provide acceptable proof of residence (current and valid government photo identification or a copy of a current utility bill, bank statement, government check, pay check, or other document specified by BOE that shows the current name and address of the voter) may vote regular ballots;

• Precluded most voters from voting outside of the precincts serving their current residence addresses;

• Permitted voters who file election day changes of address ("EDCOAs") to vote regular ballots provided they vote at the precinct that serves the address listed on the Board's records, i.e., their old address, and provide proof of new residence (current and valid government photo identification or a copy of a current utility bill, bank statement, government check, pay check, or other document specified by BOE that shows the current name and address of the voter); and

• Required write-in candidates to file Declarations of Candidacy no later than 4:45 p.m. the day after a primary election, and no later than 4:45 p.m. on the 3rd day after a general or special election.

"Party Officer Elections Amendment Act of 2014." Law L20-0144. Effective from Dec 17, 2014. Amended the District of Columbia Election Code of 1955 to permit the election of officials of political parties during any regularly scheduled primary election.

"Board of Elections Nominating Petition Circulator Affidavit
Amendment Act of 2014." Law L20-0143. Effective from Dec 17, 2014. Amended the District of Columbia Election Code of 1955 to establish that each nominating petition circulator must make and sign an affidavit that states that he or she is a qualified petition circulator as that term is defined in the Election Code. Nominating petition circulators no longer have to be citizens of the District of Columbia.

B2.

In January of each odd-numbered year, the Board shall confirm the residence address of each registered voter who did not confirm his or her address through the voting process or file a change of address at the polls in the preceding general election by mailing a first class non-forwardable canvass postcard to the residence address listed on the Board's records.

If the Postal Service returns the postcard and provides a new address for the registrant that is within the District of Columbia, the Board shall change the address on its records accordingly and then mail to both old and new addresses a forwardable notice advising the registrant that their address in the voter records has been changed to reflect the Postal Service information.

If the Postal Service returns the postcard as undeliverable and provides a new address for the registrant outside the District of Columbia, the Board shall mail a forwardable notice to both the old and new address, informing the registrant how to register to vote in their new jurisdiction or correct the address information obtained from the Postal Service.

If the Postal Service returns the postcard to the Board as undeliverable and indicates that no new address is available, the Board shall mail to the registrant at his or her last known address the forwardable notice specified above. The forwardable notices issued to registrants whose initial non-forwardable mailings were returned by the Postal Service shall include a pre-addressed and postage- paid return notification postcard to enable the registrant to confirm or correct any address information obtained from the Postal Service.

Upon mailing of the forwardable notice to any registrant whose initial mailing the Postal Service returned as undeliverable, either with a new address outside the District or an indication that no new address was available, the Board shall designate the registrant's voter registration status as inactive on the voter roll, effective on the date of the mailing of the notice.

Where a registered voter who has been designated inactive on the voter roll provides the Board with a current

Appendix A – District of Columbia 2014 Data

D3. 3 DCMR Chapter 7 § 706: POLL WATCHERS AND ELECTION OBSERVERS

Each qualified candidate and the proponents and opponents of proposed initiative, referendum, and recall measures, and Charter amendments, may petition the Board for credentials authorizing poll watchers at any:

(a) Early voting centers;

(b) Polling places; and/or

(c) Ballot counting places.

Persons who wish to witness the administration of elections, including nonpartisan or bipartisan, domestic or international organizations, who are not affiliated with a candidate or ballot measure may petition the Board for credentials authorizing election observers at any:

(a) Early voting centers;

(b) Polling places; and/or

(c) Ballot counting places.

Each petition shall be filed with the Board, not less than two (2) weeks before each election and shall be on a form furnished by the Board. Less than two (2) weeks before each election, the Board reserves the right to accept additional petitions based upon available space. At the time of filing, the poll watcher petition form shall contain the following:

(a) The name, address, telephone number, and signature of the candidate or organization representative, proponent, or opponent with the office for which he or she is a candidate, and a short title, if any, of the measure or proposed Charter amendment which he or she supports or opposes;

(b) The name, address, and telephone number of the poll watcher supervisor, if a person is designated by the candidate, organization, proponent, or opponent;

(c) The locations where access credentials are sought;

(d) The names, addresses and telephone numbers of at least two (2) and not more than three (3) persons, authorized to represent the candidate, organization, proponent, or opponent on election day and receive the badges from the Board; and

(e) A certificate from the applicant that each proposed poll watcher selected is a qualified elector, and that each poll watcher selected shall conform to the regulations of the Board with respect to poll watchers and the conduct of the election.

At the time of filing, the election observer petition form shall contain the following:

(a) The name, address, and telephone number of the organization or individual seeking credentials;

(b) The name, address, and telephone number of the election observer supervisor, if a person is designated by an organization;

(c) The names, addresses, and telephone numbers of all observers who will be receiving badges;

(d) The locations where access credentials are sought;

(e) The names, addresses, and telephone numbers of at least one (1) and not more than three (3) persons, authorized to receive badges from the Board; and

(f) A certificate from the applicant that each election observer selected shall conform to the regulations of the Board with respect to election observers and the conduct of the election.

The Board may limit the number of poll watchers or election observers to ensure that the conduct of the election will not be obstructed or disrupted. The Board shall make a ruling on poll watcher and election observer petitions not less than ten (10) days prior to an election. In making a determination of the number of watchers or observers allowed, the Board shall consider the following:

(a) The number of candidates or requesting organizations;

(b) Whether the candidates are running as a slate;

(c) The number of proponents and opponents of measures and proposed Charter amendments;

(d) The physical limitations of the polling places and counting place; and

(e) Any other relevant factors.

Within twenty-four (24) hours of a denial, the Board shall issue a public notice with respect to any denial of a petition for credentials. If a place cannot accommodate all those seeking credentials, the Board may grant preference to poll watchers over election observers, and organizations over individuals.

The Board shall issue a badge for each authorized poll watcher or election observer, with space for the watcher's or observer's name and the name of the candidate or party represented by the watcher, or any organization being represented by the observer. Badges shall also be issued for each authorized watcher representing the proponents or opponents of measures or proposed Charter amendments. Badges shall be numbered consecutively, and consecutive numbers issued to each candidate, organization, proponent, or opponent. All badges shall be worn by the authorized poll watcher or election observer in plain view at all times when on duty at the polling place or counting place.

An authorized alternate poll watcher or election observer may, in the discretion of the watcher or observer supervisor, be substituted for a watcher or observer at any time; provided, that notice is first given to the designated representative of the Board at the polling place or counting place.

A poll watcher shall be allowed to perform the following acts:

(a) Observe the count;

(b) Unofficially ascertain the identity of persons who have voted;

(c) Report alleged discrepancies to the Precinct Captain; and

(d) Challenge voters in accordance with the procedures specified in § 708.

An election observer shall be allowed to perform the following acts:

(a) Observe the count;

(b) Unofficially ascertain the identity of persons who have voted; and

(c) Report alleged discrepancies to the Precinct Captain.

No poll watcher or election observer shall, at any time, do any of the following:

(a) Touch any official record, ballot, voting equipment, or counting form;

(b) Interfere with the progress of the voting or counting;

(c) Assist a voter with the act of voting;

(d) Talk to any voter while the voter is in the process of voting, or to any counter while the count is underway; provided, that a watcher or observer may request that a ballot be referred for ruling on its validity to a representative of the Board;

(e) In any way obstruct the election process; or

(f) Use any video or still cameras inside the polling place while the polls are open for voting, or use any video or still camera inside the counting center if such use is disruptive or interferes with the administration of the counting process.

Any poll watcher or election observer who, in the judgment of the Board or its designated representative, has failed to comply with any of the rules contained in this section may be requested to leave the polling place or the counting center. If a poll watcher or election observer is requested to leave, that watcher's or observer's authorization to use credentials shall be cancelled, and he or she shall leave the polling place or counting place forthwith. An authorized alternate poll watcher or election observer may be substituted for a watcher or observer who has been removed.