



Voter Information in the 50 States:

A Review of State Legal Requirements

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State-by-state review of laws concerning the provision of “official” voter information; includes data for all 50 states. Specifically, “official” pertains to laws affecting a state’s legal duty to supply the voting public with information about election ballot content, is such information that is not produced by parties, candidates or interest groups, and is therefore ostensibly unbiased. For the purposes of this research, the terms under examination were “voter pamphlets,” “voter information guides,” and “sample ballots.” Information regarding voter registration and voter ID requirements are omitted. All statutes were obtained from Lexis-Nexis.

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Code Sheet of Explanation

- Yellow high-lighted text refers to sample ballots.
- Green high-lighted text refers to voter information (e.g. voter pamphlet, ballot pamphlet).
- Light-blue high-lighted text refers to notices of election.
- Fuchsia high-lighted text refers to special provisions of the law that contradicts general state law.
- “...” = sections of law that was removed due to length and lack of usefulness for this research topic.
- All bolding and underlining are done for emphasis by the researchers; these were not in the original text of the statutes/codes.

Alabama

MICHIE'S ALABAMA CODE ANNOTATED

TITLE 17 Elections
CHAPTER 6 Election Preparation
Article 2 Ballots**Code of Ala. § 17-6-46 (2013)**

§ 17-6-46. Voting instruction posters.

(a) The judge of probate shall cause to be printed in large type posters of instructions for the guidance of electors in preparing their ballots. Instructional information shall not show partiality to any political party or candidate. The information shall include:

- (1) A sample version of the ballot that will be used for that election.
- (2) Information regarding the date of the election and the hours during which polling places will be open.
- (3) Instructions on how to vote, including how to cast a vote and how to cast a provisional ballot.
- (4) Instructions for mail-in registrants and first-time voters registering and voting for the first time after January 1, 2003.
- (5) General information on voting rights under applicable federal and state laws, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated.
- (6) General information on federal and state laws regarding prohibitions on acts of fraud and misrepresentation.

(b) The judge of probate shall furnish to the sheriff three, or more if necessary, sets of instructions to be posted in the following manner at each precinct. One set of instructions shall be posted near the entrance of the voting place so as to be plainly visible to those entering. Another set of instructions shall be placed in a plainly visible location near the area where voters are identified from the list of qualified voters printed from the state voter registration list. Remaining sets of instructions may be placed in plainly visible locations to assist voters in accordance with the circumstances presented by the physical layout of the voting place. The instructions shall be printed in large clear type and shall be made available in alternative languages in counties where the most recent federal decennial census indicates that a specific alternative language group exceeds five percent of the voting age population for that county.

Alaska

Alaska Stat. § 15.15.070 (2012)**Sec. 15.15.070. Public notice of election required**

(a) The director shall give and is authorized to contract to give full public notice of the election. The director may select a manner reasonably calculated to give actual knowledge of the election to the voters.

(b) The notice shall be given by publication at least twice in one or more newspapers of general circulation in each of the four judicial districts. The printed notice must specifically include the date of election, the hours between which the polling places will be open, the offices to which candidates are to be nominated or elected, and the subject of the propositions and questions that are to be voted on.

(c) Public notice shall also be given by posting notices in those communities that do not have newspapers of general circulation where posting of notice is considered necessary by the director. The posted notice must specifically include the date of election, the location of the polling places, the hours between which the polling places will be open, the offices to which candidates are to be nominated or elected, the subject of the propositions and questions that are to be voted on, and other information considered necessary by the director.

(d) The first publication, broadcast, or posting of the notice shall be made not less than 10 days before the election.

(e) *[Repealed, § 15 ch 82 SLA 2000.]*

(f) *[Repealed, § 15 ch 82 SLA 2000.]*

(g) The director shall pay the cost of election expenses incurred in giving notice of an election.

(h) An abbreviated form of the notice published under (b) of this section shall be broadcast on one or more radio or television stations in each of the four judicial districts. The broadcast notice must include at a minimum the date of the election, the hours between which the polling places will be open, and the address and phone number of the election supervisor or supervisors for the judicial district in which the notice is broadcast.

Alaska Stat. § 15.58.010 (2012)

Legislative Alert: LEXSEE 2013 AK. ALS 73 -- See section 38.

Sec. 15.58.010. Election pamphlet

Before each state general election, and before each state primary or special election at which a ballot proposition is scheduled to appear on the ballot, the lieutenant governor shall prepare, publish, and mail at least one election pamphlet to each household identified from the official registration list. The pamphlet shall be prepared on a regional basis as determined by the lieutenant governor.

Alaska Stat. § 15.58.020 (2012)

Legislative Alert: LEXSEE 2013 AK. ALS 73 -- See section 39.

Sec. 15.58.020. Contents of pamphlet

(a) **Each general election pamphlet must contain**

(1) **photographs and campaign statements submitted by eligible candidates for elective office in the region;**

(2) information and recommendations filed under AS 15.58.050 on judicial officers subject to a retention election in the region;

(3) a map of the house district or districts of the region;

(4) **sample ballots for house districts of the region;**

(5) an absentee ballot application;

(6) for each ballot proposition submitted to the voters by initiative or referendum petition or by the legislature,

(A) the full text of the proposition specifying constitutional or statutory provisions proposed to be affected;

(B) the ballot title and the summary of the proposition prepared by the director or by the lieutenant governor;

(C) a statement of the costs to the state of implementing the law proposed in an initiative, or of voter approval or rejection of the act that is the subject of a referendum;

(D) a neutral summary of the proposition prepared by the Legislative Affairs Agency;

(E) statements submitted that advocate voter approval or rejection of the proposition not to exceed 500 words;

(7) for each bond question, a statement of the scope of each project as it appears in the bond authorization;

(8) a maximum of two pages of material submitted by each political party;

(9) additional information on voting procedures that the lieutenant governor considers necessary;

(10) for the question whether a constitutional convention shall be called,

(A) a full statement of the question placed on the ballot;

(B) statements not to exceed 500 words that advocate voter approval or rejection of the question;

(11) under AS 37.13.170, the Alaska permanent fund annual income statement and balance sheet for the two fiscal years preceding the publication of the election pamphlet;

(12) under AS 15.10.090, notice of

(A) the establishment or abolition of a precinct;

(B) the designation, abolition, or modification of precinct boundaries; and

(C) a change in the location of a polling place.

(b) Each primary or special election pamphlet shall contain only the information specified in (a)(6) and (a)(9) of this section for each ballot measure scheduled to appear on the primary or special election ballot.

Alaska Stat. § 15.58.080 (2013)

Sec. 15.58.080. Distribution

(a) Not less than 22 days before the general election, the lieutenant governor shall mail to every registered voter one copy of the pamphlet prepared for the region in which the voter resides. Additional pamphlets may be obtained from the director, the office of the lieutenant governor, and the area election offices.

(b) The state library shall make a recording of the appropriate regional pamphlet available to a blind voter without cost. The lieutenant governor shall assist with the preparation of recording each regional pamphlet.

Arizona

ARIZONA REVISED STATUTES

TITLE 16. ELECTIONS AND ELECTORS

CHAPTER 4. CONDUCT OF ELECTIONS

ARTICLE 6. BALLOTS AND SUPPLIES; GENERAL

A.R.S. § 16-510 (2013)**§ 16-510. Sample ballots; preparation and distribution**

A. Before printing the sample ballots for the general election the board of supervisors shall send to each candidate whose name did not appear on the preceding primary election ballot a ballot proof of the sample ballot for the candidate's review.

B. The board of supervisors shall print and distribute, for the information of voters at each polling place, a number of sample ballots as it deems necessary.

C. The board of supervisors shall have printed mailer-type sample ballots for a general election and shall mail at least eleven days before the election one such sample ballot to each household in the county containing a registered voter unless that registered voter is on the permanent early voting list established pursuant to section 16-544. Each sample ballot shall contain the following statement: "This is a sample ballot and cannot be used as an official ballot under any circumstances". A certified claim shall be presented to the secretary of state by the board of supervisors for the actual cost of printing, labeling and postage of each such sample ballot actually mailed, and the secretary of state shall direct payment of such authenticated claim from funds of his office.

D. For city and town elections, the governing body of a city or town may have printed mailer-type sample ballots for a general election. If the city or town has printed such sample ballots, the city or town shall provide for the distribution of such ballots and shall bear the expense of printing and distributing such sample ballots.

E. For special district elections, the governing body of a special district may have printed mailer-type sample ballots. If the special district has printed such sample ballots, the special district shall provide for the distribution of such ballots and shall bear the expense of printing and distributing such sample ballots.

A.R.S. § 16-956 (2013)**§ 16-956. Voter education and enforcement duties**

A. The commission shall:

1. Develop a procedure for publishing a document or section of a document having a space of predefined size for a message chosen by each candidate. For the document that is delivered before the primary election, the document shall contain the names of every candidate for every statewide and legislative district office in that primary election without regard to whether the candidate is a participating candidate or a nonparticipating candidate. For the document that is delivered before the general election, the document shall contain the names of every candidate for every statewide and legislative district office

in that general election without regard to whether the candidate is a participating candidate or a nonparticipating candidate. The commission shall deliver one copy of each document to every household that contains a registered voter. For the document that is delivered before the primary election, the delivery may be made over a period of days but shall be sent in time to be delivered to households before the earliest date for receipt by registered voters of any requested early ballots for the primary election. The commission may deliver the second document over a period of days but shall send the second document in order to be delivered to households before the earliest date for receipt by registered voters of any requested early ballots for the general election. The primary election and general election documents published by the commission shall comply with all of the following:

(a) For any candidate who does not submit a message pursuant to this paragraph, the document shall include with the candidate's listing the words "no statement submitted".

(b) The document shall have printed on its cover the words "citizens clean elections commission voter education guide" and the words "primary election" or "general election" and the applicable year. The document shall also contain at or near the bottom of the document cover in type that is no larger than one-half the size of the type used for "citizens clean elections commission voter education guide" the words "paid for by the citizens clean elections fund".

(c) In order to prevent voter confusion, the document shall be easily distinguishable from the publicity pamphlet that is required to be produced by the secretary of state pursuant to section 19-123.

2. Sponsor debates among candidates, in such manner as determined by the commission. The commission shall require participating candidates to attend and participate in debates and may specify by rule penalties for nonparticipation. The commission shall invite and permit nonparticipating candidates to participate in debates.

3. Prescribe forms for reports, statements, notices and other documents required by this article. The commission shall not require a candidate to use a reporting system other than the reporting system jointly approved by the commission and the office of the secretary of state.

4. Prepare and publish instructions setting forth methods of bookkeeping and preservation of records to facilitate compliance with this article and explaining the duties of persons and committees under this article.

5. Produce a yearly report describing the commission's activities and any recommendations for changes of law, administration or funding amounts and accounting for monies in the fund.

6. Adopt rules to implement the reporting requirements of section 16-958, subsections D and E.

7. Enforce this article, ensure that money from the fund is placed in candidate campaign accounts or otherwise spent as specified in this article and not otherwise, monitor reports filed pursuant to this chapter and financial records of candidates as needed and ensure that money required by this article to be paid to the fund is deposited in the fund. The commission shall not take action on any external complaint that is filed more than ninety days after the postelection report is filed or ninety days after the completion of the canvass of the election to which the complaint relates, whichever is later.

B. The commission may subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take evidence and require by subpoena the production of any books, papers, records or other items material to the performance of the commission's duties or the exercise of its powers.

C. The commission may adopt rules to carry out the purposes of this article and to govern procedures of the commission. Commission rule making is exempt from title 41, chapter 6, article 3. The commission

shall propose and adopt rules in public meetings, with at least sixty days allowed for interested parties to comment after the rules are proposed. The commission shall also file a notice of exempt rule making and the proposed rule in the format prescribed in section 41-1022 with the secretary of state's office for publication in the Arizona administrative register. After consideration of the comments received in the sixty day comment period, the commission may adopt the rule in an open meeting. Any rules given final approval in an open meeting shall be filed in the format prescribed in section 41-1022 with the secretary of state's office for publication in the Arizona administrative register. Any rules adopted by the commission shall only be applied prospectively from the date the rule was adopted.

D. Rules adopted by the commission are not effective until January 1 in the year following the adoption of the rule, except that rules adopted by unanimous vote of the commission may be made immediately effective and enforceable.

E. If, in the view of the commission, the action of a particular candidate or committee requires immediate change to a commission rule, a unanimous vote of the commission is required. Any rule change made pursuant to this subsection that is enacted with less than a unanimous vote takes effect for the next election cycle.

F. Based on the results of the elections in any quadrennial election after 2002, and within six months after such election, the commission may adopt rules changing the number of qualifying contributions required for any office from those listed in section 16-950, subsection D, by no more than twenty per cent of the number applicable for the preceding election.

A.R.S. § 19-123 (2013)

§ 19-123. Publicity pamphlet; printing; distribution; public hearings

A. When the secretary of state is ordered by the legislature, or by petition under the initiative and referendum provisions of the constitution, to submit to the people a measure or proposed amendment to the constitution, the secretary of state shall cause to be printed, at the expense of the state, except as otherwise provided in this article, a **publicity pamphlet, which shall contain:**

1. A true copy of the title and text of the measure or proposed amendment. Such text shall indicate material deleted, if any, by printing such material with a line drawn through the center of the letters of such material and shall indicate material added or new material by printing the letters of such material in capital letters.

2. The form in which the measure or proposed amendment will appear on the ballot, the official title, the descriptive title prepared by the secretary of state and the number by which it will be designated.

3. The arguments for and against the measure or amendment.

4. For any measure or proposed amendment, a legislative council analysis of the ballot proposal as prescribed by section 19-124.

5. The report of the commission on judicial performance review for any justices of the supreme court, judges of the court of appeals and judges of the superior court who are subject to retention.

6. The summary of a fiscal impact statement prepared by the joint legislative budget committee staff pursuant to subsection D of this section.

B. The secretary of state shall mail one copy of the publicity pamphlet to every household that contains a registered voter. The mailings may be made over a period of days but shall be mailed in order to be delivered to households before the earliest date for receipt by registered voters of any requested early ballots for the general election.

C. Sample ballots for both the primary and general elections shall include a statement that information on how to obtain a publicity pamphlet for the general election ballot propositions is available by calling the secretary of state. The statement shall include a telephone number and mailing address of the secretary of state.

D. On certification of an initiative measure as qualified for the ballot, the secretary of state shall hold or cause to be held at least three public meetings on the ballot measure. Hearings shall be held in at least three different counties and shall be held before the date of the election on the measure. The hearings shall provide an opportunity for proponents, opponents and the general public to provide testimony and request information. Hearings may be scheduled to include more than one qualified ballot measure and shall include a fiscal impact presentation on the measure by the joint legislative budget committee staff. The joint legislative budget committee staff shall prepare a summary of the fiscal impact for each ballot measure, not to exceed three hundred words, for publication in the publicity pamphlet.

A.R.S. § 19-124 (2013)

§ 19-124. Arguments and analyses on measures; cost; submission at special election

A. The person filing an initiative petition may at the same time file with the secretary of state an argument advocating the measure or constitutional amendment proposed in the petition. Not later than forty-eight days preceding the regular primary election a person may file with the secretary of state an argument advocating or opposing the measure or constitutional amendment proposed in the petition. Not later than forty-eight days preceding the regular primary election a person may file with the secretary of state an argument advocating or opposing any measure with respect to which the referendum has been invoked, or any measure or constitutional amendment referred by the legislature. Each argument filed shall contain the original notarized signature of each person sponsoring it. If the argument is sponsored by an organization, it shall contain the notarized signature of two executive officers of the organization or if sponsored by a political committee it shall contain the notarized signature of the committee's chairman or treasurer. Payment of the deposit required by subsection D or reimbursement of the payor constitutes sponsorship of the argument for purposes of this subsection. The person or persons signing the argument shall identify themselves by giving their residence or post office address and a telephone number, which information shall not appear in the publicity pamphlet. Each argument filed pursuant to this subsection shall not exceed three hundred words in length.

B. Not later than sixty days preceding the regular primary election the legislative council, after providing reasonable opportunity for comments by all legislators, shall prepare and file with the secretary of state an impartial analysis of the provisions of each ballot proposal of a measure or proposed amendment. The analysis shall include a description of the measure and shall be written in clear and concise terms avoiding technical terms wherever possible. The analysis may contain background information, including the effect of the measure on existing law, or any legislative enactment suspended by referendum, if the measure or referendum is approved or rejected.

C. The analyses and arguments shall be included in the publicity pamphlet immediately following the measure or amendment to which they refer. Arguments in the affirmative shall be placed first in order, and first among the affirmative or negative arguments shall be placed the arguments filed by the person filing the initiative petition or the person who introduced the measure or constitutional amendment referred. The remaining affirmative and negative arguments shall be placed in the order in which they were filed with the secretary of state.

D. The person filing an argument shall deposit with the secretary of state, at the time of filing, an amount of money as prescribed by the secretary of state for the purpose of offsetting a portion of the proportionate cost of the purchase of the paper and the printing of the argument. If the person filing an argument requests that the argument appear in connection with more than one proposition, a deposit shall be made for each placement requested. No such deposit or payment shall be required for the analyses prepared and filed by the legislative council. Any proportional balance remaining of the deposit, after paying the cost, shall be returned to the depositor.

E. When a measure is submitted at a special election, and time will not permit full compliance with this article, the charter provision or ordinance providing for the special election shall make provision for printing and distribution of the publicity pamphlet.

F. In the case of referendum petitions that are not required to be filed until after the primary election or at a time so close to the primary election that a referendum cannot be certified for the ballot before the deadline for filing ballot arguments pursuant to subsection A, the secretary of state may establish a separate deadline for filing the referendum ballot arguments pursuant to rules adopted by the secretary of state.

Arkansas

Arkansas Code of 1987 Annotated Official Edition

Title 7 Elections
Chapter 5 Election Procedure Generally
Subchapter 2 -- Preelection Proceedings

A.C.A. § 7-5-202 (2012)

§ 7-5-202. Public notice of elections.

(a) It shall be the duty of the county board of election commissioners at least twenty (20) days before each preferential primary and general election and at least ten (10) days before the holding of each general primary, general runoff, or special election **to give public notice in a newspaper of** general circulation in the county of:

- (1) The date of the election;
- (2) The hours of voting on election day;
- (3) The places and times for early voting;
- (4) Polling sites for holding the elections in the county;
- (5) The candidates and offices to be elected at that time; and
- (6) The time and location of the opening, processing, canvassing, and counting of **ballots**.

(b)

- (1) At least five (5) days prior to a preferential primary, general primary, general election, general runoff, or special election, a copy of the public notice may be posted at each polling site fixed for holding the election and shall be published in a newspaper of general circulation in the county.
- (2) At least fifteen (15) days prior to the election, each county board shall prepare and post in a public place in the county clerk's office its list of appointed election officials.

(c) On the day of any election, the **following shall be posted at each polling site** and remain posted continuously therein until the polls close:

- (1) The public notice required in subsection (a) of this section;
- (2) At least two **(2) sample ballots**, marked with the word "**SAMPLE**", of each **ballot** style that will be used at the polling site;
- (3) **Two (2) copies of the full text of all measures on the ballot;**
- (4) At least two (2) copies of instructions on how to vote, including how to cast a provisional **ballot** and instructions for fail-safe voting;
- (5) General information on voting rights under applicable federal and state laws, including information on the right of an individual to cast a provisional **ballot** and instructions on how to contact the appropriate officials if these rights are alleged to have been violated;
- (6) General information on federal and state laws regarding prohibitions on acts of fraud and misrepresentation;
- (7) **(A)** Double-sided signs containing the words "VOTE HERE".

(B) Each sign shall be at least two feet (2') by two feet (2') in size and shall contain an arrow pointing to the polling site.

(C) A sign shall be posted near each main driveway entrance to the polling site on each public street bordering the polling site so as to be visible to all traffic approaching the polling site.

(D) The sign shall be as close as possible to the public street without obstructing traffic; and

(8) One (1) printout from each voting machine showing whether the candidate and question counters register zero (0).

(d) The Secretary of State shall provide to each county board of election commissioners and each county clerk the information to be posted at each polling site according to subdivisions (c)(5) and (6) of this section.

A.C.A. § 7-5-509 (2012)

§ 7-5-509. Machines used for demonstration.

(a) The county board of election commissioners may designate suitable times and places where voting machines shall be exhibited for the purpose of giving instructions in their use to all voters who apply for instruction.

(b) At least one (1) machine for demonstration purposes shall be placed in each precinct not more than twenty-five (25) days nor less than ten (10) days before each election, when practical. The location of voting machines for demonstration shall be in accessible public buildings. The voting machines used for demonstration shall display **sample ballots** showing the title of offices to be filled and, as far as practicable, the names of the candidates in the next election.

(c) No voting machine that is to be assigned for use in any election shall be used for instruction after having been prepared and secured for the election. Machines shall not be used for demonstration purposes during the time that the polls are open on election day or if the demonstration shall in any way interfere with the proper adjustment, securing, or use of the machine in the election.

California

DEERING'S CALIFORNIA CODES ANNOTATED

ELECTIONS CODE

Division 9. Measures Submitted to the Voters

Chapter 1. State Elections

Article 7. Ballot Pamphlet

Cal Elec Code § 9094 (2013)**§ 9094. Mailing of ballot pamphlets to voters; Voter registration information stored in data processing equipment; Time of mailing**

(a) The Secretary of State shall mail ballot pamphlets to voters, in those instances in which the county elections official uses data processing equipment to store the information set forth in the affidavits of registration, before the election at which measures contained in the ballot pamphlet are to be voted on unless a voter has registered fewer than 29 days before the election. The mailing shall commence not less than 40 days before the election and shall be completed no later than 21 days before the election for those voters who registered on or before the 60th day before the election. The **Secretary of State shall mail one copy of the ballot pamphlet to each registered voter at the postal address stated on the voter's affidavit of registration, or the Secretary of State may mail only one ballot pamphlet to two or more registered voters having the same postal address.**

(b) In those instances in which the county elections official does not utilize data processing equipment to store the information set forth in the affidavits of registration, the Secretary of State shall furnish ballot pamphlets to the county elections official not less than 45 days before the election at which measures contained in the ballot pamphlet are to be voted on and the county elections official shall mail ballot pamphlets to voters, on the same dates and in the same manner provided by subdivision (a).

(c) The Secretary of State shall provide for the mailing of ballot pamphlets to voters registering after the 60th day before the election and before the 28th day before the election, by either: (1) mailing in the manner as provided in subdivision (a), or (2) requiring the county elections official to mail ballot pamphlets to those voters registering in the county after the 60th day before the election and before the 28th day before the election pursuant to the provisions of this section. The second mailing of ballot pamphlets shall be completed no later than 10 days before the election. The county elections official shall mail a ballot pamphlet to any person requesting a ballot pamphlet. Three copies, to be supplied by the Secretary of State, shall be kept at every polling place, while an election is in progress, so that they may be freely consulted by the voters.

Cal Elec Code § 9096 (2013)**§ 9096. Mailing to specified persons and organizations**

(a) As soon as copies of the **ballot pamphlet** are available, the Secretary of State shall immediately mail the following number of copies to the listed persons and places:

- (1) Five copies to each county elections official or registrar of voters.
- (2) Six copies to each city elections official.
- (3) Five copies to each Member of the Legislature.
- (4) Five copies to the proponents of each ballot measure.
- (b) The Secretary of State shall also mail:
 - (1) Two copies to each public library and branch thereof.
 - (2) Twelve copies to each public high school or other public school teaching at least the 11th and 12th grades, and 25 copies to each public institution of higher learning. Upon request, and in the discretion of the Secretary of State, additional copies may be furnished to these persons and institutions.

Cal Elec Code § 9082.7 (2013)

§ 9082.7. Dissemination of state ballot pamphlet over Internet

The Secretary of State shall disseminate the complete state ballot pamphlet over the Internet.

ELECTIONS CODE

Division 13. Ballots, Sample Ballots, and Voter Pamphlets

Chapter 4. Sample Ballots and Voter Pamphlets

Cal Elec Code § 13300 (2013)

§ 13300. Separate sample ballots for each political party and separate nonpartisan ballot; Format; Mailing

- (a) By at least 29 days before the partisan primary, each county elections official shall prepare a separate sample ballot for each political party and a separate sample nonpartisan ballot. The county elections official shall place on each ballot, as applicable, in the order provided in Chapter 2 (commencing with Section 13100), and under the appropriate title of each office, the names of all candidates for whom nomination papers have been duly filed with him or her, or have been certified to him or her by the Secretary of State, to be voted for in his or her county at the partisan primary election.
- (b) The sample ballots shall be identical to the official ballots, except as otherwise provided by law. The sample ballots shall be printed on paper of a different texture from the paper to be used for the official ballot.
- (c) One sample ballot of the party for which the voter has disclosed a preference, as evidenced by his or her registration, shall be mailed not more than 40 nor fewer than 10 days before the election to each voter entitled to vote at the primary who registered at least 29 days prior to the election. A nonpartisan sample ballot shall be so mailed to each voter who is not registered as preferring any of the parties participating in the primary election, provided that on election day the voter may, upon request, vote the ballot of a political party if authorized by the party's rules, duly noticed to the Secretary of State.

Cal Elec Code § 13303 (2013)

§ 13303. Printing of copies of form of ballot to be designated "sample ballot"

(a) For each election, each appropriate elections official shall cause to be printed, on plain white paper or tinted paper, without watermark, at least as many copies of the form of ballot provided for use in each voting precinct as there are voters in the precinct. These copies shall be designated "sample ballot" upon their face and shall be identical to the official ballots used in the election, except as otherwise provided by law. **A sample ballot shall be mailed, postage prepaid, not more than 40 nor less than 21 days before the election to each voter who is registered at least 29 days prior to the election.**

(b) The elections official shall **send notice of the polling place to each voter with the sample ballot.** Only official matter shall be sent out with the sample ballot as provided by law.

(c) The elections official shall send notice of the polling place to each voter who registered after the 29th day prior to the election and is eligible to participate in the election. The notice shall also include information as to where the voter can obtain a sample ballot and a ballot pamphlet prior to the election, a statement indicating that those documents will be available at the polling place at the time of the election, and the address of the Secretary of State's website and, if applicable, of the county website where a sample ballot may be viewed.

Cal Elec Code § 13300.7 (2013)

§ 13300.7. Electronic receipt of ballot materials

Notwithstanding any other provision of law, county and city elections officials may establish procedures designed to permit a voter to opt out of receiving his or her **sample ballot, voter pamphlet**, notice of polling place, and associated materials by mail, and instead obtain them electronically via e-mail or by accessing them on the county's or city's Internet Web site, provided that all of the following conditions are met:

(a) The procedures establish a method of providing notice of and an opportunity by which a voter can notify elections officials of his or her desire to obtain ballot materials electronically in lieu of receiving them by mail.

(b) The voter e-mail address or any other information provided by the voter under this section remains confidential pursuant to [Section 6254.4 of the Government Code](#) and Section 2194 of this code.

(c) The procedures provide notice and opportunity for a voter who has opted out of receiving a sample ballot and other materials by mail to opt back into receiving them by mail.

(d) The procedures establish a process by which a voter can apply electronically to become a vote by mail voter.

(e) A voter may only opt out of, or opt back into, receiving his or her sample ballot and other ballot materials by mail if the elections official receives the request and can process it prior to the statutory deadline for the mailing of those materials for the next election, pursuant to Section 13303. If a voter misses this deadline, the request shall take effect the following election.

(f) The procedures must include a verification process to confirm the voter's identity, either in writing with a signature card that can be matched to the one on file with elections officials, or if the request is submitted electronically, it shall contain the voter's California driver's license number, California identification number, or a partial social security number.

Colorado

CONSTITUTION OF THE STATE OF COLORADO
ARTICLE V LEGISLATIVE DEPARTMENT

Colo. Const. Art. V, Section 1 (2012)

Section 1. General assembly - initiative and referendum

...

(7) The secretary of state shall submit all measures initiated by or referred to the people for adoption or rejection at the polls, in compliance with this section. In submitting the same and in all matters pertaining to the form of all petitions, the secretary of state and all other officers shall be guided by the general laws.

(7.3) Before any election at which the voters of the entire state will vote on **any initiated or referred constitutional amendment or legislation, the nonpartisan research staff of the general assembly shall cause to be published the text and title of every such measure. Such publication shall be made at least one time in at least one legal publication of general circulation in each county of the state** and shall be made at least fifteen days prior to the final date of voter registration for the election. The form and manner of publication shall be as prescribed by law and shall ensure a reasonable opportunity for the voters statewide to become informed about the text and title of each measure.

(7.5)

(a) Before any election at which the voters of the entire state will vote on any initiated or referred constitutional amendment or legislation, the nonpartisan research staff of the general assembly shall prepare and make available to the public the following information in the form of a ballot information booklet:

(I) The text and title of each measure to be voted on;

(II) **A fair and impartial analysis of each measure**, which shall include a summary and the major arguments both for and against the measure, and which may include any other information that would assist understanding the purpose and effect of the measure. Any person may file written comments for consideration by the research staff during the preparation of such analysis.

(b) At least thirty days before the election, the research staff shall **cause the ballot information booklet to be distributed to active registered voters statewide.**

(c) If any measure to be voted on by the voters of the entire state includes matters arising under section 20 of article X of this constitution, the ballot information booklet shall include the information and the titled notice required by section 20 (3) (b) of article X, and the mailing of such information pursuant to section 20 (3) (b) of article X is not required.

(d) The general assembly shall provide sufficient appropriations for the preparation and distribution of the ballot information booklet pursuant to this subsection (7.5) at no charge to recipients.

...

COLORADO REVISED STATUTES

TITLE 1. ELECTIONS

GENERAL, PRIMARY, AND CONGRESSIONAL VACANCY ELECTIONS

ARTICLE 5. NOTICE AND PREPARATION FOR ELECTIONS

PART 2. CALL AND NOTICE

C.R.S. 1-5-205 (2012)

Legislative Alert: LEXSEE 2013 Colo. HB 1303 -- See section 36.

1-5-205. Published and posted notice of election

(1) The designated election official, or the coordinated election official if so provided by an intergovernmental agreement, no later than ten days before each election, shall provide notice by publication of the election as described by section 1-1-104 (34)¹, which notice shall state, as applicable for the particular election for which notice is provided, the following:

(a) The date of the election;

(b) The hours during which the polls will be open on election day and for early voting;

(c) The address of the walk-in location and hours during which the walk-in location for the delivery of mail ballots and receipt of replacement ballots will be open;

(d) The address of the location for application and the return of mail-in ballots and the hours during which the office will be open;

(e) The complete ballot content.

(f) to (i) (Deleted by amendment, L. 2002, p. 1627, § 5, effective June 7, 2002.)

(1.2) (Deleted by amendment, L. 2002, p. 1627, § 5, effective June 7, 2002.)

(1.3) A copy of the notice required by this section shall be posted at least ten days prior to the election and until two days after the election in a conspicuous place in the office of the designated election official or the clerk and recorder if the election is coordinated by the clerk and recorder. Sample ballots may be used as notices so long as the information required by this section is included with the sample ballot.

(1.4) Publication of the notice required by subsection (1) of this section by the clerk and recorder for a coordinated election shall satisfy the publication requirement for all political subdivisions participating in the coordinated election.

¹ 1-1-104 (34): (34) "Publication" means printing one time, in one newspaper of general circulation in the political subdivision if there is such a newspaper, and, if not, then in a newspaper in the county in which the political subdivision is located. For a political subdivision with territory within more than one county, if publication cannot be made in one newspaper of general circulation in the political subdivision, then one publication is required in a newspaper in each county in which the political subdivision is located and in which the political subdivision also has fifty or more eligible electors.

(1.5) (Deleted by amendment, L. 2002, p. 1627, § 5, effective June 7, 2002.)

(2) At the time that notice by publication is made, the designated election official shall also mail a copy of the notice of the election to the county clerk and recorders of the counties in which the political subdivision is located if the clerk and recorder is not the coordinated election official.

(3) When there is a vacancy for an unexpired term in any national or state office or a district office of state concern that is by law to be filled at any general or congressional vacancy election, the secretary of state, no later than fifty-five days prior to the election, shall give notice in writing by publishing a notice in at least one newspaper of general circulation in the state or in the congressional district in which the vacancy is to be filled. The notice shall specify the office in which the vacancy exists, the cause of the vacancy, the name of the officer in whose office it has occurred, and the time when the term of office will expire.

C.R.S. 1-40-124 (2012)

1-40-124. Publication

(1) (a) In accordance with section 1 (7.3) of article V of the state constitution, the director of research of the legislative council of the **general assembly shall cause to be published at least one time in at least one legal publication of general circulation in each county of the state**, compactly and without unnecessary spacing, in not less than eight-point standard type, a true copy of:

(I) The title and text of each constitutional amendment, initiated or referred measure, or part of a measure, to be submitted to the people with the number and form in which the ballot title thereof will be printed in the official ballot; and

(II) **The text of each referred or initiated question arising under section 20 of article X of the state constitution**, as defined in section 1-41-102 (3), to be submitted to the people with the number and form in which such question will be printed in the official ballot.

(b) **The publication may be in the form of a notice printed in a legal newspaper**, as defined in sections 24-70-102 and 24-70-103 (1), C.R.S., **or in the form of a publication that is printed separately and delivered as an insert in such a newspaper**. The director of research of the legislative council may determine which form the publication will take in each legal newspaper. The director may negotiate agreements with one or more legal newspapers, or with any organization that represents such newspapers, to authorize the printing of a separate insert by one or more legal newspapers to be delivered by all of the legal newspapers participating in the agreement.

(c) Where more than one legal newspaper is circulated in a county, the director of research of the legislative council shall select the newspaper or newspapers that will make the publication. In making such selection, the director shall consider the newspapers' circulation and charges.

(d) The amount paid for publication shall be determined by the executive committee of the legislative council and shall be based on available appropriations. In determining the amount, the executive committee may consider the newspaper's then effective current lowest bulk comparable or general rate charged and the rate specified for legal newspapers in section 24-70-107, C.R.S. The director of research of the legislative council shall provide the legal newspapers selected to perform printing in accordance with this subsection (1) either complete slick proofs or mats of the title and text of the proposed constitutional amendment, initiated or referred measure, or part of a measure, and of the text of a referred

or initiated question arising under section 20 of article X of the state constitution, as defined in section 1-41-102 (3), at least one week before the publication date.

(e) If no legal newspaper is willing or able to print or distribute the publication in a particular county in accordance with the provisions of this subsection (1), the director of research of the legislative council shall assure compliance with the publication requirements of section 1 (7.3) of article V of the state constitution by causing the printing of additional inserts or legal notices in such manner and form as deemed necessary and by providing for their separate circulation in the county as widely as may be practicable. Such circulation may include making the publications available at government offices and other public facilities or private businesses. If sufficient funds are available for such purposes, the director may also contract for alternative methods of circulation or may cause circulation by mailing the publication to county residents. Any printing and circulation made in accordance with this paragraph (e) shall be deemed to be a legal publication of general circulation for purposes of section 1 (7.3) of article V of the state constitution.

(2) (Deleted by amendment, L. 95, p. 437, § 18, effective May 8, 1995.)

C.R.S. 1-40-124.5 (2012)

1-40-124.5. Ballot information booklet

(1) (a) The director of research of the legislative council of the general assembly shall prepare a ballot information booklet for any initiated or referred constitutional amendment or legislation, including a question, as defined in section 1-41-102 (3), in accordance with section 1 (7.5) of article V of the state constitution.

(b) The director of research of the legislative council of the general assembly shall prepare a fiscal impact statement for every initiated or referred measure, taking into consideration fiscal impact information submitted by the office of state planning and budgeting, the department of local affairs or any other state agency, and any proponent or other interested person. The fiscal impact statement prepared for every measure shall be substantially similar in form and content to the fiscal notes provided by the legislative council of the general assembly for legislative measures pursuant to section 2-2-322, C.R.S. A complete copy of the fiscal impact statement for such measure shall be available through the legislative council of the general assembly. The ballot information booklet shall indicate whether there is a fiscal impact for each initiated or referred measure and shall abstract the fiscal impact statement for such measure. The abstract for every measure shall appear after the arguments for and against such measure in the analysis section of the ballot information booklet, and shall include, but shall not be limited to:

(I) An estimate of the effect the measure will have on state and local government revenues, expenditures, taxes, and fiscal liabilities if such measure is enacted;

(II) An estimate of the amount of any state and local government recurring expenditures or fiscal liabilities if such measure is enacted; and

(III) For any initiated or referred measure that modifies the state tax laws, an estimate of the impact to the average taxpayer, if feasible, if such measure is enacted.

(c) Repealed.

(1.5) The executive committee of the legislative council of the general assembly shall be responsible for providing the fiscal information on any ballot issue that must be included in the ballot information booklet pursuant to section 1 (7.5) (c) of article V of the state constitution.

(1.7) (a) After receiving written comments from the public in accordance with section 1 (7.5) (a) (II) of article V of the state constitution, but before the draft of the ballot information booklet is finalized, the director of research of the legislative council of the general assembly shall conduct a public meeting at which the director and other members of the legislative staff have the opportunity to ask questions that arise in response to the written comments. The director may modify the draft of the booklet in response to comments made at the hearing. The legislative council may modify the draft of the booklet upon the two-thirds affirmative vote of the members of the legislative council.

(b) (I) Each person submitting written comments in accordance with section 1 (7.5) (a) (II) of article V of the state constitution shall provide his or her name and the name of any organization the person represents or is affiliated with for purposes of making the comments.

(II) The arguments for and against each measure in the analysis section of the ballot information booklet shall be preceded by the phrase: "For information on those issue committees that support or oppose the measures on the ballot at the (date and year) election, go to the Colorado secretary of state's elections center web site hyperlink for ballot and initiative information (appropriate secretary of state web site address).".

(2) Following completion of the ballot information booklet, the director of research shall arrange for its distribution to every residence of one or more active registered electors in the state. Distribution may be accomplished by such means as the director of research deems appropriate to comply with section 1 (7.5) of article V of the state constitution, including, but not limited to, mailing the ballot information booklet to electors and insertion of the ballot information booklet in newspapers of general circulation in the state. The distribution shall be performed pursuant to a contract or contracts bid and entered into after employing standard competitive bidding practices including, but not limited to, the use of requests for information, requests for proposals, or any other standard vendor selection practices determined to be best suited to selecting an appropriate means of distribution and an appropriate contractor or contractors. The executive director of the department of personnel shall provide such technical advice and assistance regarding bidding procedures as deemed necessary by the director of research.

(3) (a) There is hereby established in the state treasury the ballot information publication and distribution revolving fund. Except as otherwise provided in paragraph (b) of this subsection (3), moneys shall be appropriated to the fund each year by the general assembly in the annual general appropriation act. All interest earned on the investment of moneys in the fund shall be credited to the fund. Moneys in the revolving fund are continuously appropriated to the legislative council of the general assembly to pay the costs of publishing the text and title of each constitutional amendment, each initiated or referred measure, or part of a measure, and the text of a referred or initiated question arising under section 20 of article X of the state constitution, as defined in section 1-41-102 (3), in at least one legal publication of general circulation in each county of the state, as required by section 1-40-124, and the costs of distributing the ballot information booklet, as required by subsection (2) of this section. Any moneys credited to the revolving fund and unexpended at the end of any given fiscal year shall remain in the fund and shall not revert to the general fund.

(b) Notwithstanding any law to the contrary, any moneys appropriated from the general fund to the legislative department of the state government for the fiscal year commencing on July 1, 2007, that are

unexpended or not encumbered as of the close of the fiscal year shall not revert to the general fund and shall be transferred by the state treasurer and the controller to the ballot information publication and distribution revolving fund created in paragraph (a) of this subsection (3); except that the amount so transferred shall not exceed five hundred thousand dollars.

(c) Notwithstanding any law to the contrary, any moneys appropriated from the general fund to the legislative department of the state government for the fiscal year commencing on July 1, 2008, that are unexpended or not encumbered as of the close of the fiscal year shall not revert to the general fund and shall be transferred by the state treasurer and the controller to the ballot information publication and distribution revolving fund created in paragraph (a) of this subsection (3).

(d) Notwithstanding any law to the contrary, any moneys appropriated from the general fund to the legislative department of the state government for the fiscal year commencing on July 1, 2009, that are unexpended or not encumbered as of the close of the fiscal year and that are in excess of the amount of one million forty-two thousand dollars shall not revert to the general fund and shall be transferred by the state treasurer and the controller to the ballot information publication and distribution revolving fund created in paragraph (a) of this subsection (3); except that the amount so transferred shall not exceed one million one hundred twenty-nine thousand six hundred seven dollars.

(e) Notwithstanding any provision of this subsection (3) to the contrary, on August 11, 2010, the state treasurer shall deduct one million one hundred twenty-nine thousand six hundred seven dollars from the ballot information publication and distribution revolving fund and transfer such sum to the redistricting account within the legislative department cash fund.

Connecticut

LexisNexis(R) Connecticut Annotated Statutes

Title 9 Elections
Chapter 141 General Provisions**Conn. Gen. Stat. § 9-4a (2013)****Sec. 9-4a. Voter guide for state elections.**

(a) Not later than October first in each year in which a state election, as defined in [section 9-1](#), is to be held, the [Secretary of the State](#), in consultation with the State Elections Enforcement Commission and within available appropriations, shall prepare a voter guide for such state election and shall publish such voter guide on the Internet.

(b) The voter guide shall contain:

- (1) The date of the state election and the hours the polls will be open;
- (2) The name, party affiliation and contact information of each candidate who is nominated or qualifies as a petitioning candidate for election to the office of President of the United States, Vice-President of the United States, senator in Congress, representative in Congress, Governor, Lieutenant Governor, Attorney General, State Treasurer, State Comptroller, Secretary of the State, state senator or state representative at the state election. As used in this section, "contact information" means any or all of the following information received by the Secretary of the State in the course of the secretary's elections duties or by the Federal Election Commission: A candidate's campaign mailing address, telephone number, facsimile number, electronic mail address and web site. The voter guide may provide contact information for a candidate for the office of President of the United States, Vice-President of the United States, senator in Congress or representative in Congress by an electronic link to such information on the Federal Election Commission's web site;
- (3) The following three maps produced pursuant to the most recent decennial reapportionment of General Assembly and Connecticut congressional districts: One map showing the boundaries of state senatorial districts, one map showing the boundaries of state house of representatives districts and one map showing the boundaries of state congressional districts;
- (4) A description of each office to be filled at the state election;
- (5) An absentee ballot application in printable format;
- (6) Instructions regarding voting by absentee ballot;
- (7) Information on the procedure for registering to **vote**;
- (8) A voter registration application in printable format;
- (9) [The full text of each proposed constitutional amendment](#) that will appear on the ballot at the state election;

(10) The explanatory text as to the content and purpose of each such proposed constitutional amendment, which is prepared by the Office of Legislative Research pursuant to section 2-30a; and

(11) The text of the Voter's Bill of Rights set forth in section 9-236b.

(c) The Secretary of the State, in consultation with the State Elections Enforcement Commission, may adopt regulations, in accordance with the provisions of chapter 54, to carry out the purposes of this section. Such regulations shall not authorize the inclusion of any information in the voter guide in addition to that required in subsection (b) of this section.

Conn. Gen. Stat. § 9-236b (2013)

Sec. 9-236b. Voter's Bill of Rights. Sample ballots. Voters in line when polls scheduled to close permitted to vote. Voting instructions and information.

(a) The Secretary of the State shall provide each municipality with sufficient quantities of a poster size copy, at least eighteen by twenty-four inches, of a Voter's Bill of Rights, which shall be posted conspicuously at each polling place. The text of the Voter's Bill of Rights shall be:

"VOTER'S BILL OF RIGHTS

Every registered voter in this state has the right to:

- (1) Inspect a **sample** ballot before voting;
- (2) Receive instructions concerning how to operate voting equipment, on **sample** voting equipment before voting;
- (3) Cast a ballot if the voter is in line when the polls are closing;
- (4) Ask for and receive assistance in voting, including assistance in languages other than English where required by federal or state law;
- (5) Vote free from coercion or intimidation by election officials or any other person;
- (6) Cast a ballot using voting equipment that accurately counts all votes;
- (7) Vote by provisional ballot if the individual registered to vote and the individual's name is not on the voter list;
- (8) Be informed of the process for restoring the individual's right to vote if the individual was incarcerated for a felony conviction; and
- (9) Vote independently and in privacy at a polling place, regardless of physical disability.

If any of your rights have been violated, you have the right to file an official complaint with the State Elections Enforcement Commission at (toll-free telephone number) or the United States Department of Justice at (toll-free telephone number). In addition, before leaving the polling place you may notify the moderator of the violation."

(b) In any municipality or voting district where federal or state law requires ballots to be made available in a language or languages other than English, the Voter's Bill of Rights shall also be made available in such language or languages.

(c) **Sample ballots shall be made available at all polling places, and any voter shall be permitted to inspect a **sample** ballot before voting.**

(d) Any voter standing in line at a polling place at the time when polls are scheduled to close shall be permitted to vote.

(e) For use at elections for federal office, the Secretary of the State shall prescribe and the municipal clerk shall provide for all polling places in the municipality: (1) Instructions on how to cast a provisional ballot, (2) instructions for mail-in registrants and first-time voters who register to vote by mail on or after January 1, 2003, (3) general information concerning voting rights under federal and Connecticut laws, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated, and (4) general information on federal and state laws concerning prohibitions on acts of fraud and misrepresentation.

Conn. Gen. Stat. § 9-255 (2013)

Sec. 9-255. Sample ballots.

The registrars of voters shall provide for all polling places using voting tabulators at least two **sample ballots** that shall contain the offices, party designations, names of candidates, write-in slots and questions to be voted upon. On each such **sample** ballot shall be printed instructions as to the use of the voting tabulator, which instructions shall be approved by the Secretary of the State. **Such sample ballots shall be so posted inside the polling place as to be visible to those within the polling place during the whole day of election. At least one of such sample ballots shall be so posted as to be visible to an elector being instructed on the use of the voting tabulator under section 9-260.**

Delaware

DELAWARE CODE ANNOTATED

TITLE 15. ELECTIONS
PART IV. GENERAL ELECTIONS
CHAPTER 49. CONDUCT OF ELECTION
SUBCHAPTER I. PROCEDURE PRIOR TO OPENING POLLS

15 Del. C. § 4910 (2013)**§ 4910. Instruction sheets; sample ballots**

(a) The State Election Commissioner, in collaboration with the Departments of Elections for the counties, shall design a poster or posters that will be uniform throughout the State. The poster or posters shall be publicly displayed in each polling place on the day of the election. The poster or posters shall contain the following information:

- (1) Information stating the date and hours during which the polling place will be open;
- (2) Instructions on how to vote, including how to cast a vote and how to cast a provisional ballot;
- (3) Instructions for mail-in registrants who are first-time voters under § 303(b) of the Help America Vote Act of 2002 [42 U.S.C. § 15483(b)];
- (4) General information on voting rights under applicable federal and state laws, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated; and
- (5) General information on federal and state laws regarding prohibitions on acts of fraud and misrepresentation.

(b) The departments of elections shall also provide for each election district 2 sample ballots applicable to such election district, which ballots shall measure approximately 10 inches by 12 inches and shall be arranged in the form of a diagram showing such portion of the front of the voting machine as will appear after the official ballots are arranged therein for voting. Such sample ballots shall be posted in a conspicuous place in each polling place on each election day. Such sample ballots shall be delivered to the departments of elections which shall in turn deliver them with the other election supplies to the proper election officers throughout the county.

(c) The departments of elections shall deliver sample ballots free of charge for each unique ballot in the county to the county chairperson or the agent for the county chairperson for each party on the ballot at least 10 days prior to the date of the election.

- (1) Major political parties shall be given 15 sample ballots unless the party chairperson requests fewer or more.
- (2) Minor political parties shall be sent 1 sample ballot showing each office on the ballot unless they request more. Minor parties may receive up to 15 sample ballots without charge.
- (3) Each department of elections shall establish the cost for additional sample ballots beyond the number specified in paragraphs (1) and (2) of this subsection above.

(d) In addition to the **sample ballots** mentioned in subsections (b) and (c) of this section, the department in each county shall cause to be printed such further number of **sample ballots** as shall be directed by the chair of any committee of any political party in any county. However, the department of elections shall not have printed any **sample ballots** upon the order or request of any chair of any committee of any political party unless the request shall have been made to him or her in writing at least 65 days prior to the holding of the election at which the **sample ballots** are to be used, nor unless a deposit sufficient to cover the cost of the **sample ballots** be paid at the time they are ordered.

15 Del. C. § 4912 (2013)

§ 4912. Procedure prior to opening of polls

(a) The election officers of each election district shall attend at the polling place three quarters of an hour before the time set for opening of the polls and shall proceed to arrange the furniture, stationery and voting machine for the conduct of the election. If not previously collected, the election officers shall collect from the department of elections a list of voters who have voted by absentee **ballot** and shall maintain the same at the polling place. **The election officers shall cause to be posted conspicuously within the polling place an instruction poster and 2 sample ballots.** They shall see that the light for the voting machine is in good order and that it is lighted, if that is necessary, in order that the names upon the **ballot** shall be clearly visible. They shall inspect the screen, hood or curtain of the machine to make certain that it has not been damaged or tampered with so as in any manner to lessen or endanger the secrecy of voting. They shall see to it that no mirror is placed or allowed to remain in such a position so as to permit a view of any part of the front, sides or top of the voting machine.

(b) The 2 voting machine certificates shall be delivered to the election officers at least three quarters of an hour before the time set for the opening of the polls. Section 1 of the voting machine certificates shall list the serial number, **ballot** number, machine case seal number, printer door number and the protective counter number for each voting machine assigned to the election district. Each election officer shall witness and verify that the numbers listed on the voting machine certificates are the same as the voting machine serial number, machine case seal number, printer door seal number, **ballot** number and protective counter number on the voting machine. If a number is different, the inspector shall strike through the number, enter the appropriate correction and initial the entry on each of the certificates. At the completion of this comparison, each election officer shall sign in the appropriate place in section 1 of each of the voting machine certificates.

(c) The election officers shall observe the opening of the polls procedure for each voting machine assigned to the election district. If the light in the polls ready to open box on the officer's control panel is in any other but the top position prior to the inspector pressing the open polls button, stop the procedure and contact the Department of Elections. The machine cannot be used. If, during the opening of the polls procedure, the paper tape shows "error all counters not zero," stop the procedure and contact the Department of Elections. The machine cannot be used. At the conclusion of the open polls procedure for each voting machine assigned to the election district, each election officer signs the paper tape. After the last election officer signs the paper tape, the inspector will close the write-in window.

15 Del. C. § 5009 (2013)

§ 5009. Instruction of voters before election

Each department shall designate suitable and adequate times and places where voting machines containing **sample ballots** showing titles of offices to be filled, and so far as practicable, the names of candidates to be voted for at the next election shall be exhibited for the purpose of giving instructions as to the use of voting machines to all voters who apply for the same. No voting machine which is to be assigned for use in an election shall be used for such instruction after having been prepared and sealed for the election. During public exhibition of any voting machine for the instruction of voters previous to an election, the counting mechanism thereof shall be concealed from view.

Florida

LexisNexis (R) Florida Annotated Statutes
 TITLE 9. ELECTORS AND ELECTIONS (Chs. 97-107)
 CHAPTER 101. VOTING METHODS AND PROCEDURE

Fla. Stat. § 101.20 (2013)

Legislative Alert: LEXSEE 2013 Fl. ALS 192 -- See section 2.

§ 101.20. Publication of ballot form; sample ballots

(1) Two **sample** ballots shall be furnished to each polling place by the officer whose duty it is to provide official ballots. The **sample** ballots shall be in the form of the official ballot as it will appear at that polling place on election day. **Sample** ballots shall be open to inspection by all electors in any election, and a sufficient number of reduced-size ballots may be furnished to election officials so that one may be given to any elector desiring same.

(2) Upon completion of the list of qualified candidates, a **sample ballot shall be published by the supervisor of elections in a newspaper** of general circulation in the county, prior to the day of election. If the county has an addressograph or equivalent system for mailing to registered electors, a **sample ballot may be mailed to each registered elector or to each household in which there is a registered elector, in lieu of publication**, at least 7 days prior to any election.

TITLE 9. ELECTORS AND ELECTIONS (Chs. 97-107)
 CHAPTER 100. GENERAL, PRIMARY, SPECIAL, BOND, AND REFERENDUM ELECTIONS

Fla. Stat. § 100.021 (2013)

§ 100.021. Notice of general election

The Department of State shall, in any year in which a general election is held, make out a notice stating what offices and vacancies are to be filled at the general election in the state, and in each county and district thereof. During the 30 days prior to the beginning of qualifying, the Department of State shall have **the notice published two times in a newspaper of general circulation in each county**; and, **in counties in which there is no newspaper of general circulation**, it shall send to the sheriff a notice of the offices and vacancies to be filled at such general election by the qualified voters of the sheriff's county or any district thereof, and the **sheriff shall have at least five copies of the notice posted in conspicuous places in the county**

Fla. Stat. § 100.211 (2013)

§ 100.211. Power to call bond referendum; notice required

The board of county commissioners or the governing authority of any district or municipality may call a **bond referendum** under this code. In the event any referendum is called to decide whether a majority of the electors participating are in favor of the issuance of bonds in the county, district, or municipality, the board of county commissioners, or the governing authority of the municipality or district, shall by resolution order the bond referendum to be held in the county, district, or municipality and **shall give notice of the election in the manner prescribed by s. 100.342.**

Fla. Stat. § 100.342 (2013)

§ 100.342. Notice of special election or referendum

In any special election or referendum not otherwise provided for there shall be at **least 30 days' notice of the election or referendum by publication in a newspaper of general circulation** in the county, district, or municipality, as the case may be. The **publication shall be made at least twice**, once in the fifth week and once in the third week prior to the week in which the election or referendum is to be held. **If there is no newspaper of general circulation in the county, district, or municipality, the notice shall be posted in no less than five places within the territorial limits of the county, district, or municipality.**

**FLORIDA ADMINISTRATIVE CODE
TITLE 01 DEPARTMENT OF STATE
DIVISION 1S DIVISION OF ELECTIONS
CHAPTER 1S-2 ELECTIONS**

1S-2.033, F.A.C.

1S-2.033 Standards for Nonpartisan Voter Education.

(1) **Voter Guide.** As part of their voter and voting education efforts, the county supervisors of elections shall use a voter guide.

(a) The **voter guide** may be based on a voter guide developed by the Department of State that incorporates county specific information as required below or may be created entirely by the supervisor. The voter guide shall include the following information:

1. How to register to vote including how to register by mail.
2. Where to obtain voter registration applications.
3. Dates for upcoming elections and early voting periods.
4. Registration deadlines for the next primary and general election.
5. How voters can update their voter registration information such as changes in name, address or party affiliation.
6. How voters can update their signatures and why is it important to keep the signature current.
7. Information on how to obtain, vote and return an absentee ballot.

8. The Voter's Bill of Rights and Responsibilities pursuant to Section 101.031, F.S.
9. Polling information including what times the polls are open, what to bring to the polls, the list of acceptable IDs, and what to expect at the polls including when the voter may vote a provisional ballot.
10. What is meant by 'Florida is a closed Primary Election state'.
11. Information on how voter information cards are issued when there is a change in polling place or precinct.
12. Instructions on the county's particular voting system.
13. Supervisor's contact information.
14. Supervisor's website address.
15. Any other information the supervisor deems important.

(b) The supervisor of elections shall make the voter guide available on his or her website and upon request, at the following locations:

1. Any voter registration agency designated under the National Voter Registration Act of 1993. A voter registration agency is any public library, any office that provides services for persons with disabilities including any center for independent living, any office for public assistance, and any military recruitment office.
2. The supervisor's office.
3. A community center.
4. A post office.
5. A county governmental office.
6. At any registration drive conducted by the supervisor of elections.

(2) Website. Each supervisor of elections shall maintain a website that includes voter and voting information. This requirement may be satisfied by providing a link to a webpage containing such information via the county's website. The website or link shall include, at a minimum:

- (a) The county's voter guide.
- (b) Information on how to obtain a copy of the voter's sample ballot for an upcoming election or a direct hyperlink to a sample ballot for the upcoming election.
- (c) Notice of change of polling place and precinct to all registered voters.
- (d) Only if feasible, a polling place or precinct finder that allows a voter to determine his or her precinct or polling place.

(3) Voter Registration/Education and Training Programs. A county supervisors of elections shall:

- (a) Conduct at least once a year a high school voter registration/education program in each public high school in the county. The program must be developed in cooperation with the local school board and be designed for maximum effectiveness in reaching and educating high school students who are eligible to pre-register or register.
- (b) Conduct at least once a year a college voter registration/education program on each college campus in the country. This program must be designed for maximum effectiveness in reaching and educating college students.
- (c) Provide, upon reasonable request and notice, voter registration workshops for individuals and organizations sponsoring voter registration drives.
- (d) Assist, upon reasonable request, voter registration agencies designated under the National Voter Registration Act of 1993, including to help distribute and collect voter registration applications submitted through these agencies.

- (e) Conduct demonstrations of the county's voting equipment in community centers and senior citizen residences, and for various community groups, including minority and disability groups.
- (4) **Notices and public announcements.** A county supervisor of elections shall:
 - (a) Post at the supervisor's office, the Voter's Bill of Rights and Responsibilities as set forth in Section 101.031, F.S., and at each polling place during the early voting period and on Election Day.
 - (b) **Participate in available radio, television and print programs and interviews, in both general and minority media outlets, to provide voting information.**
 - (c) **Publish in the newspaper sample ballots or alternatively, may mail sample ballots to registered voters in accordance with Section 101.20(2), F.S.**
 - (d) **Provide notice of changes of polling places and precincts to all affected registered voters as required by Section 101.71, F.S.**

Georgia

OFFICIAL CODE OF GEORGIA ANNOTATED

TITLE 21. ELECTIONS

CHAPTER 2. ELECTIONS AND PRIMARIES GENERALLY

ARTICLE 9. VOTING MACHINES AND VOTE RECORDERS GENERALLY

PART 4. OPTICAL SCANNING VOTING SYSTEMS

O.C.G.A. § 21-2-375 (2013)**§ 21-2-375. Delivery of equipment to polling places; protection for equipment; required accessories**

- (a) In counties using precinct count optical scanning tabulators, the superintendent shall deliver the proper optical scanning tabulator to the polling places at least one hour before the time set for opening of the polls at each primary or election and shall cause each to be set up in the proper manner for use in voting.
- (b) The superintendent shall provide ample protection against molestation of and injury to the optical scanning tabulator and, for that purpose, shall call upon any law enforcement officer to furnish such assistance as may be necessary; and it shall be the duty of the law enforcement officer to furnish such assistance when so requested by the superintendent.
- (c) The superintendent shall at least one hour before the opening of the polls:
- (1) Provide sufficient lighting to enable electors, while in the voting booth, to read the ballot, which lighting shall be suitable for the use of poll officers in examining the booth; and such lighting shall be in good working order before the opening of the polls;
 - (2) Prominently post directions for voting on the optical scanning ballot within the voting booth; **at least two sample ballots in use for the primary or election shall be posted prominently outside the enclosed space within the polling place;**
 - (3) Ensure that the precinct count optical scanning tabulator shall have a seal securing the memory pack in use throughout the election day; such seal shall not be broken unless the tabulator is replaced due to malfunction; and
 - (4) Provide such other materials and supplies as may be necessary or as may be required by law.

O.C.G.A. § 21-2-376 (2013)

§ 21-2-376. Demonstration of equipment

During the 30 days next preceding a general primary or election or during the ten days next preceding a special primary or election, the superintendent shall place on public exhibition, in such public places and at such times as he or she may deem most suitable for the information and instruction of the electors, one or more sets of sample ballots that will be used in such election. The sample ballots shall show the offices and questions to be voted upon, the names and arrangements of parties and bodies, and the names and arrangements of the candidates to be voted for. Such ballots shall be under the charge and care of a person competent as an instructor.

O.C.G.A. § 21-2-379.7 (2013)

§ 21-2-379.7. Preparation of polling places

- (a) The superintendent or the custodians shall deliver the proper direct recording electronic (DRE) units to the polling places of the respective precincts at least one hour before the time for opening the polls at each primary or election and shall cause each unit to be set up in the proper manner for use in voting.
- (b) The superintendent shall require that each DRE unit be thoroughly tested, inspected, and sealed prior to the delivery of each DRE unit to the polling place. Prior to opening the polls each day on which the units will be used in a primary or election, the manager shall break the seal on each unit, turn on each unit, certify that each unit is operating properly and is set to zero, and print a zero tape certifying that each unit is set to zero and shall keep or record such certification on each unit.
- (c) The superintendent and poll managers shall provide ample protection against molestation of and injury to the DRE units, and, for that purpose, the superintendent and poll manager may call upon any law enforcement officer to furnish such assistance as may be necessary. It shall be the duty of any such law enforcement officer to furnish such assistance when so requested by the superintendent or poll manager.
- (d) The superintendent shall, at least one hour prior to the opening of the polls:
- (1) Provide sufficient lighting to enable electors, if needed in the voting booth, to read the ballot and which shall be suitable for the use of the poll officers in examining the booth and conducting their responsibilities;
 - (2) Provide directions for voting on the DRE units which shall be prominently posted within each voting booth and at least two sample ballots for the primary or election which shall be prominently posted outside the enclosed space within the polling place;
 - (3) Ensure that each DRE unit's tabulating mechanism is secure throughout the day during the primary or election;
 - (4) Provide at least one DRE unit accessible to disabled electors at each precinct; and
 - (5) Provide such other materials and supplies as may be necessary or required by law.

O.C.G.A. § 21-2-379.8 (2013)

§ 21-2-379.8. Public exhibition of voting system and sample ballot

(a) The superintendent or his or her designee shall, upon request, make available for demonstration direct recording electronic (DRE) units. The Secretary of State shall advise the superintendents on recommended methods of demonstrating such units so as to properly educate electors in the use thereof, and, at least during the initial year in which DRE equipment is used in a county or municipality, all superintendents shall offer a series of demonstrations and organized voter education initiatives to equip electors for using such equipment in voting.

(b) At least 45 days before a general primary or election or during the ten days before a special primary or election and at least 21 days before a municipal general primary or election or during the ten days before a municipal special primary or election, the superintendent shall place on public exhibition, in such public places and at such times as the superintendent shall deem most suitable for the information and instruction of the electors, a sample ballot to be used in such election. The sample ballot shall show the offices and questions to be voted upon, the names and arrangements of the political parties and bodies, and the names and arrangements of the candidates to be voted for. Such sample ballots shall be under the charge and care of a person who is, in the opinion of the superintendent, competent and qualified as an instructor concerning such ballots and voting procedures.

Hawaii

SUBCHAPTER 2.
VOTER EDUCATION**§ 3-172-10. Purpose.**

The chief election officer may establish voter education programs, including publishing voter information pamphlets, conducting voter awareness media campaigns, and employing other voter information methods deemed appropriate by the chief election officer.

Eff JAN 09 2010 (Auth: [HRS §§11-2, 11-4](#)) (Imp: [HRS §11-2](#))

§ 3-172-11. Voter Pamphlet.

(a) The chief election officer or the clerk may produce a voter information pamphlet in printed or web accessible form.

(b) The chief election officer or clerk may select the district or districts to be covered by the voter information pamphlet. The pamphlet may be made available, by mail or other methods, to households within the selected district with one or more registered voters.

(c) A photograph and statement from each candidate who qualifies for the ballot in the selected district or districts may be included in the pamphlet; provided that the candidate submits the appropriate photograph or statement, or both, before the deadline established by the chief election officer.

(1) The voter information pamphlet may include a candidate's information section that may include the following photograph and information to be provided by the candidate:

(A) A black and white photograph of the face or head and shoulders of the candidate; provided that the chief election officer may further prescribe the dimensions of such photograph;

(B) The candidate's name, campaign headquarter address and telephone number, party affiliation or nonpartisanship in partisan elections, the office for which the candidate is running, and the district or districts in which the election is being held; and

(C) A statement, not to exceed two hundred fifty words, which may include personal background, the candidate's platform, endorsements, or other information related to the candidate's candidacy.

(2) The candidate shall sign a self-subscribing oath or affirmation attesting to the truth of the statements provided. False statements may be punishable under HRS Chapter 19.

(3) Based upon the candidate's oath or affirmation, the chief election officer may rely upon the information provided by the candidate for the pamphlet.

(4) The respective candidate's photograph and statement shall appear in the pamphlet in the same order that they will appear on the ballot in accordance with [HRS §11-115](#).

(d) The chief election officer or the clerk may decide not to include a candidate's photograph or statement in the voter information pamphlet under the following circumstances:

(1) Statements exceeding two hundred fifty words shall be truncated, beginning with the elimination of the sentence that contains the two hundred fifty-first word;

(2) Language or statements that may be considered obscene or defamatory shall not be printed;

- (3) The chief election officer or the clerk may edit statements for format but not language if the typeset statement would exceed the space allotted in the pamphlet layout; and
- (4) If the candidate does not submit a statement or photograph, or both, before the deadline established by the chief election officer or the clerk, the pamphlet may indicate "No statement submitted" or "No photograph submitted."
- (e) The pamphlet may include the verbatim language of every question authorized to appear on the ballot in the district or districts selected.
- (f) The pamphlet may also include one argument in favor of and one argument opposed to each ballot question; provided that the arguments are submitted before the deadline established by the chief election officer or the clerk. The arguments shall be submitted according to the following:
 - (1) If the measure originated in the legislature or county council, one legislative proponent and one legislative opponent, to be chosen by the presiding officer of the chamber of origin, will be given the first opportunity to prepare the arguments; or
 - (2) If the measure originated by petition, one proponent and one opponent may submit an argument.
- (g) The chief election officer or the clerk may decide not to include arguments regarding ballot issues in the voter information pamphlet that are deceptive or misleading and may be limited under the following circumstances:
 - (1) Arguments exceeding two hundred fifty words shall be truncated, beginning with the elimination of the sentence that contains the two hundred fifty-first word;
 - (2) Language or arguments that are considered obscene or defamatory shall not be printed;
 - (3) The chief election officer may edit arguments for format but not language if the typeset argument would exceed the space allotted in the pamphlet layout; and
 - (4) If the arguments have not been submitted in conformance with this section, the pamphlet may state "No argument submitted."

Eff JAN 09 2010 (Auth: [HRS §11-4](#)) (Imp: [HRS §11-2](#))

Idaho

IDAHO CODE
GENERAL LAWS
TITLE 34. ELECTIONS
CHAPTER 6. TIME OF ELECTIONS -- OFFICERS ELECTED

Idaho Code § 34-602 (2013)

§ 34-602. Publication of notices for primary, general or special elections -- Contents

The several county clerks shall publish at least two (2) times, the notices for any primary, general or special election. The notice shall state the date of the election, the polling place in each precinct and the hours during which the polls shall be open for the purpose of voting, and information about the accessibility of the polling places.

The first notice shall be published at least twelve (12) days prior to any election and the second notice shall be published not later than five (5) days prior to the election. The notice of election shall be published in at least two (2) newspapers published within the county, but if this is not possible, the notice shall be published in one (1) newspaper published within the county or a newspaper which has general circulation within the county.

The second notice of election shall be accompanied by a facsimile, except as to size, of the sample ballot for the election.

Idaho Code § 34-1406 (2013)

§ 34-1406. Notice of election

The county clerk shall give notice for each political subdivision for any election by publishing such notice in the official newspaper of the county. The notice shall state the date of the election, the polling places, and the hours during which the polls shall be open for the purpose of voting. The first publication shall be made not less than twelve (12) days prior to the election, and the last publication of notice shall be made not less than five (5) days prior to the election. For each primary, general and special election, the county clerk shall cause to be published a facsimile, except as to size, of the sample ballot in at least two (2) newspapers published within the county, but if this is not possible, the sample ballot shall be published in one (1) newspaper published within the county or one (1) newspaper that has general circulation within the county. Such publication shall be in conjunction with the second notice of election required by this section. The political subdivision shall notify the county clerk in writing of the official newspaper of the political subdivision.

Idaho Code § 34-1812C (2013)

§ 34-1812C. Voters' pamphlet

(1) Not later than September 25 before any regular general election at which an initiative or referendum measure is to be submitted to the people, the secretary of state shall cause to be printed a voters' pamphlet which shall contain the following:

(a) A complete copy of the title and text of each measure with the number and form in which the ballot title thereof will be printed on the official ballot;

(b) A copy of the arguments and rebuttals for and against each state measure.

(2) The secretary of state shall mail or distribute a copy of the voters' pamphlet to every household in the state. Sufficient copies of the voters' pamphlet shall also be sent to each county clerk. The county clerk and the secretary of state shall make copies of the voters' pamphlet available upon request.

(3) The voters' pamphlet shall be printed according to the following specifications:

(a) The pages of the pamphlet shall be not smaller than 6 x 9 inches in size;

(b) It shall be printed in clear readable type, no less than 10-point, except that the text of any measure may be set forth in no less than 7-point type;

(c) It shall be printed on a quality and weight of paper which in the judgment of the secretary of state best serves the voters;

(d) If the material described in subsections (a) and (b) of this section is combined in a single publication with constitutional amendments, the entire publication shall be treated as a legal notice.

Idaho Code § 67-453 (2013)**§ 67-453. Statements regarding proposed constitutional amendments**

(1) Whenever the legislature shall have directed the submission of a proposal to amend the constitution of the state of Idaho to the electors, the legislative council shall, not less than one hundred twenty (120) days prior to the date of the election at which the proposed amendment will be submitted to the people, prepare and file with the secretary of state a dossier containing the following:

(a) A brief statement setting forth in simple, understandable language the meaning and purpose of the proposed amendment and the result to be accomplished by such amendment. The statement shall be included in the publications of the proposed amendment required by law of the secretary of state, and shall be printed on the official ballot by which such proposed amendment is submitted to the electors; and

(b) A concise presentation of the major arguments advanced by the proponents and opponents of the proposed amendment designed to represent as fairly as possible the arguments relative to the proposed amendment. In preparing such arguments, the legislative council may seek the advice and suggestions of known supporters and opponents or any other persons or groups and may, in its sole discretion, use any of the suggested arguments. If any such suggestions are utilized by the legislative council, no recognition shall be given to the persons or groups which submitted the argument. The arguments shall be published in the publications required by law of the secretary of state, but shall not appear on the ballot by which such proposed amendment is submitted to the electors.

(2) The secretary of state shall cause to be printed in either the voters' pamphlet pursuant to section 34-1812C, Idaho Code, or in a pamphlet similar to the voters' pamphlet, the arguments prepared pursuant to subsection (1) of this section and the question that will be on the general election ballot.

Illinois

ILLINOIS COMPILED STATUTES ANNOTATED

CHAPTER 5. GENERAL PROVISIONS

ILLINOIS CONSTITUTION

ILLINOIS CONSTITUTIONAL AMENDMENT ACT

5 ILCS 20/2 (2013)

[Prior to 1/1/93 cited as: Ill. Rev. Stat., Ch. 1, para. 103]

§ 5 ILCS 20/2. [Submission; procedure]

Sec. 2. The General Assembly in submitting an amendment to the Constitution to the electors, or the proponents of an amendment to Article IV of the Constitution [Ill. Const. (1970) Art. IV, § 1 et seq.] submitted by petition, shall prepare a brief explanation of such amendment, a brief argument in favor of the same, and the form in which such amendment will appear on the separate **ballot** as provided by Section 16-6 of "An Act concerning elections", approved May 11, 1943, as amended [10 ILCS 5/16-6]. The minority of the General Assembly, or if there is no minority, anyone designated by the General Assembly shall prepare a brief argument against such amendment. In the case of an amendment to Article IV of the Constitution [Ill. Const. (1970) Art. IV, § 1 et seq.] initiated pursuant to Section 3 of Article XIV of the Constitution [Ill. Const. (1970) Art. XIV, §3], the proponents shall be those persons so designated at the time of the filing of the petition as provided in Section 10-8 of The Election Code [10 ILCS 5/10-8], and the opponents shall be those members of the General Assembly opposing such amendment, or if there are none, anyone designated by the General Assembly and such opponents shall prepare a brief argument against such amendment. The proponent's explanation and argument in favor of and the opponents argument against an amendment to Article IV initiated by petition must be submitted to the Attorney General, who may rewrite them for accuracy and fairness. The explanation, the arguments for and against each constitutional amendment and the form in which the amendment will appear on the separate **ballot**, shall be filed in the office of the Secretary of State with the proposed amendment. At least 1 month before the next election of members of the General Assembly, following the passage of the proposed amendment, the Secretary of State shall publish the amendment, in full in 8 point type, or the equivalent thereto, in at least one secular newspaper of general circulation in every county in this State in which a newspaper is published. In counties in which 2 or more newspapers are published, the Secretary of State shall cause such amendment to be published in 2 newspapers. In counties having a population of 500,000 or more, such amendment shall be published in not less than 6 newspapers of general circulation. After the first publication, the publication of such amendment shall be repeated once each week for 2 consecutive weeks. In selecting newspapers in which to publish such amendment the Secretary of State shall have regard solely to the circulation of such newspapers, selecting secular newspapers in every case having the largest circulation. The proposed amendment shall have a notice prefixed thereto in said publications, that at such election the proposed amendment will be submitted to the electors for adoption or rejection, and at the end of the official publication, he shall also publish the form in which the proposed amendment will appear on the separate **ballot**. The Secretary of State shall fix the publication fees to be paid newspapers for making such publication, but in no case shall such publication fee exceed the amount

charged by such newspapers to private individuals for a like publication. In addition to the notice hereby required to be published, the Secretary of State shall also cause the existing form of the constitutional provision proposed to be amended, the proposed amendment, the explanation of the same, the arguments for and against the same, and the form in which such amendment will appear on the separate ballot, to be published in pamphlet form in 8 point type or the equivalent thereto; and the Secretary of State shall mail such pamphlet to every mailing address in the State, addressed to the attention of the Postal Patron. He shall also maintain a reasonable supply of such pamphlets so as to make them available to any person requesting one.

CHAPTER 10. ELECTIONS
ELECTION CODE
ARTICLE 12A. **VOTERS' GUIDES**

10 ILCS 5/12A-2 (2013)

§ 10 ILCS 5/12A-2. Definitions

Sec. 12A-2. Definitions. As used in this Article [10 ILCS 5/12A-2 et seq.], unless the context otherwise requires:

"Board" means the State Board of Elections.

"**Internet Guide**" refers to information disseminated by the State Board of Elections on a website, pursuant to Section 12A-5 [10 ILCS 5/12A-5].

"Local election authority" means a county clerk or board of election commissioners.

"**Public question**" or "**question**" means any question, proposition, or referendum submitted to the voters under Article 28 of this Code [10 ILCS 5/28-1 et seq.].

"Statewide candidate" means any candidate who runs for a statewide office, including Governor, Lieutenant Governor, Attorney General, Secretary of State, Treasurer, Comptroller, United States President, or United States Senator.

"**Voters' guide**" means any information disseminated by the State Board of Elections pursuant to Section 12A-5.

10 ILCS 5/12A-5 (2013)

§ 10 ILCS 5/12A-5. Internet Guide

Sec. 12A-5. Internet Guide. The Board shall publish, no later than the 45th day before a general election in which a statewide candidate appears on the ballot, an **Internet website with the following information:**

- (1) **The date and time of the general election.**
- (2) Requirements for a citizen to qualify as an elector.
- (3) The deadline for registering as an elector in the State of Illinois for the next election.
- (4) Contact information for local election authorities.
- (5) A description of the following offices, when they appear on the ballot, including their term of office, basic duties, and base salary: United States President, United States Senator, United States Representative, Governor, Lieutenant Governor, Attorney General, Secretary of State, Treasurer, Comptroller, Illinois Supreme Court Judge, and Illinois Appellate Court Judge. **The Board shall not include information on any office other than the offices listed in this item (5).**
- (6) The names and party affiliations of qualified candidates for the following offices, when these offices appear on the ballot: United States President, United States Senator, United States Representative, Governor, Lieutenant Governor, Attorney General, Secretary of State, Treasurer, Comptroller, Illinois Supreme Court Judge, and Illinois Appellate Court Judge. The Board shall not include information on candidates for any office other than the offices listed in this item (6).
- (7) Challenged candidates. Where a candidate's right to appear on the general election ballot has been challenged, and any appeal remains pending regarding those challenges, the challenged candidate may appear on the Internet Guide, subject to the other provisions of Section 12A-10 [10 ILCS 5/12A-10]. In this instance, the Board may note that the candidate's candidacy has been challenged and that he or she may be removed from the ballot prior to election day. If the candidate is removed from the ballot prior to election day, the Board shall remove the candidate's name and other information from the Internet Guide.
- (8) Any **personal statement and photograph submitted by a candidate named in the Internet Guide**, subject to Sections 12A-10 and 12A-35 [10 ILCS 5/12A-10 and 10 ILCS 5/12A-35].
- (9) A means by which an elector may determine what type of balloting equipment is used by his or her local election authority, and the instructions for properly using that equipment.
- (10) **The text of any public question that may appear on the ballot.**
- (11) A mechanism by which electors may determine in which congressional and judicial districts they reside. The Internet Guide shall allow visitors to search for candidates by office (e.g., Governor or United States Senator) and candidate's name.
- (12) Information concerning how to become an election judge.

The Board shall archive the contents of the Internet Guide for a period of at least 5 years.

In addition, the Board has the discretion to publish a **voters' guide** before a general primary election in the manner provided in this Article [10 ILCS 5/12A-2 et seq.].

10 ILCS 5/24-13 (2013)

[Prior to 1/1/93 cited as: Ill. Rev. Stat., Ch. 46, para. 24-13]

§ 10 ILCS 5/24-13. [Provision of materials; custodians; procedures]

Sec. 24-13. Four sets of ballot labels for use in each voting machine shall be provided for each polling place for each election by the election authority. There shall also be furnished all other necessary materials or supplies for the proper use of the voting machines, including durable transparent noninflammable covering at least 1/16 inch thick with which all the ballot labels shall be securely covered to prevent shifting, tampering with or mutilations of the ballot labels, facsimile diagrams, return sheets, certificates, forms and materials of all kinds provided for in this Article. The election authority shall before the day of election, cause the proper ballot labels, together with the transparent protective covering for same, to be put upon each machine, corresponding with the **sample ballot** labels herein provided for, and the machine in every way to be put in order, set and adjusted, ready for use in voting when delivered at the precinct polling places and for the purpose of so labeling the machine, putting in order, setting and adjusting the same, they may employ one competent person to be known as the voting machine custodian and additional deputy custodians as required. The election authority shall, preceding each election day, holding a meeting or meetings for the purpose of instructing all election precinct officials who are to serve in an election precinct where voting machines are to be used. Before preparing any voting machines for any election, the election authority shall cause written notices to be sent to the chairman of the county central committee of each political party having a candidate or candidates on the ballot, or the chairman of each municipal or township committee of each political party having candidates on the ballot, in the case of a municipal or township election, stating the times when, and the place or places where, the voting machines will be prepared for the election; they shall also cause written notices to be sent to the chairman or presiding officer of any organization of citizens within the county, or other political subdivision, having as its purpose, or among its purposes or interests, the prevention, investigation or prosecution of election frauds, which has registered its name and address and the names of its principal officers with the officer, officers or board having charge of the preparation of the machines for the election, at least 40 days before such election, stating the times when, and the place or places where, the voting machines will be prepared for the election, at which times and place or places, one representative of each such political party, certified by the respective chairman of the county managing committee of each such political party, or the chairman of the municipal or township committee in the case of a municipal or township election, and one representative of each such candidate, certified by such candidate, and one representative of each organization of citizens, certified by the respective chairman or presiding officers of such organizations shall be entitled to be present and see that the machines are properly prepared and tested and placed in proper condition and order for use at the election. The custodian or custodians of voting machines and the party representatives shall take the constitutional oath of office. It shall be the privilege of such party and organization representatives to be present at the preparation of the voting machines for the election and to see that each machine is tested for accuracy and is properly prepared and that all registering counters are set at zero. The custodian shall, in the presence of the party and candidate and organization representatives, prepare the voting machine for the election and set all registering counters at zero, and he shall then, assisted by the watchers, test each such registering counter for accuracy by casting votes upon it, and such testing shall be done in the presence of the watchers, until each such registering counter is

correctly registering each vote cast upon it, and each certificate for each machine shall state that this has been done, and the custodians shall then, in the presence of the party and candidate and organization representatives, reset each registering counter to zero, and shall then immediately seal the voting machine with a numbered metal seal, and a record of the number on the seal shall then and there be made by the custodian on the certificate for that machine and the seal shall be so placed as to prevent operation of the machine or its registering counters without breaking the seal, and the custodian shall then immediately make a record on the certificate for that machine of the reading shown on the protective counter. Immediately after each machine has been so tested and prepared for the election, it shall be the duty of such custodian or custodians to make a certificate in writing which shall be filed in the office of the election authority, stating the serial number of each voting machine, whether or not such machine has all the registering counters set at zero, whether or not such machine has been tested by voting on each registering counter so as to prove that each such registering counter is in perfect and accurate working condition, the number registered on the protective counter, and the number on the metal seal with which the machine is sealed against operation. Unless objection is filed, within 2 days, with the election authority, to the use of a particular machine or machines, such voting machine or machines when certified to be correct by the custodian shall be conclusively presumed to have been properly prepared for use at the election for which they were prepared. Any objection filed shall particularly set forth the number of the machine objected to, and the particulars or basis for the objection. The machine shall then be locked so that it cannot be operated or voted upon without first unlocking it and the keys shall be at once returned to the custody of the election authority, and the election authority shall cause the machine so labeled in order, set and adjusted, to be delivered at the polling place, together with all necessary furniture and appliances that go with the same, not later than one hour before the hour at which the polls are to be opened. The election authority shall deliver the keys, which unlock the voting mechanism and the registering counters or counter compartment of the voting machine, to the precinct election board, not earlier than noon on the Saturday preceding the election day, nor later than one hour before the opening of the polls, and shall receive and file a receipt therefor. The keys shall be enclosed in a sealed envelope on which shall be written or printed: (1) The name, number of or designation of the election precinct or district; (2) The number of the voting machine; (3) The number of the seal with which the machine is sealed; (4) The number registered on the protective counter or device as reported by the custodian. No precinct election official shall break the seal of such envelope except in the presence of all members of the precinct election board, and such envelope shall not be opened until it shall have been examined by each member of the precinct election board to see that it has not been previously opened. Such envelope shall not be opened until it shall have been found that the numbers and records recorded thereon are correct and agree in every respect with the numbers and records as shown on the machine. If any such number is found not to agree with the numbers on the machine, the envelope shall not be opened until the precinct election officials shall have notified the election authority, and until the election authority or some other person authorized by the election authority shall have presented himself at the polling place for the purpose of re-examining the machine, and shall have certified that it is properly arranged after testing and examining it. On the morning of the election the precinct election officials shall meet in the polling place at least one hour before the time for opening the polls. **They shall see that the sample ballot labels and instructions for voting are posted properly,** and prominently so that the voters can have easy access to them and that the instruction model is placed on the precinct election officials' table and that everything is in readiness for voting at the hour of opening the polls. They shall also see that the voting machine is properly illuminated in accordance with the equipment furnished. The precinct election

officials shall compare the ballot labels on the machine with the **sample ballots** and return sheets, see that they are correct, examine and see that all the registering counters in the machine are set at zero (0) or if the machine is equipped with a device which will automatically record the number on the registering columns on the back of the machine to recording sheets of paper and the said paper can be removed without opening the back of the machine, that all of the said registering counters for each candidate as appears on the said recording sheet registers (0) and that the public counter is also set at zero (0) and that the machine is otherwise in perfect order and they shall compare and record the number on the metal seal with which the voting machine is sealed, with the number furnished them as recorded on the envelope containing the keys, by the election authority, and if the number on the seal and the number on the protective counter do not agree with the numbers supplied to them, they shall not open the polls, but shall notify the election authority, and the election authority or its authorized representatives or custodian, shall, as soon as may be, test, examine and set the machine in the same manner as is provided in this section for the testing, setting and preparation of voting machines for an election. If, after being so tested and examined, it is found that such voting machine is in perfect working order, all registering counters shall be set at zero (0), the reading of the protective counter shall be read and recorded and the precinct election officials may proceed with the opening of the polls. If such machine be found not to be in perfect working order as hereinbefore provided, it shall not be used in the election, but shall be replaced with another machine which is in perfect working order, properly set, tested and sealed, and the election board shall then proceed to examine such machine in the same manner as is provided in this section for the examination of each voting machine by the election board before the opening of the polls. They shall not thereafter permit the counters to be operated or moved except by electors in voting, and they shall also see that all necessary arrangements and adjustments are made for voting irregular ballots on the machine. Each precinct election official shall sign a certificate which shall certify that he has complied with all the provisions of this Article, and that, before the polls were declared open, he found the ballot labels to be in their proper places and to exactly agree with the facsimile diagrams and return or recording sheet belonging to that precinct; all registering counters set at zero (0); the number on the metal seal and the number on the protective counter exactly agree with the records furnished by the election authority; the metal seal actually was sealed so as to prevent movement of the voting machine mechanism without first breaking the seal; all ballot labels were clean and without marks of any kind upon them and they were in no way defaced or mutilated. When voting machines are used in an election precinct, the watchers or challengers representing the various political parties, candidates and citizens' organizations, provided by law to be present shall be permitted to be present from the time the precinct election board convenes on election morning until the completion of the canvass after the close of the polls. Such watchers shall be permitted to carefully examine each voting machine before the polls are declared open and to compare the number of the metal seal and the number on the protective counter with their own records, and to see that all ballot labels are in their proper places, and that the machine registering counters are all set at zero (0), and that the machine or machines are in every way ready for voting at the opening of the polls. If it is found that the ballot labels are not in their proper places on the machine, or that they fail to conform in any respect, with the facsimile diagrams and return sheets belonging to the precinct, the precinct election officials shall not use such machine but shall at once notify the proper election authority, and such machine shall not be used until the election authority or person authorized by it, shall have supplied the proper ballot labels, and shall have placed such proper ballot labels in their proper places, and they shall have been found to be correct by the precinct election officials and watchers. If any registering counter shall be found not to be set at zero (0), the precinct election officials shall immediately notify the

custodian or officer or officers or board having charge of the preparation of the voting machines for the election or primary, and the election authority or person authorized by him or them or it shall adjust such registering counter or counters to zero (0), in the presence of all the precinct election officials and watchers serving in such election district.

10 ILCS 5/28-8.1 (2013)

§ 10 ILCS 5/28-8.1. Proposition publication

Sec. 28-8.1. Proposition publication.

(a) Whenever any proposition required by law to be voted upon before its adoption, other than a constitutional amendment, is submitted to the people, it is the duty of the Secretary of State to prepare a statement setting forth in detail the Section or Sections of the law sought to be amended by the vote, together with statements and suggestions as may be necessary for a proper understanding of the proposition. The statements and suggestions shall be submitted to the Attorney General for his approval.

(b) It shall be the duty of the Secretary of State, after the amendments and suggestions shall have been approved by the Attorney General as provided in subsection (a), to certify to each county clerk, under seal, the statements and suggestions.

(c) It is hereby made the duty of the county clerk to have the statements and suggestions published and posted at the same time, in the same manner and at the same places that the sample ballots and instructions to voters are required by law to be posted.

Indiana

BURNS INDIANA STATUTES ANNOTATED

Title 3 Elections

Article 11 Voting Methods, Supplies, and Equipment

Chapter 3 Distribution of Ballots and Other Supplies

Burns Ind. Code Ann. § 3-11-3-25 (2013)**§ 3-11-3-25. Sample ballots.**

As required by 42 U.S.C. 15482, the inspector of each precinct shall post the samples of each of the state and local ballots provided by the county election board under this article in and about the polls. The sample ballots shall be printed on different paper than the genuine ballots.

Burns Ind. Code Ann. § 3-11-11-1.7 (2013)**§ 3-11-11-1.7. Sample ballots -- Distribution -- Display.**

(a) Each county election board shall provide an adequate number of sample ballots for each precinct of the county. The county election board shall arrange the sample ballots in the form of a diagram showing:

- (1) the political party and independent tickets;
- (2) the offices to be filled;
- (3) the names of the candidates; and
- (4) the public questions;

in the same order in which they will occur on the official ballots printed under the jurisdiction of the election division and the county election board. However, if presidential electors are to be voted for at an election, then the ballot of each party or independent ticket must be in the form prescribed by IC 3-10-4-1.

(b) This subsection applies to a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000). At least ten (10) days before an election, each county election board shall duplicate, distribute, and cause to be posted copies of official sample ballots:

- (1) received from the election division; and
- (2) prepared by the county election board;

to schools, fire stations, county courthouses, and other public buildings in the county.

Burns Ind. Code Ann. § 3-11-11-1.9 (2013)

§ 3-11-11-1.9. Sample ballots -- Verification -- Posting.

(a) Before the opening of the polls, the precinct election board shall compare the ballots with the **sample** ballots and determine whether the names, numbers, and letters are in agreement. The board then shall certify that the ballots and the **sample** ballots are in agreement. Forms shall be provided for certification, and the certification shall be filed with the election returns.

(b) The inspector of each precinct, or a person under the direction of the inspector, shall post **sample** ballots near the entrance of the chute for the precinct. The ballots must be available for public inspection throughout election day.

Burns Ind. Code Ann. § 3-11-13-10 (2013)

§ 3-11-13-10. Sample ballots -- Posting.

The appropriate precinct election officers shall post **sample** ballots near the entrance to the polls on election day and see that they are available to public inspection throughout the day.

Burns Ind. Code Ann. § 3-11-14-18 (2013)

§ 3-11-14-18. Posting of sample ballots.

The inspector of each precinct, or a person under the direction of the inspector, shall post **sample** ballots near the entrance of the chute for the precinct. The ballots must be available for public inspection throughout election day.

Iowa

LEXIS NEXIS (R) IOWA ANNOTATED STATUTES

TITLE II ELECTIONS AND OFFICIAL DUTIES
SUBTITLE 1 ELECTIONS
CHAPTER 49 METHOD OF CONDUCTING ELECTIONS**Iowa Code § 49.53 (2013)****§ 49.53 Publication of ballot and notice.**

1. The commissioner shall not less than four nor more than twenty days before the day of each election, except those for which different publication requirements are prescribed by law, **publish notice of the election.** The **notice shall contain a facsimile of the portion of the ballot** containing the first rotation as prescribed by section 49.31, subsection 2, and shall show the names of all candidates or nominees and the office each seeks, and all public questions, to be voted upon at the election. The sample ballot published as a part of the notice may at the discretion of the commissioner be reduced in size relative to the actual ballot but such reduction shall not cause upper case letters appearing in candidates' names or in summaries of public measures on the published sample ballot to be less than nine point type. The notice shall also state the date of the election, the hours the polls will be open, the location of each polling place at which voting is to occur in the election, and the names of the precincts voting at each polling place, but the statement need not set forth any fact which is apparent from the portion of the ballot appearing as a part of the same notice. **The notice shall include the full text of all public measures to be voted upon at the election.**

2. The notice shall be published in at least one newspaper, as defined in section 618.3, which is published in the county or other political subdivision in which the election is to occur or, if no newspaper is published there, in at least one newspaper of substantial circulation in the county or political subdivision. **For the general election** or the primary election the foregoing **notice shall be published in at least two newspapers published in the county.** However, if there is only one newspaper published in the county, publication in one newspaper shall be sufficient.

Iowa Code § 49.71 (2013)**§ 49.71 Posting instruction cards and sample ballots.**

The precinct election officials, before the opening of the polls, shall cause each set of instructions required pursuant to section 49.70 to be securely posted as follows:

1. At least one copy of the instructions for voting prescribed in section 49.68, subsection 2, in each voting booth.
2. At least one copy of the instructions for voting prescribed in section 49.68, subsection 2, **with an equal number of sample ballots, in and about the polling place.**

3. At least one copy of the instructions relating to rights of voters, as prescribed in section 49.68, subsection 1, in and about the polling place.

Iowa Code § 52.29 (2013)

§ 52.29 Optical scan voting system sample ballots.

The commissioner shall provide for each precinct where an optical scan voting system is in use at least one **sample** optical scan ballot which shall be an exact copy of the official ballots as printed for that precinct. **The sample ballot shall be posted prominently within the polling place, and shall be open to public inspection during the hours the polls are open on election day.** If the ballot used on election day has offices or questions appearing on the back of the ballot, both sides of the **sample** ballot shall be displayed.

Kansas

LexisNexis (R) KANSAS ANNOTATED STATUTES

Chapter 25. ELECTIONS
Article 6. OFFICIAL BALLOTS**K.S.A. § 25-604 (2012)****§ 25-604. Printing of ballots; receipt by county election officers; inspection by candidates and agents; mistakes; sample ballots and lists of candidates and questions, distribution and charges; rules and regulations by secretary of state; delivery of ballots to supervising judges, time and packaging.**

(a) Except as otherwise provided in subsection (b), the county election officers shall have charge of the printing of the ballots for all elections, primary, special and general.

(b) The secretary of state may provide for the printing of all or any portion of the ballots for a presidential preference primary election. The secretary of state shall determine, with the advice of the director of printing, the most efficient manner in which to print ballots for a presidential preference primary election for any county in the state of Kansas.

(c) Nothing in this subsection shall apply to the printing of ballot labels for use on voting machines.

The ballots shall be printed on paper of sufficient strength as not to be punctured by ordinary pencil marking. Ballots shall be put in the possession of the county election officer at least five days before the election, accompanied by sufficient number, not to exceed 50 for each precinct or area, of exact copies of such ballots, printed on paper of any color, except white, as authorized by rules and regulations adopted by the secretary of state, for the inspection of candidates and their agents and for distribution through each of the party organizations. If any mistakes are discovered they shall be corrected without delay. County election officers may also obtain and distribute ballots or lists of candidates and other questions to be voted upon on paper of any color authorized by rules and regulations adopted by the secretary of state stamped "SAMPLE BALLOT" in large letters, and these ballots, lists of candidates and other questions to be voted upon shall be used for educational purposes and the distribution shall be for such purpose. The county election officers shall cause to be delivered to the supervising judges, not less than 12 hours before the time fixed by law for the opening of the polls, a number of properly printed ballots fully sufficient to meet the demands and needs of all the voters. Such ballots shall be put in separate sealed packages of 25, 50 or 100 ballots each, with marks on the outside clearly designating the voting place for which they are intended and the number of ballots enclosed. The county election officer shall retain at the county election office an additional supply of ballots to meet any emergency need for such ballots that might arise from loss or destruction of ballots, enlarged vote or any other legitimate cause. The county election officer may make a charge for all sample ballots, lists and materials distributed in an amount not to exceed the actual cost of the materials, printing and the distribution thereof.

K.S.A. § 25-4410 (2012)

§ 25-4410. Same; procedures for voting on paper ballots applicable to systems; sample ballots; instructions and assistance to voters.

(a) Insofar as applicable, the procedures provided for voting on paper ballots shall apply to electronic and electromechanical voting systems.

(b) The county election officer shall provide for each voting place sample ballots which shall be posted for public inspection during the hours that the polls are open on election day.

(c) Each voter shall be instructed how to operate the voting device before such voter enters the voting booth. In case any voter after entering the voting booth shall ask for further instruction concerning the manner of voting, two election board members of opposite political parties shall give such instructions to such elector, but no judge or other election officer or person assisting an elector shall in any manner request, suggest, or seek to persuade or induce any such elector to vote any particular ticket, or for any particular candidate, or for or against any particular amendment, question or proposition.

Kentucky

KENTUCKY REVISED STATUTES ANNOTATED

TITLE X Elections
CHAPTER 118 Conduct of Elections
Regular Elections**KRS § 118.415 (2013)**

§ 118.415. Constitutional amendments.

(1) The General Assembly may state the substance of the amendment proposed to the Constitution of Kentucky in the form of a question in a manner calculated to inform the electorate of the substance of the amendment. **When an amendment to the Constitution has been proposed by the General Assembly,** the Secretary of State shall cause the question calculated to inform the electorate of the substance of the amendment which is prepared by the General Assembly or the Attorney General **to be published at least one (1) time in a newspaper of general circulation published in this state,** and shall also cause to be published at the same time and in the same manner the fact that the amendment will be submitted to the voters for their acceptance or rejection at the next regular election at which members of the General Assembly are to be voted for. The publication shall be made not later than the first Tuesday in August preceding the election at which the amendment is to be voted on.

(2) The Attorney General shall, if the General Assembly has not already done so, state the substance of an amendment to the Constitution of Kentucky which has been proposed by the General Assembly in the form of a question in a manner calculated to inform the electorate of the substance of the amendment, and, not later than fourteen (14) days preceding the first Tuesday in August preceding the next regular election at which members of the General Assembly are to be chosen, shall certify the question to the Secretary of State to be placed on the voting machine.

(3) The Secretary of State, not later than the second Monday after the second Tuesday in August preceding the next regular election at which members of the General Assembly are to be chosen in a year in which there is not an election for President and Vice President of the United States, or not later than the Thursday after the first Tuesday in September preceding a regular election in a year in which there is an election for President and Vice President of the United States, shall certify the substance of the amendment, as stated and certified by the General Assembly or by the Attorney General, to the county clerk of each county, and the county clerk shall have the substance of the amendment, as so certified, indicated on the voting machines.

(4) The votes cast for and against the amendment shall be counted, canvassed, and certified to the Secretary of State in the same manner as the votes cast for any officer elective by the votes of the whole state. If a majority of the votes cast on the question are for the amendment, it shall become a part of the Constitution.

(5) The expenses of the publications provided for in this section shall be paid as are the expenses of other publications that the Secretary of State is required to make in connection with elections.

KRS § 424.290 (2013)

§ 424.290. Election ballot.

(1) Not less than three (3) days before any primary or regular election the county clerk shall cause to be published in a newspaper a copy of the face of the voting machines, or where an electronic or electromechanical voting system is used, a copy of the ballot cards or supplementary material on which appear the names of candidates or issues to be voted upon. Where the lists of candidates or issues to be voted upon differ for various precincts within the county, the county clerk shall cause to be published only one (1) set of data with appropriate notations showing the differences in the various precincts. If supplemental paper ballots have been approved as provided in [KRS 118.215](#), the paper ballot shall be published at the same time as other material required to be published by this subsection. The cost of publication shall be paid by the county, except that the cost of publishing any voting data required to be published by this subsection that is limited to a city election or a district election other than a school district election shall be paid by the city or the district as the case may be.

(2) "Copy," as used in subsection (1) of this section, means a summary of candidates and issues to be voted upon showing all the pertinent information that will appear, upon which the voters will cast their votes at a particular polling place.

Louisiana

LOUISIANA STATUTES ANNOTATED

LOUISIANA REVISED STATUTES
TITLE 18. LOUISIANA ELECTION CODE
CHAPTER 7. ABSENTEE BY MAIL AND EARLY VOTING**La. R.S. 18:552 (2013)****§ 18:552. Election materials**

A. Materials furnished. --At least twenty-two days before a primary election and as soon as possible for a general election:

- (1) The secretary of state shall furnish the ballots to be used on the voting machines;
- (2) The secretary of state shall furnish to the parish custodian of voting machines for each parish in which voting shall be conducted in an election two copies of a statement, which has been approved by the attorney general, explaining the scope and nature of any proposed constitutional amendment on the ballot and two sample ballots for each voting precinct at which voting shall be conducted in an election; and
- (3) The secretary of state shall furnish the parish custodian of voting machines for each parish with the election materials required by the rules and regulations of the state board of election supervisors for the conduct of the election at each polling place.
- (4) The secretary of state shall furnish to the parish custodian of voting machines for each parish in which voting will be conducted in an election a supply of state mail voter registration application forms. The custodian of voting machines shall distribute the forms to every location in the parish where voting will be conducted, and the forms shall be made available to the public at the polling place at all times when the polling place is open for voting.

B. In the case of a federal election, in addition to the materials provided in Subsection A of this Section, the secretary of state shall supply informational posters as required by the Help America Vote Act of 2002.

C. Delivery of materials. --The contractor who delivers the voting machines also shall deliver the election materials to each polling place under the direction and supervision of the parish custodian of voting machines.

La. R.S. 18:553 (2013)**§ 18:553. Inspection and preparation of voting machines at polling places; precinct registers and supplemental list**

A. Delivery of the key envelope. --The parish custodian of voting machines shall seal the keys, if applicable, to the voting machines at each polling place in an envelope on which shall be written the ward and precinct number of the polling place, the location of the polling place, and the numbers of the seal and protective counter of each voting machine at the polling place. The parish custodian shall deliver the sealed key envelope to the deputy parish custodian appointed for the polling place, and the deputy parish custodian shall deliver the sealed key envelope to the commissioner-in-charge at the polling place at least thirty minutes before the time for opening the polls on election day.

B. Inspection of the voting machines. --After the commissioners take their oath and before the time for opening the polls, the commissioners, in the presence of the watchers, shall prepare the polling place for voting as follows:

(1) (a) Compare the voting machine serial numbers on either side of the machines with the numbers on the envelope containing the keys to the voting machines received from the deputy custodian. Verify that the numbers on the keys also match the serial numbers of the machines. Compare the protective counter numbers on the key envelope with the protective counter numbers on the machines. Compare numbers on the key envelope with the seal numbers on the machines.

(b) If the numbers do not agree, the commissioners shall notify the parish custodian, and the commissioners shall not proceed further in the preparation of the voting machine for voting until a representative of the parish custodian has reexamined the voting machine and certified that it is properly arranged. If the numbers agree, the commissioners shall open the envelope, take out the keys, and open the door.

(2) The commissioners shall cause each machine to produce a zero proof sheet. Determine from the zero proof sheet that each counter on that machine is set at zero. Sign and certify to the correctness of each zero proof sheet. Immediately post each zero proof sheet within the polling place. If any zero proof sheet is illegible or damaged, immediately notify the parish custodian who will take action necessary to make the machine operative. If any zero proof sheet indicates that any candidate or question counter does not register zero, immediately notify the parish custodian, who will, if practical, readjust the counters. If it is impractical to readjust the counters before the polls open, immediately make a written statement of the letter and number designation on each counter and the number registered on the counter. Post this statement at the polling place throughout the election and preserve the statement as part of the election returns.

(3) Check the ballot on the face of each voting machine against the sample ballot supplied by the custodian of voting machines to make certain it is correct. If the ballot is not correct, the commissioners shall notify the parish custodian, and the machine shall not be used until the ballot has been corrected under supervision of the parish custodian or his representatives.

(4) Post the instructions, informational posters, if required, the statement of proposed constitutional amendments on the ballot, and a sample ballot in a conspicuous place at the principal entrance to the polling place, where they shall remain posted throughout the election day.

(5) Leave the voting machines locked against voting until the polls are formally opened and thereafter they shall be operated only by the voters in casting their votes.

(6) Complete in triplicate Certificate No. 1 of the composite certificate designated "Machine Certificates", which shall be prepared and furnished by the secretary of state. This certificate shall state:

- (a) The exact time when the keys to the voting machines were delivered.
- (b) The serial number on each voting machine.
- (c) The number of the seal on each voting machine or cartridge, if applicable.
- (d) The number shown on the protective counter on each voting machine.
- (e) That the public counter on each machine numbered zero.

C. Disposition of the keys. --When the voting machines at the polling place are unlocked for voting, the commissioners shall place the keys to the voting machines in the envelope provided for that purpose. The commissioners, in the presence of the watchers, shall seal and sign the envelope containing the voting machine keys, and the sealed envelope shall be kept with the other election materials until the termination of voting. The keys to the voting machines shall not be used during the election except by mechanics or experts repairing or adjusting a voting machine under the supervision and control of the parish custodian.

D. Operation of voting machines. --During the election, the voting machines shall only be operated by voters casting their votes.

E. Maintenance of precinct registers.

(1) The parish custodian of voting machines shall be responsible for delivering a supplemental list of absentee voters who voted absentee by mail and whose ballots were received after the last day for early voting and before election day, if necessary.

(2) For each name appearing on the supplemental list, the commissioners shall mark "Absentee" in the place where the voter usually signs the precinct register and initial the precinct register adjacent to the word "Absentee".

(3) The parish custodian of voting machines shall be responsible for delivering to the precinct a supplement to the official list of voters, if necessary.

(4) Upon receipt of any supplement to the official list of voters, the commissioners shall add the supplement to the precinct register behind the "supplemental" divider.

TITLE 18. LOUISIANA ELECTION CODE
CHAPTER 6-A. BOND, DEBT, AND TAX ELECTIONS

La. R.S. 18:1285 (2013)

§ 18:1285. Notice of election

A.

(1)

(i) **Notice of the election shall be** given and shall embrace substantially all matters required to be set forth in the resolution ordering the election, including a list of precincts where the **proposition** will be voted on and an indication for each precinct as to whether or not all

registered voters in the precinct will be eligible to vote on the proposition, unless the proposition is to be voted on parishwide.

- (ii) If the notice is relative to the increase of a special tax, the notice shall also state the proposed increase in the millage rate of a property tax or percentage rate of sales tax.
- (iii) If the notice is relative to an election which affects ad valorem taxation, the notice shall also state that a portion of the monies collected shall be remitted to certain state and statewide retirement systems in the manner required by law.
- (iv) The notice shall also state that the governing authority of the political subdivision ordering the election will, in open session, at the hour and place named, proceed to canvass the returns and declare the result of the election.

(b) The list of commissioners for an election called in accordance with [R.S. 18:1286\(A\)](#) is not required to be set forth in the notice of election.

(2) The notice shall be published once a week for four consecutive weeks in the official journal of the political subdivision, or, if there is none, then in a newspaper of general circulation in the parish or, if there is no newspaper of general circulation in the parish, then in a newspaper of general circulation in an adjoining parish. Not less than forty-five days nor more than ninety days shall intervene between the date of the first publication and the date of the election.

B.

(1) (a) Written notice of the election and the certificate required by Subparagraph (b) of this Paragraph shall be transmitted to the secretary of state and each clerk of court and registrar of voters in the area affected by the election. If the election is to be held on a primary election date, then such notice and certificate shall be received by the secretary of state at least four weeks prior to the opening of the qualifying period for the primary election. If the election is not to be held on a primary election date, then the notice and certificate shall be received by the secretary of state on or before the forty-sixth day prior to the election. The secretary of state shall not accept any revisions to propositions, including but not limited to changes in title, text, or numerical designations, after the last day for submission of the notice and certificate to the secretary of state.

(b) The secretary of state shall not prepare or certify the ballot with respect to any election for bond, debt, or tax propositions, conducted pursuant to this Chapter, or in respect to any other election where the proposition is subject to approval by the Louisiana State Bond Commission, including but not limited to any proposition to adopt, amend, or repeal a home rule charter which is subject to such approval, until he receives certification in writing from the chairman of that commission that the commission has considered and approved the proposition.

(2) The secretary of state shall not include any proposition on any ballot of any election if such notice and certificate required by Subparagraph (1)(b) of this Subsection are not timely received by the secretary of state. The failure of the clerk of court or registrar of voters to timely receive notice and the certificate, as provided for herein, shall not prevent the secretary of state from including the proposition on the ballot. Any elector who is eligible to vote in the election may apply for injunctive relief to prohibit the placing of a proposition on the ballot if notice and the certificate are not timely received by the secretary of state. Venue for such application shall be in any parish in which the election is called, and the secretary of state shall be a proper party defendant.

Maine

Maine Revised Statutes Annotated by LexisNexis(R)

TITLE 1. GENERAL PROVISIONS
CHAPTER 11. ACTS, RESOLVES AND CONSTITUTIONAL AMENDMENTS
SUBCHAPTER 2. CONSTITUTIONAL AMENDMENTS

1 M.R.S. § 354 (2013)

§ 354. Public comment on proposed amendments and statewide referenda; rules; fees

The Secretary of State shall adopt rules regarding the publication of public comment by proponents and opponents of direct initiatives, bond issues, constitutional resolutions or statewide referenda. These rules must include, but are not limited to, a word limit, the labeling of public comment as supporting or opposing a measure and the identification of the person or persons responsible for the comment. Rules adopted pursuant to this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A. Beginning with the November 2006 election and every election thereafter, the Secretary of State shall publish the public comment, along with the explanatory statement and fiscal estimate required under section 353, on a publicly accessible site on the Internet and in pamphlets distributed to the municipalities of the State. A person filing a public comment for publication shall pay a fee of \$ 500 to the Secretary of State. Fees collected pursuant to this section must be deposited in the Public Comment Publication Fund established under Title 5, section 90-D.

21-A M.R.S. § 603 (2013)

§ 603. Sample ballots

Sample ballots are governed by the following provisions.

1. SECRETARY OF STATE TO PREPARE. The Secretary of State shall prepare the sample ballots.

A. The words "SAMPLE BALLOT" in bold type, the title and date of the election, and the name of the voting district must be printed at the top of the ballot. The facsimile of the state seal may not be printed on it. It must be printed flat. Otherwise, it must be printed substantially the same as a regular ballot.

B. The ballot must be printed on paper of a distinctive color.

2. WHEN FURNISHED. The Secretary of State shall send a reasonable number of sample ballots to the clerk for posting as provided in section 625 and for voter information.

3. AVAILABLE FOR PUBLICATION. Within a reasonable time before the election, the Secretary of State shall make sample ballots available for publication in all newspapers having general circulation in the area to which the ballots pertain. A single sample ballot so published may carry the name of each candidate for State Senator and Representative to the Legislature in the area covered by the circulation of the newspaper. The name of the voting district need not be printed on the published sample ballot.

4. REPEALED. Laws 1995, c. 459, § 38.

4-A. CLERK TO REVIEW SAMPLE BALLOTS. Upon receipt, the clerk shall review the sample ballots for accuracy and must immediately notify the Secretary of State of any errors.

4-B. DUPLICATION OF SAMPLE BALLOTS. Sample ballots may be duplicated as needed at the clerk's own discretion.

5. SAMPLE BALLOT INSTRUCTIONS PRINTED IN FRENCH LANGUAGE. The Secretary of State shall prepare ballot instructions in the French language, to be printed on a separate sheet of paper that may conveniently be attached to sample ballots. The Secretary of State shall furnish these ballot instruction sheets upon request by the clerk of a municipality.

6. REPEALED. Laws 1985, c. 383, § 9.

Maryland

Annotated Code of Maryland

ELECTION LAW

TITLE 1. DEFINITIONS AND GENERAL PROVISIONS

SUBTITLE 1. DEFINITIONS

Md. Election Law Code Ann. § 1-101 (2013)

Legislative Alert: LEXSEE 2013 Md. ALS 419 -- See section 1.

§ 1-101. Definitions

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(nn) Sample ballot. -- "Sample ballot" means a facsimile of a ballot used for informational purposes by a person or entity other than a local board.

(oo) Slate. -- "Slate" means a political committee of two or more candidates who join together to conduct and pay for joint campaign activities.

(pp) Specimen ballot. -- "Specimen ballot" means a facsimile of a ballot used by a local board to provide notice to registered voters of the contents of the ballot.

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Md. Election Law Code Ann. § 7-105 (2013)

Legislative Alert: LEXSEE 2013 Md. ALS 567 -- See section 1.

§ 7-105. Publication of questions

(a) Notice of submitted questions. -- A local board shall provide notice of each question to be submitted statewide and each question to be submitted to the voters of the county, by:

- (1) specimen ballot mailed at least 1 week before the general election; or
- (2) publication or dissemination by mass communication during the 3 weeks immediately preceding the general election at which a question will appear on the ballot.

(b) Questions submitted under Article XIV or XVI, Maryland Constitution. --

- (1) For any question submitted under Article XIV or Article XVI of the Maryland Constitution, the notice required by subsection (a) of this section shall contain the information specified in § 7-103(b) of this title and a brief statement, prepared in clear and concise language, devoid of technical and legal terms to the extent practicable, summarizing the question.
- (2) The statement required under paragraph (1) of this subsection shall be:
 - (i) prepared by the Department of Legislative Services;
 - (ii) approved by the Attorney General; and
 - (iii) submitted to the State Board by the fourth Monday in August.
- (3) The statement required under paragraph (1) of this subsection is sufficient if it is:

- (i) contained in an enactment by the General Assembly, and the enactment clearly specifies that the statement is to be used on the ballot; or
 - (ii) consistent with some other process mandated by the Maryland Constitution.
- (c) Regulations governing notice of questions. -- The State Board shall adopt regulations governing notice of questions to appear on the ballot, including the use and content of specimen ballots and the publication or dissemination of notice by mass communication.
- (d) Posting text; furnishing copies. --
- (1) The complete text of a question shall be posted or available for public inspection in the office of the State Board and each applicable local board for 30 days prior to the general election.
 - (2) Copies of the complete text of all statewide questions shall be furnished by the State Board to the local boards in quantities as determined by the State Board, including quantities sufficient to provide one copy of each for posting in each polling place and in each local board office.
 - (3) An individual may receive without charge a copy of the complete text of all constitutional amendments and questions from a local board, either in person or by mail.

Md. Election Law Code Ann. § 8-102 (2013)

Legislative Alert: LEXSEE 2013 Md. ALS 567 -- See section 1.

§ 8-102. Notice of elections

- (a) Methods of notice. -- Except as required under subsection (d) of this section, a local board shall provide notice of each election in its county to the registered voters of the county by either:
- (1) specimen ballot mailed at least 1 week before the election; or
 - (2) publication or dissemination by mass communication during the calendar week preceding the election.
- (b) Content of notice. -- The notice shall include:
- (1) the time and place of the election; and
 - (2) the offices, candidate names, and questions contained on the ballot.
- (c) Specimen ballots. --
- (1) If a local board provides notice by mailing specimen ballots, a specimen ballot shall be mailed to all registered voters in the county who are eligible to vote in the election.
 - (2) The specimen ballot shall be a facsimile of the ballot that the voter is entitled to vote in the election.
- (d) Specimen ballot for general election in Prince George's County. --
- (1) In Prince George's County for the general election, the Board shall:
 - (i) provide notice by mailing specimen ballots; and
 - (ii) mail a specimen ballot to the household of each registered voter in the county.
 - (2) The costs for mailing specimen ballots in Prince George's County shall be included in the county's annual budget appropriation to the local board.
- (e) Mass media publication. --

- (1) Unless a local board mails a specimen ballot to its registered voters in accordance with subsection (c) or (d) of this section, the local board shall give notice of the election by newspaper publication or other means of mass communication.
- (2) The notice of election under this subsection shall be arranged, if practicable, in the same order and form as the ballot.
- (3) (i) If newspaper publication is used in a county, the notice shall be advertised in at least two newspapers of general circulation that are published in the county.
(ii) In a county in which only one newspaper is published, the notice shall be published in that newspaper.

Massachusetts

ANNOTATED LAWS OF MASSACHUSETTS

PART I ADMINISTRATION OF THE GOVERNMENT

TITLE VIII ELECTIONS

Chapter 54 Elections

ALM GL ch. 54, § 48 (2013)**ch. 54 § 48. Information to Voters -- Instruction Cards; Specimen Ballots.**

The state secretary in state elections, city clerks in city elections, and town clerks in town elections at which official ballots are used, shall, for every such election, prepare and cause to be printed in large clear type cards containing full instructions to voters for obtaining ballots, marking them, obtaining assistance and new ballots in place of those accidentally spoiled; and on separate cards such abstracts of the laws imposing penalties upon voters as they shall deem proper. They shall also provide for each polling place ten or more specimen ballots which shall be facsimiles of the ballots provided for voting, but printed without the endorsements and on colored paper. For each polling place where voting machines are used they shall also provide ten voting machine sample ballots which shall be facsimiles of the face of the voting machine as it will appear when set up for use. For each polling place where an electronic voting system is used they shall also provide ten marking unit sample ballots which shall be facsimiles of the booklet, page or ballot display contained in the marking units, printed on one sheet, in a manner suitable for posting. For state elections the state secretary shall supply to each polling place at least one for every one hundred voters thereof copies of the information for voters material provided for in section fifty-four.

ALM GL ch. 54, § 49 (2013)**ch. 54 § 49. Information to Voters -- Lists of Candidates at State Elections to Be Transmitted to City or Town Clerk and Posted.**

The state secretary, at least five days before state elections, shall transmit to the city or town clerk printed lists of the names, residences and designations of candidates to be voted for at each polling place, substantially in the form of the official ballot, and also printed copies of any proposed amendment to the constitution, law, or proposed law, to be submitted to the people. Upon the receipt thereof the city or town clerk shall conspicuously post in not less than three public places in each ward of a city, or in each town, or in towns divided into voting precincts in each precinct, the lists and copies aforesaid for such ward, town or precinct.

ALM GL ch. 54, § 53 (2013)**ch. 54 § 53. Information to Voters -- Measures Submitted Under Initiative and Referendum, Information to Voters; Lists of Voters to be Furnished.**

The election commissioners in the city of Boston, at least twenty-four days, and the registrars of voters in every other city or town, at least ninety days, before the biennial state election, shall cause to be sent to the state secretary mailing lists of the voters whose names appear on the latest voting lists of their respective cities and towns, prepared as required by section fifty-five of chapter fifty-one and indicating, so far as practicable, those addresses that appear to be group residential quarters, with the number of registered voters residing at each such address, and shall promptly furnish him with subsequent additions to and corrections in such lists. **The secretary shall cause to be printed and sent to all residential addresses and to each voter residing in group residential quarters, with copies of the measures to which they refer, a summary prepared by the attorney general, a ballot question title prepared jointly by the attorney general and state secretary, fair and neutral one sentence statements describing the effect of a yes or no vote prepared jointly by the attorney general and state secretary.** and, as provided in section fifty-four, arguments for and against measures to be submitted to the voters under Article XLVIII of the Amendments to the Constitution. The secretary shall make available for public examination a copy of such ballot question titles and one-sentence statements describing the effect of a yes or no vote, and shall publish the same in the Massachusetts register on or before the second Wednesday in May. Any fifty voters may petition the supreme judicial court for Suffolk county to require that any such title or statement be amended; provided, however, that such petition must be filed within twenty days after the publication of said title and statement. The court may issue an order requiring amendment by the attorney general and state secretary only if it is clear that the title or one-sentence statement in question is false, misleading or inconsistent with the requirements of this section.

The secretary shall also cause to be printed and sent in like manner any question to be placed on the ballot at a biennial state election for the purpose of ascertaining the will of the people upon a particular subject provided that such question is received by the secretary on or before the first Wednesday of July preceding such election. Any such question shall be presented as set forth in this section for measures submitted under Article XLVIII of the Amendments to the Constitution, provided that the publication and judicial review procedures set forth herein shall be inapplicable where questions are received by the secretary on or after the first Wednesday in May. This section shall not apply to a question of public policy filed in accordance with section nineteen of chapter fifty-three.

Michigan

MICHIGAN COMPILED LAWS SERVICE

Chapter 168 Michigan Election Law
Act 116 of 1954 Michigan Election Law
Chapter XXVIII Holding of Elections
Voting Machines

MCLS § 168.796 (2013)

§ 168.796. Sample ballots.

Sec. 796. Sample ballots, which shall be facsimile copies of the official ballot or ballot labels, shall be provided as required by law. **At least 2 copies shall be posted in each polling place on election day.** Sample ballots may be printed on a single page or on a number of pages stapled together.

Minnesota

Minnesota Statutes

ELECTIONS

CHAPTER 204D. PARTICULAR ELECTIONS

Minn. Stat. § 204D.16 (2013)

§ 204D.16 SAMPLE GENERAL ELECTION BALLOTS; POSTING; PUBLICATION

At least 46 days before the state general election, the county auditor shall post **sample** ballots for each precinct in the auditor's office for public inspection and transmit an electronic copy of these **sample** ballots to the secretary of state. No earlier than 15 days and no later than two days before the state general election the county auditor shall cause a **sample** state general election ballot to be published in at least one newspaper of general circulation in the county.

Minn. Stat. § 206.62 (2013)

§ 206.62 SAMPLE BALLOTS

The officials who prepare ballot cards shall provide each polling place with at least two **sample** ballots which are facsimiles of the card to be voted on in that precinct. The **sample** ballots may be either in full or reduced size. The **sample** ballots must be posted prominently in the polling place and must remain open to inspection by the voters throughout election day.

Mississippi

MISSISSIPPI CODE of 1972 ANNOTATED

TITLE 23. ELECTIONS
CHAPTER 15. MISSISSIPPI ELECTION CODE
ARTICLE 15. VOTING SYSTEMS
B. VOTING MACHINES**Miss. Code Ann. § 23-15-411 (2013)**

§ 23-15-411. Sample or instruction ballots

The officer who furnishes the official ballots for any polling place where a voting machine is to be used, shall also provide two (2) **sample ballots** or instruction ballots, which **sample** or instruction ballots shall be arranged in the form of a diagram showing such portion of the front of the voting machine as it will appear after the official ballots are arranged thereon or therein for voting on election day. Such **sample** ballots shall **be open to the inspection of all voters on election day**, in all primaries and general elections where voting machines are used.

Miss. Code Ann. § 23-15-419 (2013)

§ 23-15-419. Exhibition of voting machine containing sample ballot

Where voting machines are to be used, officials in charge of the election shall designate suitable and adequate times and places where voting machines containing **sample** ballots, showing titles of offices to be filled, and, so far as practicable, the names of candidates to be voted for at the next election, shall be exhibited for the purpose of giving instructions as to the use of voting machines to all voters who apply for the same. No voting machine, which is to be assigned for use in an election, shall be used for instruction after having been prepared and sealed for the election. During public exhibition of any voting machine for the instruction of voters previous to an election, the counting mechanism thereof shall be concealed from view and the doors may be temporarily opened only when authorized by the officials in charge of the election.

Miss. Code Ann. § 23-15-469 (2013)

§ 23-15-469. Form of ballots and ballot labels; posting of sample ballots and instructions; write-in ballots

Ballots and ballot labels shall, as far as practicable, be in the same order of arrangement as provided for paper ballots, except that such information may be printed in vertical or horizontal rows, or in a number of separate pages which are placed on the voting device. Ballot labels shall be printed in plain clear type in black ink and upon clear white materials of such size and arrangement as to fit the construction of the voting device. Arrows may be printed on the ballot labels to indicate the place to punch the ballot card, which may be to the right or left of the names of candidates and propositions. The titles of offices may be arranged in vertical columns or on a series of separate pages, and shall be printed above or at the side of the names of candidates so as to indicate clearly the candidates for each office and the number to be elected. In case there are more candidates for an office than can be printed in one (1) column or on one (1) ballot page, the ballot or ballot label shall be clearly marked that the list of candidates is continued on the following column or page, and, so far as possible, the same number of names shall be printed on each column or page. The names of candidates for each office shall be printed in vertical columns or on separate pages, grouped by the offices which they seek. In partisan elections, the party designation of each candidate, which may be abbreviated, shall be printed following his name.

Two (2) **sample ballots**, which shall be facsimile copies of the official ballot or ballot labels, and instructions to voters, shall be provided for each precinct and shall be **posted in each polling place on election day**.

Sample ballots may be printed on a single page or on a number of pages stapled together. A separate write-in ballot, which may be in the form of a paper ballot, card or envelope in which the voter places his ballot card after voting, shall be provided if required to permit voters to write in the title of the office and the name of a person not on the printed ballot for whom he wishes to vote.

Miss. Code Ann. § 23-15-511 (2013)

§ 23-15-511. Form of ballots; posting of sample ballots; ballot security envelopes

The ballots shall, as far as practicable, to be in the same order of arrangement as provided for paper ballots that are to be counted manually, except that such information may be printed in vertical or horizontal rows. Nothing in this chapter shall be construed as prohibiting the information being presented to the voters from being printed on both sides of a single ballot. In those years when a special election shall occur on the same day as the general election, the names of candidates in any special election and the general election shall be placed on the same ballot by the commissioners of elections or officials in charge of the election, but the general election candidates shall be clearly distinguished from the special election candidates. At any time a special election is held on the same day as a party primary election, the names of the candidates in the special election may be placed on the same ballot, but shall be clearly distinguished as special election candidates or primary election candidates.

Ballots shall be printed in plain clear type in black ink and upon clear white materials of such size and arrangement as to be compatible with the OMR tabulating equipment. Absentee ballots shall be prepared and printed in the same form and shall be on the same size and texture as the regular official ballots,

except that they shall be printed on tinted paper; or the ink used to print the ballots shall be of a color different from that of the ink used to print the regular official ballots. Arrows may be printed on the ballot to indicate the place to mark the ballot, which may be to the right or left of the names of candidates and propositions. The titles of offices may be arranged in vertical columns on the ballot and shall be printed above or at the side of the names of candidates so as to indicate clearly the candidates for each office and the number to be elected. In case there are more candidates for an office than can be printed in one (1) column, the ballot shall be clearly marked that the list of candidates is continued on the following column. The names of candidates for each office shall be printed in vertical columns, grouped by the offices which they seek. In partisan elections, the party designation of each candidate, which may be abbreviated, shall be printed following his name.

Two (2) **sample ballots**, which shall be facsimile ballots of the official ballot and instructions to the voters, shall be provided for each precinct **and shall be posted in each polling place on election day.**

A separate ballot security envelope or suitable equivalent in which the voter can place his ballot after voting, shall be provided to conceal the choices the voter has made. Absentee voters will receive a similar ballot security envelope provided by the county in which the absentee voter will insert their voted ballot, which then can be inserted into a return envelope to be mailed back to the election official. Absentee ballots will not be required to be folded when a ballot security envelope is provided.

Miss. Code Ann. § 23-15-517 (2013)

§ 23-15-517. Opening and closing polls; instructing voters; spoiled ballots

At least thirty (30) minutes before the opening of the polls, the voting precinct election officers shall arrive at the polling place and set up the voting booths so that they will be in clear view of the election officers; the voting precinct election officers shall examine the ballots to verify that they have the correct ballots for their precinct and check the supplies, records and forms, and **post the sample ballots** and instruction to the voter. They shall also inspect the ballot boxes to insure they are empty, and then seal the box for voting.

Each voter shall receive written and/or verbal instructions by the voting precinct election official instructing the voter how to properly vote the paper ballot before they enter the voting booth. If any voter needs additional instructions after entering the voting booth, two (2) election officers may, if necessary, enter the booth and give him such additional instructions. If any voter spoils a ballot he may obtain others, one (1) at a time, not exceeding three (3) in all, upon returning each spoiled ballot. The word "SPOILED" shall be written across the face of the ballot and it shall be placed in the envelope for spoiled ballots. As soon as the polls have been closed and the last qualified voter has voted, the ballots shall be sealed against further voting. All unused ballots shall be placed in a container provided for that purpose which shall be sealed and returned to the officials in charge of the election.

Missouri

LEXISNEXIS (TM) MISSOURI ANNOTATED STATUTES

TITLE 9. SUFFRAGE AND ELECTIONS (Chs. 115-130)

CHAPTER 115. ELECTION AUTHORITIES AND CONDUCT OF ELECTIONS

ELECTIONS, WHEN HELD -- NOTICE, HOW GIVEN

§ 115.127 R.S.Mo. (2013)

§ 115.127. Notice of election, how, when given -- striking names or issues from ballot, requirements -- declaration of candidacy, officers for political subdivisions or special elections, filing date, when, notice requirements, exceptions for certain home rule cities -- candidate withdrawing, ballot reprinting, cost, how paid

1. Except as provided in subsection 4 of this section, upon receipt of notice of a special election to fill a vacancy submitted pursuant to section 115.125, the election authority shall cause legal notice of the special election to be published in a newspaper of general circulation in its jurisdiction. The notice shall include the name of the officer or agency calling the election, the date and time of the election, the name of the office to be filled and the date by which candidates must be selected or filed for the office. Within one week prior to each special election to fill a vacancy held in its jurisdiction, the election authority shall cause legal notice of the election to be published in two newspapers of different political faith and general circulation in the jurisdiction. The legal notice shall include the date and time of the election, the name of the officer or agency calling the election and a **sample** ballot. If there is only one newspaper of general circulation in the jurisdiction, the notice shall be published in the newspaper within one week prior to the election. If there are two or more newspapers of general circulation in the jurisdiction, but no two of opposite political faith, the notice shall be published in any two of the newspapers within one week prior to the election.

2. Except as provided in subsections 1 and 4 of this section and in sections 115.521, 115.549 and 115.593, the **election authority shall cause legal notice of each election held in its jurisdiction to be published. The notice shall be published in two newspapers of different political faith** and qualified pursuant to chapter 493 which are published within the bounds of the area holding the election. If there is only one so qualified newspaper, then notice shall be published in only one newspaper. If there is no newspaper published within the bounds of the election area, then the notice shall be published in two qualified newspapers of different political faith serving the area. Notice shall be published twice, the first publication occurring in the second week prior to the election, and the second publication occurring within one week prior to the election. **Each such legal notice shall include the date and time of the election,** the name of the officer or agency calling the election **and a sample ballot;** and, unless notice has been given as provided by section 115.129, the second publication of notice of the election shall include the location of polling places. The election authority may provide any additional notice of the election it deems desirable.

3. The election authority shall print the official ballot as the same appears on the **sample** ballot, and no candidate's name or ballot issue which appears on the **sample** ballot or official printed ballot shall be stricken or removed from the ballot except on death of a candidate or by court order.

4. In lieu of causing legal notice to be published in accordance with any of the provisions of this chapter, the election authority **in jurisdictions which have less than seven hundred fifty registered voters and in which no newspaper qualified pursuant to chapter 493 is published, may cause legal notice to be mailed during the second week prior to the election, by first class mail, to each registered voter at the voter's voting address.** All such legal notices shall include the date and time of the election, the location of the polling place, the name of the officer or agency calling the election and a **sample** ballot.

5. If the opening date for filing a declaration of candidacy for any office in a political subdivision or special district is not required by law or charter, the opening filing date shall be 8:00 a.m., the sixteenth Tuesday prior to the election, except that for any home rule city with more than four hundred thousand inhabitants and located in more than one county and any political subdivision or special district located in such city, the opening filing date shall be 8:00 a.m., the fifteenth Tuesday prior to the election. If the closing date for filing a declaration of candidacy for any office in a political subdivision or special district is not required by law or charter, the closing filing date shall be 5:00 p.m., the eleventh Tuesday prior to the election. The political subdivision or special district calling an election shall, before the sixteenth Tuesday, or the fifteenth Tuesday for any home rule city with more than four hundred thousand inhabitants and located in more than one county or any political subdivision or special district located in such city, prior to any election at which offices are to be filled, notify the general public of the opening filing date, the office or offices to be filled, the proper place for filing and the closing filing date of the election. Such notification may be accomplished by legal notice published in at least one newspaper of general circulation in the political subdivision or special district.

6. Except as provided for in sections 115.247 and 115.359, if there is no additional cost for the printing or reprinting of ballots or if the candidate agrees to pay any printing or reprinting costs, a candidate who has filed for an office or who has been duly nominated for an office may, at any time after the certification required in section 115.125 but no later than 5:00 p.m. on the sixth Tuesday before the election, withdraw as a candidate pursuant to a court order, which, except for good cause shown by the election authority in opposition thereto, shall be freely given upon application by the candidate to the circuit court of the area of such candidate's residence.

§ 115.417 R.S.Mo. (2013)**§ 115.417. Voter instruction cards to be delivered to polls -- instructions and sample ballot to be posted, how**

1. Before the time fixed by law for the opening of the polls, the election authority shall deliver to each polling place a sufficient number of voter instruction cards which include the following information:

(1) If paper ballots or an electronic voting system is used, the instructions shall inform the voter on how to obtain a ballot for voting, how to vote and prepare the ballot for deposit in the ballot box and how to obtain a new ballot to replace one accidentally spoiled;

(2) If voting machines are used, the instructions shall inform the voter how to operate the machine in such a manner that the voter may vote as the voter wishes.

2. The election authority at **each polling place shall post** in a conspicuous place voting instructions on a poster no smaller than twenty-four inches by thirty inches. Such instructions shall also inform the voter that the voting equipment can be demonstrated upon request of the voter. The election authority shall also publicly post during the period of time in which a person may cast an absentee ballot and on election day a **sample version of the ballot that will be used for that election**, the date of the election, the hours during which the polling place will be open, instructions for mail-in registrants and first-time voters, general information on voting rights in accordance with the state plan filed by the secretary of state pursuant to the Help America Vote Act of 2002, general information on the right to cast a provisional ballot and instructions for provisional ballots, how to contact appropriate authorities if voting rights have been violated, and general information on federal and Missouri law regarding prohibitions on acts of fraud and misrepresentation. The secretary of state may promulgate rules to execute this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536.

3. If marking devices or voting machines are used, the election authority shall also provide to each polling place a model of a marking device or portion of the face of a voting machine. If requested to do so by a voter, the election judges shall give instructions on operation of the marking device or voting machine by use of the model.

4. The secretary of state may develop multilingual voting instructions to be made available to election authorities.

§ 115.419 R.S.Mo. (2013)

Legislative Alert: LEXSEE 2013 Mo. SB 99 -- See section A.

§ 115.419. Sample ballots, cards or ballot labels to be delivered to the polls, when

Before the time fixed by law for the opening of the polls, the election authority shall deliver to each polling place a sufficient number of **sample** ballots, ballot cards or ballot labels which shall be a different color but otherwise exact copies of the official ballot. The **samples** shall be printed in the form of a diagram, showing the form of the ballot or the front of the marking device or voting machine as it will appear on election day. The secretary of state may develop multilingual **sample** ballots to be made available to election authorities.

§ 116.025 R.S.Mo. (2013)

§ 116.025. Attorney general sent fair ballot language, when -- statement posted at polling place

The secretary of state within twenty days of receiving a statewide ballot measure shall prepare and transmit to the attorney general fair ballot language statements that fairly and accurately explain what a vote for and what a vote against the measure represent. Each statement shall be posted in each polling place next to the **sample** ballot. Such fair ballot language statements shall be true and impartial statements of the effect of a vote for and against the measure in language neither intentionally argumentative nor likely to create prejudice for or against the proposed measure. In addition, such fair ballot language shall include a statement as to whether the measure will increase, decrease, or have no impact on taxes, including the specific category of tax. Such fair ballot language statements may be challenged in accordance with section 116.190. The attorney general shall within ten days approve the legal content and form of the proposed statements.

Montana

LexisNexis (R) Montana Code Annotated

TITLE 13 ELECTIONS
CHAPTER 13 ELECTION PROCEDURE
PART 1 PROCEDURE AT POLLING PLACE

Mont. Code Anno., § 13-13-112 (2012)

Legislative Alert:

[LEXSEE 2013 Mt. ALS 336](#) -- See section 22.

§ 13-13-112 Display of instructions for electors.

- (1) Except as provided in subsection (3), instructions for electors on how to prepare their ballots or use a voting system must be posted in each voting station provided for the preparation of ballots and elsewhere in the polling place.
- (2) The instructions must be in easily read type, 18 point or larger, and explain:
- ...
- (3) If the instructions for use of a voting system are printed on the system or are part of a ballot package given to each elector, separate instructions need not be posted in the voting station.
- (4) **Sample ballots, clearly marked "sample" across the face, must be posted at each voting station and in conspicuous places around the polling place.**

TITLE 13 ELECTIONS
CHAPTER 27 BALLOT ISSUES
PART 4 VOTER INFORMATION PAMPHLETS

Mont. Code Anno., § 13-27-401 (2012)

§ 13-27-401 Voter information pamphlet.

- (1) The secretary of state shall prepare for printing a voter information pamphlet containing information relevant to the election, including but not limited to the following information for each ballot issue to be voted on at an election, as applicable:
- (a) ballot title, fiscal statement if applicable, and complete text of the issue;
 - (b) the form in which the issue will appear on the ballot;
 - (c) arguments advocating approval and rejection of the issue; and
 - (d) rebuttal arguments.

- (2) The pamphlet must also contain a notice advising the recipient as to where additional copies of the pamphlet may be obtained.
- (3) Whenever more than one ballot issue is to be voted on at a single election, the secretary of state may publish a single pamphlet for all of the ballot issues. The secretary of state may arrange the information in the order that seems most appropriate, but the information for all issues in the pamphlet must be presented in the same order.
- (4) The secretary of state may prescribe by rule the format and manner of submission of the arguments concerning the ballot issue.

Mont. Code Anno., § 13-27-410 (2012)

§ 13-27-410 Printing and distribution of voter information pamphlet.

- (1) At least 110 days before the election, the secretary of state shall arrange with the department of administration by requisition for the printing and **delivery of a voter information pamphlet for all ballot issues**. The requisition must include a delivery list providing for shipment of the required number of pamphlets to each county and to the secretary of state.
- (2) The secretary of state shall estimate the number of copies necessary to **furnish one copy to each voter in each county, except that two or more voters with the same mailing address and the same last name may be counted as one voter**. The secretary of state shall provide for an extra supply of the pamphlets in determining the number of voter pamphlets to be ordered in the requisition.
- (3) The department of administration shall call for bids and contract with the lowest bidder for the printing and delivery of the voter information pamphlet. The contract must require completion of printing and shipment, as specified on the delivery list, of the voter information pamphlets by not later than 45 days before the election at which the ballot issues will be voted on by the people.
- (4) The county official responsible for voter registration in each county shall mail one copy of the voter information pamphlet to each registered voter in the county who is on the active voter list, except that two or more voters with the same mailing address and the same last name may be counted as one voter. The mailing label may include an address line that addresses the voter or the current resident. The mailing must take place no later than 30 days before the election.
- (5) **Ten copies of the voter information pamphlet must be available at each precinct** for use by any voter wishing to read the explanatory information and complete text before voting on the ballot issues.

Nebraska

NEBRASKA REVISED STATUTES ANNOTATED

CHAPTER 32. ELECTIONS

ARTICLE 8. NOTICE, PUBLICATION, AND PRINTING OF BALLOTS

R.R.S. Neb. § 32-803 (2012)**§ 32-803. Sample of official ballot; publication; requirements; rate; limitation**

A **sample** of the official ballot shall be printed in one or more newspapers of general circulation in the county, city, or village as designated by the election commissioner, county clerk, city council, or village board. The **sample** shall be printed in English and in any other language required pursuant to the Voting Rights Language Assistance Act of 1992. Such publication shall be made not more than fifteen nor less than two days before the day of election, and the same shall appear in only one regular issue of each paper. The form of the ballot so published shall conform in all respects to the form prescribed for official ballots as set forth in sections 32-806, 32-809, and 32-812, but larger or smaller type may be used. When paper ballots are not being used, a reduced-size facsimile of the official ballot shall be published as it appears on the voting system. Such publication shall include suitable instructions to the voters for casting their ballots using the voting system being used at the election. The rate charged by the newspapers and paid by the county board for the publication of such **sample** ballot shall not exceed the rate regularly charged for display advertising in such newspaper in which the publication is made.

R.R.S. Neb. § 32-804 (2012)**§ 32-804. Sample ballots; distribution**

If in the judgment of the election commissioner, county clerk, or city or village clerk the **sample** ballot published in the newspaper will not be seen by the voters generally, **sample** ballots may be printed on light red, light green, or light pink paper. The **sample** ballots shall be distributed not less than three nor more than thirty-five days before the election in an amount not to exceed ten percent of the total number of votes cast in such county, city, or village at the immediately preceding general election. The separate **sample** ballots shall be of the exact size and form as the official ballot.

R.R.S. Neb. § 32-805 (2012)

§ 32-805. Ballots; preparation; contents; posting

The election commissioner or county clerk shall prepare the necessary ballots for every election in which candidates for elective office are certified to or filed with the election commissioner or county clerk or whenever any question is to be submitted to a vote of the registered voters of any locality and not to the state generally. The ballots shall be printed in English and in any other language required pursuant to the Voting Rights Act Language Assistance Amendments of 1992. If a question is submitted to the registered voters of any city or village alone, the city or village clerk shall provide the necessary ballots. **Sample** ballots shall be prepared for each precinct and shall be the same as the official ballots for the precinct. The official ballot shall be headed with the words Official Ballot, and the **sample** ballot shall be headed with the words **Sample** Ballot. All official and **sample** ballots shall be in the possession of the election commissioner, county clerk, or city or village clerk at least ten days before the election and subject to inspection by the candidates or their agents. One **set of sample ballots shall be posted in the office of the election commissioner or county clerk** not later than ten days prior to the election. **Two sample ballots shall be posted at each polling place in each precinct on the morning of election day** by the judges and clerks of election at or near the polling place. Additional **sample** ballots may be printed. No person other than an election commissioner, county clerk, or city or village clerk shall print or cause to be printed or distributed any ballot marked Official Ballot.

R.R.S. Neb. § 32-1405.01 (2012)

§ 32-1405.01. Initiative and referendum measures; informational pamphlet; contents; distribution

(1) The Secretary of State shall develop and print one informational pamphlet on all initiative and referendum measures to be placed on the ballot. **The pamphlet shall include** the measure number, the ballot title and text, and the **full text of each initiated or referred measure and arguments both for and against each measure.**

(2) The Secretary of State shall write the arguments for and against each measure, and each set of arguments shall consist of no more than two hundred fifty words. Information for the arguments may be provided by the sponsors of the measure, opponents to the measure, and other sources.

(3) The Secretary of State shall distribute the pamphlets to election commissioners and county clerks at least six weeks prior to the election. **The election commissioners and county clerks shall immediately make the pamphlets available in their offices and in at least three other public locations that will facilitate distribution to the public.**

Nevada

NEVADA REVISED STATUTES ANNOTATED

TITLE 24. Elections.
 CHAPTER 293. Elections.
 Voting in Mailing Precincts

Nev. Rev. Stat. Ann. § 293.345 (2013)

§ 293.345. Duty of county clerk to mail official mailing ballots to registered voters; sample ballot for mailing precinct to include notice concerning polling place where voters may vote in person if applicable.

1. Before 5 p.m. on the last business day preceding the first day of the period for early voting for any primary election or general election, the county clerk shall cause to be mailed to each registered voter in each mailing precinct and in each absent ballot mailing precinct an official mailing ballot, and accompanying supplies, as specified in NRS 293.350.

2. If the county clerk has designated, pursuant to subsection 3 or 4 of NRS 293.343, one or more polling places where a voter may vote in person, the official ballot and the sample ballot must include a notice in bold type informing the voter of the location of the designated polling place or polling places on election day and the polling places during the period for early voting where the voter may vote in person pursuant to paragraph (b) of subsection 2 of NRS 293.353 or subsection 3 of NRS 293.353.

Voting in Mailing Precincts

Nev. Rev. Stat. Ann. § 293.350 (2013)

§ 293.350. Enrollment of eligible voter's name; procedure for mailing of ballot and voting supplies by county clerk.

1. The county clerk shall:

(a) Make certain of the names and addresses of all voters registered to vote in mailing precincts and absent ballot mailing precincts;

(b) Enroll the name and address of each voter found eligible to vote in those precincts in the mailing precinct record book;

(c) Mark the number of the ballot on the return envelope; and

(d) Mail the ballot to the registered voter.

2. The ballot must be accompanied by:

(a) A return envelope;

(b) An envelope or similar device into which the ballot is inserted to ensure its secrecy;

(c) A sample ballot; and

(d) Instructions regarding the manner of marking and returning the ballot.

Nev. Rev. Stat. Ann. § 293.565 (2013)

§ 293.565. Sample ballots: Contents; mailing; printing of text of constitutional amendments; notice of location of polling place; notice if location of polling place changed; cost of mailing responsibility of political subdivision.

1. Except as otherwise provided in subsection 3, **sample ballots must include:**
 - (a) If applicable, the statement required by NRS 293.267;
 - (b) The fiscal note or description of anticipated financial effect, as provided pursuant to NRS 218D.810, 293.250, 293.481, 293.482, 295.015 or 295.095 for each proposed constitutional amendment, statewide measure, measure to be voted upon only by a special district or political subdivision and advisory question;
 - (c) **An explanation, as provided pursuant to NRS 218D.810, 293.250, 293.481, 293.482 or 295.121, of each proposed constitutional amendment, statewide measure, measure to be voted upon only by a special district or political subdivision and advisory question;**
 - (d) **Arguments for and against each proposed constitutional amendment, statewide measure, measure to be voted upon only** by a special district or political subdivision and advisory question, and rebuttals to each argument, as provided pursuant to NRS 218D.810, 293.250, 293.252, 293.481, 293.482 or 295.121; and
 - (e) The full text of each proposed constitutional amendment.
2. If, pursuant to the provisions of NRS 293.2565, the word "Incumbent" must appear on the ballot next to the name of the candidate who is the incumbent, the word "Incumbent" must appear on the sample ballot next to the name of the candidate who is the incumbent.
3. Sample ballots that are mailed to registered voters may be printed without the full text of each proposed constitutional amendment if:
 - (a) The cost of printing the sample ballots would be significantly reduced if the full text of each proposed constitutional amendment were not included;
 - (b) The county clerk ensures that a sample ballot that includes the full text of each proposed constitutional amendment is provided at no charge to each registered voter who requests such a sample ballot; and
 - (c) **The sample ballots provided to each polling place include the full text of each proposed constitutional amendment.**
4. Before the period for early voting for any election begins, **the county clerk shall cause to be mailed to each registered voter in the county a sample ballot for his or her precinct, with a notice informing the voter of the location of his or her polling place.** If the location of the polling place has changed since the last election:
 - (a) The county clerk shall mail a notice of the change to each registered voter in the county not sooner than 10 days before mailing the sample ballots; or
 - (b) The sample ballot must also include a notice in bold type immediately above the location which states:
NOTICE: THE LOCATION OF YOUR POLLING PLACE HAS CHANGED SINCE THE
LAST ELECTION
5. Except as otherwise provided in subsection 6, a sample ballot required to be mailed pursuant to this section must:

- (a) Be printed in at least 12-point type; and
- (b) Include on the front page, in a separate box created by bold lines, a notice printed in at least 20-point bold type that states:

NOTICE: TO RECEIVE A SAMPLE BALLOT IN LARGE TYPE, CALL (Insert appropriate telephone number)

6. A portion of a sample ballot that contains a facsimile of the display area of a voting device may include material in less than 12-point type to the extent necessary to make the facsimile fit on the pages of the sample ballot.

7. The sample ballot mailed to a person who requests a sample ballot in large type by exercising the option provided pursuant to NRS 293.508, or in any other manner, must be printed in at least 14-point type, or larger when practicable.

8. If a person requests a sample ballot in large type, the county clerk shall ensure that all future sample ballots mailed to that person from the county are in large type.

9. The county clerk shall include in each sample ballot a statement indicating that the county clerk will, upon request of a voter who is elderly or disabled, make reasonable accommodations to allow the voter to vote at his or her polling place and provide reasonable assistance to the voter in casting his or her vote, including, without limitation, providing appropriate materials to assist the voter. In addition, if the county clerk has provided pursuant to subsection 4 of NRS 293.2955 for the placement at centralized voting locations of specially equipped voting devices for use by voters who are elderly or disabled, the county clerk shall include in the sample ballot a statement indicating:

- (a) The addresses of such centralized voting locations;
 - (b) The types of specially equipped voting devices available at such centralized voting locations;
- and

(c) That a voter who is elderly or disabled may cast his or her ballot at such a centralized voting location rather than at his or her regularly designated polling place.

10. The cost of mailing sample ballots for any election other than a primary or general election must be borne by the political subdivision holding the election.

CHAPTER 293. Elections.

Voters' Bill of Rights

Nev. Rev. Stat. Ann. § 293.2546 (2013)**§ 293.2546. Legislative declaration of voters' rights.**

The Legislature hereby declares that **each voter has the right:**

1. To receive and cast a ballot that:
 - (a) Is written in a format that allows the clear identification of candidates; and
 - (b) Accurately records the voter's preference in the selection of candidates.
2. To have questions concerning voting procedures answered and to have an explanation of the procedures for voting posted in a conspicuous place at the polling place.
3. To vote without being intimidated, threatened or coerced.
4. To vote on election day if the voter is waiting in line at his or her polling place to vote before 7 p.m. and the voter has not already cast a vote in that election.
5. To return a spoiled ballot and is entitled to receive another ballot in its place.
6. To request assistance in voting, if necessary.
7. **To a sample ballot which is accurate, informative and delivered in a timely manner.**
8. To receive instruction in the use of the equipment for voting during early voting or on election day.
9. To have nondiscriminatory equal access to the elections system, including, without limitation, a voter who is elderly, disabled, a member of a minority group, employed by the military or a citizen who is overseas.
10. To have a uniform, statewide standard for counting and recounting all votes accurately.
11. To have complaints about elections and election contests resolved fairly, accurately and efficiently.

New Hampshire

NEW HAMPSHIRE REVISED STATUTES ANNOTATED

TITLE LXIII Elections

CHAPTER 656 Preparation of Voting Materials

State General Election

RSA 656:18 (2013)**656:18 Sample Ballots.**

The secretary of state shall cause to be printed for each town 10 sample ballots. Such ballots shall be printed on tinted paper without facsimile endorsement but shall otherwise be identical to the state general election ballot. The sample ballots shall be forwarded as soon as printed to each town or ward clerk who shall post one copy in 2 public places in the town or ward within one day of their receipt and save the remainder to be posted on the day of the election as provided in RSA 658:26.

RSA 658:26 (2013)**658:26 Sample Ballots to be Posted.**

The town or city clerk shall cause the sample ballots provided for in RSA 656:18 and 656:28 to be posted outside the guardrail in the polling place. For the general election, he shall cause 2 sample ballots to be posted. For the state and presidential primaries, he shall cause 2 sample ballots of each party to be posted. At least one sample ballot for the general election and one sample ballot of each party for each of the primaries shall be posted no higher than 48" so as to be convenient for those voters in wheelchairs.

RSA 663:3-a (2013)

Legislative Alert: LEXSEE 2013 NH ALS 231 -- See section 1.

663:3-a Voter's Guides.

If the general court proposes the constitutional amendment, the joint committee on legislative facilities may authorize the printing of a voter's guide. Distribution of the voter's guide shall not take place until its text has been reviewed and approved by the house and senate policy committees which considered the proposed constitutional amendment.

TITLE 19. ELECTIONS
 SUBTITLE 2. GENERAL ELECTIONS
 CHAPTER 12. CERTIFICATES AND NOTICES
 ARTICLE 2. FROM OFFICIALS TO THE PUBLIC

N.J. Stat. § 19:12-7 (2013)

§ 19:12-7. Publication of notice of elections

a. **The county board in each county shall cause to be published in a newspaper or newspapers which, singly or in combination, are of general circulation throughout the county, a notice containing the information specified in subsection b.** hereof, except for such of the contents as may be omitted pursuant to subsection c. or d. hereof. Such notice shall be published once during the 30 days next preceding the day fixed for the closing of the registration books for the primary election, once during the calendar week next preceding the week in which the primary election for the general election is held, once during the 30 days next preceding the day fixed for the closing of the registration books for the general election, and once during the calendar week next preceding the week in which the general election is held.

b. Such notice shall set forth:

(1) For the primary election for the general election:

- (a) That a primary election for making nominations for the general election, for the selection of members of the county committees of each political party, and in each presidential year for the selection of delegates and alternates to national conventions of political parties, will be held on the day and between the hours and at the places provided for by or pursuant to this Title.
- (b) The place or places at which and hours during which a person may register, the procedure for the transfer of registration, and the date on which the books are closed for registration or transfer of registration.
- (c) The several State, county, municipal and party offices or positions to be filled, or for which nominations are to be made, at such primary election.
- (d) The existence of registration and voting aids, including: (i) the availability of registration and voting instructions at places of registration as provided under R.S.19:31-6; and (ii), if available, the accessibility of voter information to the deaf by means of a telecommunications device.
- (e) The availability of assistance to a person unable to vote due to blindness, disability or inability to read or write.
- (f) In the case of the notice published during the calendar week next preceding the week in which the primary election is held, that a voter who, prior to the election, shall have moved within the same county without (i) filing, on or before the 21st day preceding the election, a notice of change of residence with the commissioner of registration of the county or the municipal

clerk of the municipality in which the voter resides on the day of the election, (ii) returning the confirmation notice sent to the voter by the commissioner of registration of the county, if such a notice has been sent to the voter, or (iii) otherwise notifying the commissioner of registration of the voter's change of address within the county shall be permitted to correct the voter's registration and to vote in the primary election by provisional ballot at the polling place of the district in which the voter resides on the day of the election. The notice shall further provide that the voter may contact the county commissioner of registration or municipal clerk to determine the proper polling place location for the voter.

(2) For the general election:

- (a) That a general election will be held on the day and between the hours and at the places provided for by or pursuant to this Title and, where applicable, shall include annual school elections held on that date.
- (b) The place or places at which and hours during which a person may register, the procedure for transfer of registration, and the date on which the books are closed for registration or transfer of registration.
- (c) The several State, county and municipal offices, and where applicable, school board offices to be filled, notice of any school district propositions to be submitted to the people and, except as provided in R.S.19:14-33 of this Title as to publication of notice of any Statewide proposition directed by the Legislature to be submitted to the people, the State, county and municipal public questions to be voted upon at such general election.
- (d) The existence of registration and voting aids, including: (i) the availability of registration and voting instructions at places of registration as provided under R.S.19:31-6; and (ii) the accessibility of voter information to the deaf by means of a telecommunications device.
- (e) The availability of assistance to a person unable to vote due to blindness, disability or inability to read or write.
- (f) In the case of the notice published during the calendar week next preceding the week in which the general election is held, that a voter who, prior to the election, shall have moved within the same county without (i) filing, on or before the 21st day preceding the election, a notice of change of residence with the commissioner of registration of the county or the municipal clerk of the municipality in which the voter resides on the day of the election, (ii) returning the confirmation notice sent to the voter by the commissioner of registration of the county, if such a notice has been sent to the voter, or (iii) otherwise notifying the commissioner of registration of the voter's change of address within the county shall be permitted to correct the voter's registration and to vote in the general election by provisional ballot at the polling place of the district in which the voter resides on the day of the election. The notice shall further provide that the voter may contact the county commissioner of registration or municipal clerk to determine the proper polling place location for the voter.

(3) For a school election:

- (a) The day, time and place thereof,
- (b) The offices, if any, to be filled at the election,
- (c) The substance of any public question to be submitted to the voters thereat,

- (d) That a voter who, prior to the election, shall have moved within the same county without (i) filing, on or before the 21st day preceding the election, a notice of change of residence with the commissioner of registration of the county or the municipal clerk of the municipality in which the voter resides on the day of the election, (ii) returning the confirmation notice sent to the voter by the commissioner of registration of the county, if such a notice has been sent to the voter, or (iii) otherwise notifying the commissioner of registration of the voter's change of address within the county shall be permitted to correct the voter's registration and to vote in the school election by provisional ballot at the polling place of the district in which the voter resides on the day of the election,
- (e) That if the voter has any questions as to where to vote on the day of the election, the voter may contact the county commissioner of registration or municipal clerk to determine the proper polling place location for the voter; and
- (f) Such other information as may be required by law.
 - c. If such publication is made in more than one newspaper, it shall not be necessary to duplicate in the notice published in each such newspaper all the information required under this section, so long as:
 - (1) The municipal officers or party positions to be filled, or nominations made, or municipal public questions to be voted upon by the voters of any municipality, shall be set forth in at least one newspaper having general circulation in such municipality;
 - (2) All offices to be filled, or nominations made therefor, or public questions to be voted upon, by the voters of the entire State or of the entire county shall be set forth in a newspaper or newspapers which, singly or in combination, have general circulation throughout the county;
 - (3) Information relating to nominations and elections in each Legislative District comprised in whole or part in the county, shall be published in at least a newspaper or newspapers which singly or in combination, have general circulation in every municipality of the county which is comprised in such legislative district.
 - d. Such part or parts of the original notices as published which pertain to day of registration or primary election which has occurred shall be eliminated from such notice in succeeding insertions.
 - e. (Deleted by amendment, P.L.1999, c.232.)
 - f. The cost of publishing the notices required by this section shall be paid by the respective counties, unless otherwise provided for by law.
 - g. Notices required to be published or posted pursuant to this section shall set forth a general description of the contents of the voter information notice provided for in section 1 of P.L.2005, c.149 (C.19:12-7.1), how the notice may be viewed or obtained prior to the day of an election, and that the notice will be posted in each polling place on the day of an election.

N.J. Stat. § 19:12-7.1 (2013)

§ 19:12-7.1. Posting of voter information notice by county board of elections; content and form

a. **A county board of elections shall have posted** a voter information notice, which shall be referred to as a voter's bill of rights, in a conspicuous location in each polling place before the opening of the polls on the day of any election.

The notice shall contain:

the date of the election and the hours during which polling places will be open;

a statement that **sample ballots are available at the polling place for review by the voter**;

instruction for the use of the voting machine in that polling place and an explanation of what instructions for voting are available at the polling place for the voter;

instruction for a voter who is voting for the first time;

instruction for a voter who is required to provide identification pursuant to the federal "Help America Vote Act of 2002" and R.S.19:15-17 prior to casting a vote;

instruction on how to cast a vote if the voter cannot be present at a polling place on the day of the election;

an explanation of the right of the voter to vote in privacy, regardless of the voter's physical abilities;

an explanation of the right of the voter to a provisional ballot, including in the event that a mail-in ballot has been applied for and not received or not transmitted to the county board of elections before the day of any election, and the other circumstances under which a voter has a right to a provisional ballot;

an explanation of the right of the voter to receive a replacement ballot for a ballot that has been spoiled, destroyed, lost or never received;

an explanation of the right of the voter to ask for and receive assistance in voting;

an explanation of the right of the voter to take a reasonable amount of time in casting a vote on a voting machine;

an explanation of the right of the voter to bring written material into the polling place for the voter's personal use in casting a vote;

instruction on how to contact the appropriate officials if a voter's right to vote or right to otherwise participate in the electoral process has been challenged or violated;

general information on federal and State laws that prohibit acts of fraud or misrepresentation and the penalties for those acts; and

such other statement, instruction or explanation the Secretary of State may deem appropriate to ensure the full and knowledgeable participation of the voter in the process.

The requirement to post this notice in each polling place shall not replace, supersede or void any other requirement set forth in law for the posting of information in each polling place apart from the voter information notice.

b. The Secretary of State shall prescribe the form and specific content of the voter information notice, which may be comprised of more than one page. If the notice is comprised of more than one page, each page shall be posted separately. For an election district in which the primary language of 10 percent or more of the registered voters is a language other than English, the Secretary of State shall prescribe an official version of the voter information notice in that other language or languages for use in that election

district. The notice shall be posted in English and in the other language or languages in the polling places in each such district. The alternate language shall be determined based on information from the latest federal decennial census.

c. A county board of elections may modify or supplement the voter information notice used in a county or municipality to provide additional information specific to that county or a municipality in that county, provided, however, that any such modification or supplementation shall be submitted to the Secretary of State for prior approval.

d. The voter information notice shall be printed on each sample ballot, to the extent practicable, or if not practicable, information on how to view or obtain a copy of the voter information notice shall be printed on each sample ballot.

e. The voter information notice, including one modified or supplemented pursuant to subsection c. of this section, shall be made accessible on the official Internet site of the State by the Secretary of State and each county board of elections shall ensure that the official Internet site of the county contains a link to that notice.

f. The provisions of this section shall not give rise to a legal cause of action.

g. The State shall be liable for the costs incurred by local government entities for compliance with this section, and they shall be reimbursed for those costs, upon application, by the State Treasurer.

N.J. Stat. § 19:14-21 (2013)**§ 19:14-21. Preparation; delivery of sample ballots and envelopes to municipal clerk or commissioner of registration**

The county clerk shall cause samples of the official general election ballot to be printed in English, but for each election district within the county in which the primary language of 10% or more of the registered voters is Spanish, shall cause samples of the official general election ballot to be printed bilingually in English and Spanish.

a. In counties not having a superintendent of elections where the county board of elections does not have the equipment or facilities to address and mail sample ballot envelopes, the county clerk not later than noon of the eighth day prior to the general election shall furnish to the municipal clerk of each municipality in his county one and one-tenth times as many such sample ballots and stamped envelopes as there are voters registered, less the number of voters who have been sent a confirmation notice pursuant to subsection d. of R.S.19:31-15 and have not responded, to enable each district board in each municipality to mail one of such sample ballots to each voter who is registered in the municipality, except those voters who have been sent a confirmation notice pursuant to subsection d. of R.S.19:31-15 and have not responded, for such election and shall take a receipt for the same from each of the municipal clerks, which receipt shall indicate the number of such sample ballots and stamped envelopes delivered by the county clerk and the date and hour of their delivery.

b. In counties having a superintendent of elections, and in other counties where the county board of elections may have the equipment or facilities to prepare a properly stamped envelope addressed to each registered voter in the county for mailing, the county clerk, not later than the thirtieth day preceding the general election, shall furnish to the commissioner of registration located in his county one and one-tenth times as many stamped envelopes as there are registered voters in the county, less the number of voters who have been sent a confirmation notice pursuant to subsection d. of R.S.19:31-15 and have not responded, and not later than noon of the twelfth day preceding the general election shall furnish to the commissioner of registration located in the county, one and one-tenth times as many sample ballots as there are registered voters in the county to enable the commissioner of registration of the county to mail one of such sample ballots to each voter registered in the county, except those voters who have been sent a confirmation notice pursuant to subsection d. of R.S.19:31-15 and have not responded, for such election and shall take a receipt for the same from the commissioner of registration, which receipt shall indicate the number of such sample ballots and stamped envelopes delivered by the county clerk and the date and hour of their delivery. County boards of elections which elect to operate under the provisions of this paragraph shall notify their county clerk in sufficient time to enable him to make the necessary arrangements the first year.

c. The county clerk in counties having a superintendent of elections shall also deliver to the county board not later than the twelfth day preceding the general election 10 such sample ballots of each election district of each municipality in the county.

N.J. Stat. § 19:14-32 (2013)

§ 19:14-32. Printing and delivery by secretary of state

When by section 19:14-27 of this title copies of an act of the legislature or of a constitutional amendment are required to be printed and mailed, the secretary of state shall cause to be printed and, at least twenty days before the election at which the question or proposition is to be submitted, shall deliver to each county clerk a number of copies of the printed matter to be mailed as hereinbefore required, at least twenty per cent greater than the number of registered voters in the county.

N.J. Stat. § 19:14-33 (2013)

§ 19:14-33. When referendum notices unnecessary

It shall not be necessary for the secretary of state, or any other official, to cause notice to be published of any state-wide proposition directed by the legislature to be submitted to the people, nor shall it be necessary for the secretary of state, or any other official, to cause to be printed and mailed to the registered voters copies of the act or acts to be voted upon.

N.M. Const. art. XIX, § 1 (2013)

Section 1. [Proposing and ratifying amendments.]

An amendment or amendments to this constitution may be proposed in either house of the legislature at a regular session; and if a majority of all members elected to each of the two houses voting separately votes in favor thereof, the proposed amendment or amendments shall be entered on their respective journals with the yeas and nays thereon.

An amendment or amendments may also be proposed by an independent commission established by law for that purpose, and the amendment or amendments shall be submitted to the legislature for its review in accordance with the provisions of this section.

The **secretary of state shall cause any such amendment or amendments to be published in at least one newspaper in every county of the state.** where a newspaper is published once each week, for four consecutive weeks, in English and Spanish when newspapers in both of said languages are published in such counties, the last **publication** to be not more than two weeks prior to the election at which time said amendment or amendments shall be submitted to the electors of the state for their approval or rejection; and shall further provide notice of the content and purpose of legislatively approved **constitutional amendments** in both English and Spanish to inform electors about the amendments in the time and manner provided by law. The secretary of state shall also make reasonable efforts to provide notice of the content and purpose of legislatively approved **constitutional amendments** in indigenous languages and to minority language groups to inform electors about the amendments. Amendments approved by the legislature shall be voted upon at the next regular election held after the adjournment of that legislature or at a special election to be held not less than six months after the adjournment of that legislature, at such time and in such manner as the legislature may by law provide. An amendment that is ratified by a majority of the electors voting on the amendment shall become part of this constitution.

If two or more amendments are initiated by the legislature, they shall be so submitted as to enable the electors to vote on each of them separately. Amendments initiated by an independent commission created by law for that purpose may be submitted to the legislature separately or as a single ballot question, and any such commission-initiated amendments that are not substantially altered by the legislature may be submitted to the electors in the separate or single ballot question form recommended by the commission. No amendment shall restrict the rights created by Sections One and Three of Article VII hereof, on elective franchise, and Sections Eight and Ten of Article XII hereof, on education, unless it be proposed by vote of three-fourths of the members elected to each house and be ratified by a vote of the people of this state in an election at which at least three-fourths of the electors voting on the amendment vote in favor of that amendment. (As amended November 7, 1911 and November 5, 1996.)

Michie's Annotated Statutes Of New Mexico

CHAPTER 1. ELECTIONS
ARTICLE 10. BALLOTS AND BALLOT LABELS
Go to the New Mexico Code Archive Directory

N.M. Stat. Ann. § 1-10-10 (2013)

§ 1-10-10. Ballots; sample

A. At the time of printing the official ballots, the county clerk shall cause to be printed in both English and Spanish a number of sample ballots in a quantity equal to ten percent of the number of voters in each precinct.

B. The sample ballots shall be the same in all respects as the official ballots, except that they shall be printed on colored paper and shall not contain the facsimile signature of the county clerk or any endorsement on the back thereof. Each sample ballot shall be marked in large black capital letters, "SAMPLE BALLOT".

C. Sample ballots shall be made available in reasonable quantities to all interested persons for distribution to the voters within the appropriate precincts.

D. Nothing in this section shall preclude any person from having printed at his own expense sample ballots.

N.M. Stat. Ann. § 1-16-4 (2013)

§ 1-16-4. State constitutional amendments; publication

Upon receipt of the certified proposed constitutional amendment or other question, the county clerk shall include it in the proclamation to be issued and shall publish the full text of each proposed constitutional amendment or other question in accordance with the constitution of New Mexico.

New York

NEW YORK CONSOLIDATED LAW SERVICE

ELECTION LAW

ARTICLE 4. PROCEEDINGS PRELIMINARY TO REGISTRATION, ENROLLMENT AND
ELECTION

NY CLS Elec § 4-120 (2013)

§ 4-120. Notices of general, village and special elections; publication of

1. The board of elections shall publish once in each of the two weeks preceding a general election, or a special or village election conducted by the board of elections, a notice specifying the day of the election, and the public officers to be voted for within such county, or any part thereof at such election. If constitutional amendments, or questions are to be submitted to the voters of the state, the notice shall state that fact and that a copy of each such amendment or question may be obtained at the board of elections, by any voter. Such publication shall be in two newspapers published within the county. If the county contains a city or cities, at least one of such newspapers shall be published in the city, or the largest city, if there be more than one.

In the case of a village election, such publication shall be made in a newspaper of general circulation in such village and shall include an abstract of any proposition to be voted upon at such election.

2. The board or body authorized to designate places for voting in any town or in any city, except the city of New York, may publish on the publication day immediately preceding election day, in a newspaper or newspapers designated by such board or body, a notice of the election, and the village clerk shall publish at least ten days prior to any village election conducted by the board of elections in a newspaper of general circulation in such village a list of the polling places, the date and hours of election and, at the discretion of such board or clerk, a brief description of the boundaries of each election district. Such list shall identify those polling places which do not provide access to handicapped voters. The amount to be paid for any of such publications shall be at the rate prescribed by section seventy-a of the public officers law. In no publication, however, shall any type smaller than agate be used. The amount to be paid for all such publications shall be a town, city or village charge.

3. The board of elections of the city of New York shall publish on the eighth day before and the day before each general election, in at least two newspapers in such city, a notice, at least one-half page in size, in English and such other languages as such board deems appropriate, which sets forth the dates and hours of the election and the phone number to call for information about the location of polling places, their accessibility to the handicapped, applications for absentee ballots and any other subjects which such board deems appropriate.

NY CLS Elec § 7-118 (2013)

§ 7-118. Ballots; facsimile and sample

The board of elections shall provide facsimile and **sample** ballots which shall be arranged in the form of a diagram showing such part of the face of the voting machine as shall be in use at that election. Such facsimile and **sample** ballots shall be either in full or reduced size and shall contain suitable illustrated directions for voting on the voting machine. **Such facsimile ballots shall be mounted and displayed for public inspection at each polling place during election day. Sample ballots may be mailed by the board of elections to each eligible voter at least three days before the election, or in lieu thereof, a copy of such sample ballot may be published at least once within one week preceding the election in newspapers representing the major political parties.** One copy of such facsimile shall be sent to each school in the county, providing the ninth through the twelfth years of compulsory education, and in the city of New York to each such school in the city of New York, at least one week before each general election for posting at a convenient place in such school. The board of elections shall also send a facsimile ballot to any other school requesting such a ballot.

NY CLS Elec § 7-128 (2013)

§ 7-128. Ballots; inspection of

1. Each officer or board charged with the duty of providing official ballots for an election shall have **sample** ballots open to public inspection five days before the election for which they were prepared and the official ballots open to such inspection four days before such election except that the **sample** and official ballots for a village election held at a different time from a general election shall be open to public inspection at least two days before such election. During the times within which the ballots are open for inspection, such officer or board shall deliver to each voter applying therefor a **sample** of the ballot which he is entitled to vote.

2. Each officer or board charged with the duty of preparing ballots to be used on voting machines in any election shall give written notice, by first class mail, to all candidates, except candidates for member of the county committee, who are lawfully entitled to have their names appear thereon, of the time when, and the place where, they may inspect the voting machines to be used for such election. The candidates or their designated representatives may appear at the time and place specified in such notice to inspect such machines, provided, however, that the time so specified shall be not less than two days prior to the date of the election.

A candidate, whose name appears on the ballot for an election district or his designated representative, may, in the presence of the election officer attending the voting machine, inspect the face of the machine to see that his ballot label is in its proper place, but at no time during the inspection shall the booth be closed.

North Carolina

General Statutes of North Carolina

CHAPTER 163. ELECTIONS AND ELECTION LAWS
SUBCHAPTER 06 . CONDUCT OF PRIMARIES AND ELECTIONS
ARTICLE 14A. VOTING
PART 2. BALLOTS AND VOTING SYSTEMS

N.C. Gen. Stat. § 163-165.2 (2013)

§ 163-165.2. **Sample ballots.**

(a) County Board to Produce and Distribute **Sample** Ballots. -- The county board of elections shall produce **sample** ballots, in all the necessary ballot styles of the official ballot, for every election to be held in the county. The **sample** ballots shall be given an appearance that clearly distinguishes them from official ballots. The county board shall distribute **sample** ballots to the chief judge of every precinct in which the election is to be conducted. **The chief judge shall post a sample ballot in the voting place and may use it for instructional purposes. The county board of elections may use the sample ballot for other informational purposes.**

(b) Document Resembling an Official Ballot to Contain Disclaimer. -- No person other than a board of elections shall produce or disseminate a document substantially resembling an official ballot unless the document contains on its face a prominent statement that the document was not produced by a board of elections and is not an official ballot.

North Dakota

NORTH DAKOTA CENTURY CODE

TITLE 16.1 Elections

CHAPTER 16.1-13 General Elections

N.D. Cent. Code, § 16.1-13-05 (2013)

§ 16.1-13-05. Notice of election -- Contents -- Publication with sample ballot.

Notice of all general elections must be published by the county auditor in the official county newspaper at the same time as, and as a part of, the publication of the sample ballot preceding the election. The notice must be substantially as follows:

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The county auditor shall publish a copy of the sample ballot of the general election once each week for two consecutive weeks before the election in the official county newspaper. If no newspaper is published in the county, the publication must be in a newspaper published in an adjoining county in the state. The form of the sample ballot as ordered and arranged by the county auditor must conform in all respects to the form prescribed by the secretary of state for the sample general election ballot. The county auditor shall publish the sample ballot in all forms appropriate for the method or methods of voting in the county. Absentee voter ballots may not be considered in determining which form of voting is used. Candidates from each legislative district which falls within the boundaries of the county must be listed in a separate box or category within the sample ballot by legislative district number to enable the voters in each legislative district to ascertain the legislative candidates in their specific district. Sample ballots used for publication purposes must be arranged using the rotation of the ballot in the precinct in the county which cast the highest total vote for governor at the last general election at which the office of governor was filled. The notice must include a statement in substantially the following format:

The arrangement of candidate names appearing on ballots in your precinct may vary from the published sample ballots, depending upon the precinct and legislative district in which you reside.

Ohio

CONSTITUTION OF THE STATE OF OHIO
ARTICLE II. LEGISLATIVE

Oh. Const. Art. II, § 1g (2013)

Oh. Const. Art. II, § 1g. Initiative, supplementary, referendum petition; notice required; ballots

Any initiative, supplementary, or referendum petition may be presented in separate parts but each part shall contain a full and correct copy of the title, and text of the law, section or item thereof sought to be referred, or the proposed law or proposed amendment to the constitution. Each signer of any initiative, supplementary, or referendum petition must be an elector of the state and shall place on such petition after his name the date of signing and his place of residence. A signer residing outside of a municipality shall state the county and the rural route number, post office address, or township of his residence. A resident of a municipality shall state the street and number, if any, of his residence and the name of the municipality or the post office address. The names of all signers to such petitions shall be written in ink, each signer for himself. To each part of such petition shall be attached the statement of the circulator, as may be required by law, that he witnessed the affixing of every signature. The secretary of state shall determine the sufficiency of the signatures not later than one hundred five days before the election.

The Ohio supreme court shall have original, exclusive jurisdiction over all challenges made to petitions and signatures upon such petitions under this section. Any challenge to a petition or signature on a petition shall be filed not later than ninety-five days before the day of the election. The court shall hear and rule on any challenges made to petitions and signatures not later than eighty-five days before the election. If no ruling determining the petition or signatures to be insufficient is issued at least eighty-five days before the election, the petition and signatures upon such petitions shall be presumed to be in all respects sufficient.

If the petitions or signatures are determined to be insufficient, ten additional days shall be allowed for the filing of additional signatures to such petition. If additional signatures are filed, the secretary of state shall determine the sufficiency of those additional signatures not later than sixty-five days before the election. Any challenge to the additional signatures shall be filed not later than fifty-five days before the day of the election. The court shall hear and rule on any challenges made to the additional signatures not later than forty-five days before the election. If no ruling determining the additional signatures to be insufficient is issued at least forty-five days before the election, the petition and signatures shall be presumed to be in all respects sufficient.

No law or amendment to the constitution submitted to the electors by initiative and supplementary petition and receiving an affirmative majority of the votes cast thereon, shall be held unconstitutional or void on account of the insufficiency of the petitions by which such submission of the same was procured; nor shall the rejection of any law submitted by referendum petition be held invalid for such insufficiency.

Upon all initiative, supplementary, and referendum petitions provided for in any of the sections of this article, it shall be necessary to file from each of one-half of the counties of the state, petitions bearing the signatures of not less than one-half of the designated percentage of the electors of such county. A true copy of all laws or proposed laws or proposed amendments to the constitution, together with an argument or explanation, or both, for, and also an argument or explanation, or both, against the same, shall be prepared. The person or persons who prepare the argument or explanation, or both, against any law, section, or item, submitted to the electors by referendum petition, may be named in such petition and the persons who prepare the argument or explanation, or both, for any proposed law or proposed amendment to the constitution may be named in the petition proposing the same. The person or persons who prepare the argument or explanation, or both, for the law, section, or item, submitted to the electors by referendum petition, or against any proposed law submitted by supplementary petition, shall be named by the general assembly, if in session, and if not in session then by the governor. **The law, or proposed law, or proposed amendment to the constitution, together with the arguments and explanations**, not exceeding a total of three hundred words for each, and also the arguments and explanations, not exceeding a total of three hundred words against each, **shall be published once a week for three consecutive weeks preceding the election, in at least one newspaper of general circulation in each county of the state, where a newspaper is published**. The secretary of state shall cause to be placed upon the ballots, the ballot language for any such law, or proposed law, or proposed amendment to the constitution, to be submitted. The ballot language shall be prescribed by the Ohio ballot board in the same manner, and subject to the same terms and conditions, as apply to issues submitted by the general assembly pursuant to Section 1 of Article XVI of this constitution. The ballot language shall be so prescribed and the secretary of state shall cause the ballots so to be printed as to permit an affirmative or negative vote upon each law, section of law, or item in a law appropriating money, or proposed law, or proposed amendment to the constitution. The style of all laws submitted by initiative and supplementary petition shall be: "Be it Enacted by the People of the State of Ohio," and of all constitutional amendments: "Be it Resolved by the People of the State of Ohio." The basis upon which the required number of petitioners in any case shall be determined shall be the total number of votes cast for the office of governor at the last preceding election therefor. The foregoing provisions of this section shall be self-executing, except as herein otherwise provided. Laws may be passed to facilitate their operation, but in no way limiting or restricting either such provisions or the powers herein reserved.

Oh. Const. Art. XVI, § 1 (2013)**Oh. Const. Art. XVI, § 1. How constitution to be amended; ballot; supreme court to hear challenges**

Either branch of the general assembly may propose amendments to this constitution; and, if the same shall be agreed to by three-fifths of the members elected to each house, such proposed amendments shall be entered on the journals, with the yeas and nays, and shall be filed with the secretary of state at least ninety days before the date of the election at which they are to be submitted to the electors, for their approval or rejection. They shall be submitted on a separate ballot without party designation of any kind, at either a special or a general election as the general assembly may prescribe.

The ballot language for such proposed amendments shall be prescribed by a majority of the Ohio ballot board, consisting of the secretary of state and four other members, who shall be designated in a manner prescribed by law and not more than two of whom shall be members of the same political party. The ballot language shall properly identify the substance of the proposal to be voted upon. The ballot need not contain the full text nor a condensed text of the proposal. The board shall also prepare an explanation of the proposal, which may include its purpose and effects, and shall certify the ballot language and the explanation to the secretary of state not later than seventy-five days before the election. **The ballot language and the explanation shall be available for public inspection in the office of the secretary of state.**

The supreme court shall have exclusive, original jurisdiction in all cases challenging the adoption or submission of a proposed constitutional amendment to the electors. No such case challenging the ballot language, the explanation, or the actions or procedures of the general assembly in adopting and submitting a constitutional amendment shall be filed later than sixty-four days before the election. The ballot language shall not be held invalid unless it is such as to mislead, deceive, or defraud the voters.

Unless the general assembly otherwise provides by law for the preparation of arguments for and, if any, against a proposed amendment, the board may prepare such arguments.

Such proposed amendments, the ballot language, the explanations, and the arguments, if any, **shall be published once a week for three consecutive weeks preceding such election, in at least one newspaper of general circulation in each county of the state,** where a newspaper is published. The general assembly shall provide by law for other dissemination of information in order to inform the electors concerning proposed amendments. An election on a proposed constitutional amendment submitted by the general assembly shall not be enjoined nor invalidated because the explanation, arguments, or other information is faulty in any way. If the majority of the electors voting on the same shall adopt such amendments the same shall become a part of the constitution. When more than one amendment shall be submitted at the same time, they shall be so submitted as to enable the electors to vote on each amendment, separately.

ORC Ann. 3505.08 (2013)**§ 3505.062. Duties of ballot board**

The **Ohio ballot board shall** do all of the following:

(A) Examine, within ten days after its receipt, each written initiative petition received from the attorney general under section 3519.01 of the Revised Code to determine whether it contains only one proposed law or constitutional amendment so as to enable the voters to vote on a proposal separately. If the board so determines, it shall certify its approval to the attorney general, who then shall file with the secretary of state in accordance with division (A) of section 3519.01 of the Revised Code a verified copy of the proposed law or constitutional amendment together with its summary and the attorney general's certification of it.

If the board determines that the initiative petition contains more than one proposed law or constitutional amendment, the board shall divide the initiative petition into individual petitions containing only one proposed law or constitutional amendment so as to enable the voters to vote on each proposal separately and certify its approval to the attorney general. If the board so divides an initiative petition and so certifies its approval to the attorney general, the petitioners shall resubmit to the attorney general appropriate summaries for each of the individual petitions arising from the board's division of the initiative petition, and the attorney general then shall review the resubmissions as provided in division (A) of section 3519.01 of the Revised Code.

(B) Prescribe the ballot language for constitutional amendments proposed by the general assembly to be printed on the questions and issues ballot, which language shall properly identify the substance of the proposal to be voted upon;

(C) Prepare an explanation of each constitutional amendment proposed by the general assembly, which explanation may include the purpose and effects of the proposed amendment;

(D) Certify the ballot language and explanation, if any, to the secretary of state no later than seventy-five days before the election at which the proposed question or issue is to be submitted to the voters;

(E) Prepare, or designate a group of persons to prepare, arguments in support of or in opposition to a constitutional amendment proposed by a resolution of the general assembly, a constitutional amendment or state law proposed by initiative petition, or a state law, or section or item of state law, subject to a referendum petition, if the persons otherwise responsible for the preparation of those arguments fail to timely prepare and file them;

(F) Direct the means by which the secretary of state shall disseminate information concerning proposed constitutional amendments, proposed laws, and referenda to the voters;

(G) Direct the secretary of state to contract for the publication in a newspaper of general circulation in each county in the state of the ballot language, explanations, and arguments regarding each of the following:

(1) **A constitutional amendment or law proposed by initiative petition** under Section 1g of Article II of the Ohio Constitution;

(2) A law, section, or item of law submitted to the electors by referendum petition under Section 1g of Article II of the Ohio Constitution;

(3) A constitutional amendment submitted to the electors by the general assembly under Section 1 of Article XVI of the Ohio Constitution.

ORC Ann. 3519.07 (2013)

§ 3505.08. Ballots provided for elections; sample ballots

(A) Ballots shall be provided by the board of elections for all general and special elections. The ballots shall be printed with black ink on No. 2 white book paper fifty pounds in weight per ream assuming such ream to consist of five hundred sheets of such paper twenty-five by thirty-eight inches in size. Each ballot shall have attached at the top two stubs, each of the width of the ballot and not less than one-half inch in length, except that, if the board of elections has an alternate method to account for the ballots that the secretary of state has authorized, each ballot may have only one stub that shall be the width of the ballot and not less than one-half inch in length. In the case of ballots with two stubs, the stubs shall be separated from the ballot and from each other by perforated lines. The top stub shall be known as Stub B and shall have printed on its face "Stub B." The other stub shall be known as Stub A and shall have printed on its face "Stub A." Each stub shall also have printed on its face "Consecutive Number"

Each ballot of each kind of ballot provided for use in each precinct shall be numbered consecutively beginning with number 1 by printing such number upon both of the stubs attached to the ballot. On ballots bearing the names of candidates, each candidate's name shall be printed in twelve point boldface upper case type in an enclosed rectangular space, and an enclosed blank rectangular space shall be provided at the left of the candidate's name. The name of the political party of a candidate nominated at a primary election or certified by a party committee shall be printed in ten point lightface upper and lower case type and shall be separated by a two point blank space. The name of each candidate shall be indented one space within the enclosed rectangular space, and the name of the political party shall be indented two spaces within the enclosed rectangular space.

The title of each office on the ballots shall be printed in twelve point boldface upper and lower case type in a separate enclosed rectangular space. A four point rule shall separate the name of a candidate or a group of candidates for the same office from the title of the office next appearing below on the ballot; a two point rule shall separate the title of the office from the names of candidates; and a one point rule shall separate names of candidates. Headings shall be printed in display Roman type. When the names of several candidates are grouped together as candidates for the same office, there shall be printed on the ballots immediately below the title of the office and within the separate rectangular space in which the title is printed "Vote for not more than", " in six point boldface upper and lower case filling the blank space with that number which will indicate the number of persons who may be lawfully elected to the office.

Columns on ballots shall be separated from each other by a heavy vertical border or solid line at least one-eighth of an inch wide, and a similar vertical border or line shall enclose the left and right side of ballots. Ballots shall be trimmed along the sides close to such lines.

The ballots provided for by this section shall be comprised of four kinds of ballots designated as follows: office type ballot; nonpartisan ballot; questions and issues ballot; and presidential ballot.

On the back of each office type ballot shall be printed "Official Office Type Ballot; " on the back of each nonpartisan ballot shall be printed "Official Nonpartisan Ballot; " on the back of each questions and issues ballot shall be printed "Official Questions and Issues Ballot; " and on the back of each presidential ballot shall be printed "Official Presidential Ballot. " On the back of every ballot also shall be printed the date of the election at which the ballot is used and the facsimile signatures of the members of the board of the county in which the ballot is used. For the purpose of identifying the kind of ballot, the back of every ballot may be numbered in the order the board shall determine. The numbers shall be printed in not less than thirty-six point type above the words "Official Office Type Ballot, " "Official Nonpartisan Ballot, " "Official Questions and Issues Ballot, " or "Official Presidential Ballot, " as the case may be. Ballot boxes bearing corresponding numbers shall be furnished for each precinct in which the above -- described numbered ballots are used.

On the back of every ballot used, there shall be a solid black line printed opposite the blank rectangular space that is used to mark the choice of the voter. This line shall be printed wide enough so that the mark in the blank rectangular space will not be visible from the back side of the ballot.

Sample ballots may be printed by the board of elections for all general elections. The ballots shall be printed on colored paper, and "Sample Ballot " shall be plainly printed in boldface type on the face of each ballot. In counties of less than one hundred thousand population, the board may print not more than five hundred sample ballots; in all other counties, it may print not more than one thousand sample ballots. The sample ballots shall not be distributed by a political party or a candidate, nor shall a political party or candidate cause their title or name to be imprinted on sample ballots.

(B) Notwithstanding division (A) of this section, in approving the form of an official ballot, the secretary of state may authorize the use of fonts, type face settings, and ballot formats other than those prescribed in that division.

ORC Ann. 3505.181 (2013)

THIS SECTION HAS MORE THAN ONE DOCUMENT WITH VARYING EFFECTIVE DATES.

§ 3505.181. Eligibility to cast provisional ballot [Effective June 26, 2013]

(A) All of the following individuals shall be permitted to cast a provisional ballot at an election:

(1) An individual who declares that the individual is a registered voter in the jurisdiction in which the individual desires to vote and that the individual is eligible to vote in an election, but the name of the individual does not appear on the official list of eligible voters for the polling place or an election official asserts that the individual is not eligible to vote;

(2) An individual who has a social security number and provides to the election officials the last four digits of the individual's social security number as permitted by division (A)(2) of [section 3505.18 of the Revised Code](#);

(3) An individual who has but is unable to provide to the election officials any of the forms of identification required under division (A)(1) of [section 3505.18 of the Revised Code](#) and who has a social security number but is unable to provide the last four digits of the individual's social security number as permitted under division (A)(2) of that section;

(4) An individual who does not have any of the forms of identification required under division (A)(1) of [section 3505.18 of the Revised Code](#), who cannot provide the last four digits of the individual's social security number under division (A)(2) of that section because the individual does not have a social security number, and who has executed an affirmation as permitted under division (A)(4) of that section;

(5) An individual whose name in the poll list or signature pollbook has been marked under [section 3509.09](#) or [3511.13 of the Revised Code](#) as having requested an absent voter's ballot or an armed service absent voter's ballot for that election and who appears to vote at the polling place;

(6) An individual whose notification of registration has been returned undelivered to the board of elections and whose name in the official registration list and in the poll list or signature pollbook has been marked under division (C)(2) of [section 3503.19 of the Revised Code](#);

(7) An individual who is challenged under [section 3505.20 of the Revised Code](#) and the election officials determine that the person is ineligible to vote or are unable to determine the person's eligibility to vote;

(8) An individual whose application or challenge hearing has been postponed until after the day of the election under division (D)(1) of [section 3503.24 of the Revised Code](#);

(9) An individual who changes the individual's name and remains within the precinct, moves from one precinct to another within a county, moves from one precinct to another and changes the individual's name, or moves from one county to another within the state, and completes and signs the required forms and statements under division (B) or (C) of [section 3503.16 of the Revised Code](#);

(10) An individual whose signature, in the opinion of the precinct officers under [section 3505.22 of the Revised Code](#), is not that of the person who signed that name in the registration forms;

(11) An individual who is challenged under [section 3513.20 of the Revised Code](#) who refuses to make the statement required under that section or who a majority of the precinct officials find lacks any of the qualifications to make the individual a qualified elector;

(12) An individual who does not have any of the forms of identification required under division (A)(1) of [section 3505.18 of the Revised Code](#), who cannot provide the last four digits of the individual's social security number under division (A)(2) of that section because the person does not have a social security number, and who declines to execute an affirmation as permitted under division (A)(4) of that section;

(13) An individual who has but declines to provide to the precinct election officials any of the forms of identification required under division (A)(1) of [section 3501.18 of the Revised Code](#) or who has a social security number but declines to provide to the precinct election officials the last four digits of the individual's social security number.

(B) An individual who is eligible to cast a provisional ballot under division (A) of this section shall be permitted to cast a provisional ballot as follows:

(1) An election official at the polling place shall notify the individual that the individual may cast a provisional ballot in that election.

(2) The individual shall be permitted to cast a provisional ballot at that polling place upon the execution of a written affirmation by the individual before an election official at the polling place stating that the individual is both of the following:

- (a) A registered voter in the jurisdiction in which the individual desires to vote;
- (b) Eligible to vote in that election.

(3) An election official at the polling place shall transmit the ballot cast by the individual, the voter information contained in the written affirmation executed by the individual under division (B)(2) of this section, or the individual's name if the individual declines to execute such an affirmation to an appropriate local election official for verification under division (B)(4) of this section.

(4) If the appropriate local election official to whom the ballot or voter or address information is transmitted under division (B)(3) of this section determines that the individual is eligible to vote, the individual's provisional ballot shall be counted as a vote in that election.

(5) (a) At the time that an individual casts a provisional ballot, the appropriate local election official shall give the individual written information that states that any individual who casts a provisional ballot will be able to ascertain under the system established under division (B)(5)(b) of this section whether the vote was counted, and, if the vote was not counted, the reason that the vote was not counted.

(b) The appropriate state or local election official shall establish a free access system, in the form of a toll-free telephone number, that any individual who casts a provisional ballot may access to discover whether the vote of that individual was counted, and, if the vote was not counted, the reason that the vote was not counted. The free access system established under this division also shall provide to an individual whose provisional ballot was not counted information explaining how that individual may contact the board of elections to register to vote or to resolve problems with the individual's voter registration.

The appropriate state or local election official shall establish and maintain reasonable procedures necessary to protect the security, confidentiality, and integrity of personal information collected, stored, or otherwise used by the free access system established under this division. Access to information about an individual ballot shall be restricted to the individual who cast the ballot.

(6) If, at the time that an individual casts a provisional ballot, the individual provides identification in the form of a current and valid photo identification, a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of voter registration mailed by a board of elections under [section 3503.19 of the Revised Code](#), that shows

the individual's name and current address, or provides the last four digits of the individual's social security number, or executes an affirmation that the elector does not have any of those forms of identification or the last four digits of the individual's social security number because the individual does not have a social security number, or declines to execute such an affirmation, the appropriate local election official shall record the type of identification provided, the social security number information, the fact that the affirmation was executed, or the fact that the individual declined to execute such an affirmation and include that information with the transmission of the ballot or voter or address information under division (B)(3) of this section. If the individual declines to execute such an affirmation, the appropriate local election official shall record the individual's name and include that information with the transmission of the ballot under division (B)(3) of this section.

(7) If an individual casts a provisional ballot pursuant to division (A)(3), (7), (8), (12), or (13) of this section, the election official shall indicate, on the provisional ballot verification statement required under [section 3505.182 of the Revised Code](#), that the individual is required to provide additional information to the board of elections or that an application or challenge hearing has been postponed with respect to the individual, such that additional information is required for the board of elections to determine the eligibility of the individual who cast the provisional ballot.

(8) During the ten days after the day of an election, an individual who casts a provisional ballot pursuant to division (A)(3), (7), (12), or (13) of this section shall appear at the office of the board of elections and provide to the board any additional information necessary to determine the eligibility of the individual who cast the provisional ballot.

(a) For a provisional ballot cast pursuant to division (A)(3), (12), or (13) of this section to be eligible to be counted, the individual who cast that ballot, within ten days after the day of the election, shall do any of the following:

(i) Provide to the board of elections proof of the individual's identity in the form of a current and valid photo identification, a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of voter registration mailed by a board of elections under [section 3503.19 of the Revised Code](#), that shows the individual's name and current address;

(ii) Provide to the board of elections the last four digits of the individual's social security number;

(iii) In the case of a provisional ballot executed pursuant to division (A)(12) of this section, execute an affirmation as permitted under division (A)(4) of [section 3505.18 of the Revised Code](#).

(b) For a provisional ballot cast pursuant to division (A)(7) of this section to be eligible to be counted, the individual who cast that ballot, within ten days after the day of that election, shall provide to the board of elections any identification or other documentation required to be provided by the applicable challenge questions asked of that individual under [section 3505.20 of the Revised Code](#).

(C) (1) If an individual declares that the individual is eligible to vote in a jurisdiction other than the jurisdiction in which the individual desires to vote, or if, upon review of the precinct voting location guide using the residential street address provided by the individual, an election official at the polling place at which the individual desires to vote determines that the individual is not eligible to vote in that jurisdiction, the election official shall direct the individual to the polling place for the jurisdiction in which the individual appears to be eligible to vote, explain that the individual may cast a provisional ballot at the current location but the ballot will not be counted if it is cast in the wrong precinct, and provide the telephone number of the board of elections in case the individual has additional questions.

(2) If the individual refuses to travel to the polling place for the correct jurisdiction or to the office of the board of elections to cast a ballot, the individual shall be permitted to vote a provisional ballot at that jurisdiction in accordance with division (B) of this section. If any of the following apply, the provisional ballot cast by that individual shall not be opened or counted:

(a) The individual is not properly registered in that jurisdiction.

(b) The individual is not eligible to vote in that election in that jurisdiction.

(c) The individual's eligibility to vote in that jurisdiction in that election cannot be established upon examination of the records on file with the board of elections.

(D) The appropriate local election official shall **cause voting information to be publicly posted at each polling place on the day of each election.**

(E) As used in this section and [sections 3505.182](#) and [3505.183 of the Revised Code](#):

(1) "Jurisdiction" means the precinct in which a person is a legally qualified elector.

(2) "Precinct voting location guide" means either of the following:

(a) An electronic or paper record that lists the correct jurisdiction and polling place for either each specific residential street address in the county or the range of residential street addresses located in each neighborhood block in the county;

(b) Any other method that a board of elections creates that allows a precinct election official or any elector who is at a polling place in that county to determine the correct jurisdiction and polling place of any qualified elector who resides in the county.

(3) **"Voting information" means all of the following:**

(a) A sample version of the ballot that will be used for that election;

(b) Information regarding the date of the election and the hours during which polling places will be open;

(c) Instructions on how to vote, including how to cast a vote and how to cast a provisional ballot;

(d) Instructions for mail-in registrants and first-time voters under applicable federal and state laws;

(e) General information on voting rights under applicable federal and state laws, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated;

(f) General information on federal and state laws regarding prohibitions against acts of fraud and misrepresentation.

(F) Nothing in this section or [section 3505.183 of the Revised Code](#) is in derogation of [section 3505.24 of the Revised Code](#), which permits a blind, disabled, or illiterate elector to receive assistance in the marking of the elector's ballot by two precinct election officials of different political parties. A blind, disabled, or illiterate elector may receive assistance in marking that elector's provisional ballot and in completing the required affirmation in the same manner as an elector may receive assistance on the day of an election under that section.

ORC Ann. 3505.062 (2013)

§ 3519.07. Posting of information on secretary of state's web site

(A) The secretary of state shall post each of the following on the web site of the office of the secretary of state:

(1) The full text of each state law or constitutional amendment proposed by initiative petition that has been approved for the ballot;

(2) The certified summary of each state law or constitutional amendment proposed by initiative petition that has been approved for the ballot;

(3) The ballot language of each state law or constitutional amendment proposed by initiative petition;

(4) The arguments or explanations in favor of or against each state law or constitutional amendment proposed by initiative petition that has been approved for the ballot.

(B) When publishing or posting on the web site of the office of the secretary of state arguments or explanations in favor of or against any state law or constitutional amendment proposed by initiative petition that has been approved for the ballot, the secretary of state shall include the names of the persons who prepared the argument or explanation. The names of the persons shall not be considered part of the argument or explanation for purposes of the prohibition against arguments and explanations exceeding three hundred words under section 3519.03 of the Revised Code.

Oklahoma

OKLAHOMA STATUTES, ANNOTATED BY LEXISNEXIS (R)

TITLE 26. ELECTIONS
CHAPTER A1. ELECTION CODE
ARTICLE VI. BALLOTS**26 Okl. St. § 6-117 (2013)**

§ 6-117. Sample ballots

Sample ballots for all elections conducted by any county election board shall be prepared as prescribed by the Secretary of the State Election Board and the words "**Sample** Ballot" shall be printed on the face of the ballot. **Sample** ballots shall be printed in a sufficient number to be used at each precinct polling place and as otherwise provided by law.

Oklahoma Administrative Code
O.A.C. § 230:25-15-1 (2012)

Oklahoma Adm. Code 230:25-15-1 Sample ballots

Sample ballots shall be exact duplicates of the absentee ballots. [26:6-117] **Sample** ballots shall be printed with a diagonal line drawn through both security codes. The words "**SAMPLE** BALLOT" shall be printed in letters at least one-half inch high across the face of the ballot. [26:6-117] **A minimum of three sample** ballots shall be printed for each precinct, and a sufficient quantity shall be printed for purposes of voter information.

Oregon

OREGON REVISED STATUTES

TITLE 23 ELECTIONS

Chapter 251 - Voters' Pamphlet
STATE VOTERS' PAMPHLET GENERALLY**ORS § 251.026 (2011)****§ 251.026 Statements and information included in voters' pamphlets.**

(1) The Secretary of State shall prepare and have printed in the voters' pamphlet for the state primary election, the general election and any special election described in ORS 251.022 a statement containing, if applicable:

- (a) Requirements for a citizen to qualify as an elector.
- (b) When an elector is required to register or update a registration.
- (c) In the voters' pamphlet for the primary election, a statement of the duties and responsibilities of a precinct committeeperson to be elected at the primary election.
- (d) Any other information the Secretary of State considers relevant to the conduct of the election.

(2) The Secretary of State shall include a statement on the cover of the voters' pamphlet that the pamphlet may be used to assist electors in voting.

(3) The Secretary of State may include in the voters' pamphlet the following information:

- (a) Maps showing the boundaries of senatorial and representative districts.
- (b) Voter registration forms.
- (c) Elector instructions, including the right of an elector to request a second ballot if the first ballot is spoiled and the right of an elector to seek assistance in marking the ballot.

RS § 251.095 (2012)

Legislative Alert: [LEXSEE 2013 Ore. ALS 518](#) -- See section 2.

§ 251.095 Candidate space in voters' pamphlet; fee or petition; use of space; rules.

(1) For space in the voters' pamphlet:

(a) Each candidate for nomination or election to the office of President or Vice President of the United States shall, at the time materials are filed under [ORS 251.065](#), pay a fee of \$ 3,500 to the Secretary of State or may submit a petition in a form prescribed by the secretary containing the signatures of 500 active electors of the state.

(b) Each candidate for nomination or election to the office of United States Senator or any state office to be voted for in the state at large shall, at the time materials are filed under [ORS 251.065](#), pay a fee of \$ 3,000 to the Secretary of State or may submit a petition in a form prescribed by the secretary containing the signatures of 500 active electors of the state.

(c) Each candidate for nomination or election to the office of Representative in Congress shall, at the time materials are filed under [ORS 251.065](#), pay a fee of \$ 2,500 to the Secretary of State or may submit a petition in a form prescribed by the secretary containing the signatures of 300 active electors of the candidate's electoral district.

(d) Each candidate for nomination or election to the office of state Senator or state Representative shall, at the time materials are filed under [ORS 251.065](#), pay a fee of \$ 750 to the Secretary of State or may submit a petition in a form prescribed by the secretary containing the signatures of 200 active electors of the candidate's electoral district.

(e) Each candidate for nomination or election to any other office shall, at the time materials are filed under [ORS 251.065](#), pay a fee of \$ 600 to the Secretary of State or may submit a petition in a form prescribed by the secretary containing the signatures of 200 active electors of the candidate's electoral district.

(2) The signatures on a petition submitted under subsection (1) of this section shall be certified by the county clerk in the manner provided in [ORS 249.008](#) or by the Secretary of State. The petition shall be filed with the Secretary of State.

(3) The space allotted to each candidate shall be used for materials filed under [ORS 251.065](#), including the portrait and statement of reasons the candidate should be nominated or elected and the information required under [ORS 251.085](#). If a portrait is not filed, the statement may cover the entire allotted space. The length of the statement shall not exceed 325 words. All candidates shall be allowed the same amount of space. The Secretary of State by rule shall prescribe the size of the space allotted to each candidate, except that the space may not be smaller than 30 square inches.

ORS § 251.175 (2011)

§ 251.175 Distribution of pamphlet; rules for nonstatewide special elections.

(1) Except as provided in subsection (2) of this section, **not later than the 20th day before a primary election, general election or special election for which a voters' pamphlet has been prepared, the Secretary of State shall cause the voters' pamphlet to be mailed to each post-office mailing address in Oregon**, and shall use any additional means of distribution necessary to make the pamphlet available to electors.

(2) For any special election described in [ORS 251.022](#) that is not held statewide, or for any other state special election that is not held statewide, the Secretary of State by rule may prescribe methods for distributing the voters' pamphlet prepared for the election. The rule shall require the secretary to mail the pamphlet to at least each elector whose registration is determined to be active on the 21st day before the date of the election and who is eligible to vote in the election. The rule may specify other methods of distribution. Voters' pamphlets prepared for the election shall be mailed not later than the date ballots are mailed to electors as provided in [ORS 254.470](#).

ORS § 254.195 (2011)

Legislative Alert:

[LEXSEE 2013 Ore. ALS 617](#) -- See section 1.

§ 254.195 Ballot specifications.

- (1) Official ballots shall be printed in black ink upon good quality material. The primary election ballots shall be of different colors for the major political parties.
- (2) The governing body of a city, county or district may mail sample ballots to all electors within the city, county or district to assist the electors' preparation for voting.

ORS § 254.465 (2011)

§ 254.465 Elections to be conducted by mail; rules.

- (1) County clerks shall conduct all elections in this state by mail.
- (2) The Secretary of State shall adopt rules to:
 - (a) Provide for uniformity in the conduct of state elections by mail; and
 - (b) Govern the procedures for conducting elections by mail.

Pennsylvania

PENNSYLVANIA STATUTES
 TITLE 25. ELECTIONS & ELECTORAL DISTRICTS
 CHAPTER 14. ELECTION CODE
 ARTICLE II. THE SECRETARY OF THE COMMONWEALTH

25 P.S. § 2621.1 (2013)

§ 2621.1. Explanation of ballot question

Whenever a proposed constitutional amendment or other State-wide ballot question shall be submitted to the electors of the Commonwealth in referendum, the Attorney General shall prepare a statement in plain English which indicates the purpose, limitations and effects of the ballot question on the people of the Commonwealth. The Secretary of the Commonwealth shall include such statement in his publication of a proposed constitutional amendment as required by Article XI of the Constitution of Pennsylvania. The Secretary of the Commonwealth shall certify such statement to the county boards of elections who shall publish such statement as a part of the notice of elections required by section 1201 or any other provision of this act. The county board of elections shall also require that at least three copies of such statement be posted in or about the voting room outside the enclosed space with the specimen ballots and other instructions and notices of penalties. In election questions which affect only one county or portion thereof, the county board of elections shall fulfill these requirements in the place of the Attorney General and the Secretary of the Commonwealth.

25 P.S. § 2967 (2013)

§ 2967. Number of ballots to be printed; specimen ballots

The county board of each county shall provide for each election district in which a primary is to be held, one book of fifty official ballots of each party for every forty-five registered and enrolled electors of such party and fraction thereof, appearing upon the district register, and shall provide for each election district in which an election is to be held one book of fifty official ballots for every forty-five registered electors and fraction thereof appearing upon the district register. They shall also, in addition to the number of ballots required to be printed for general distribution, maintain a sufficient supply of such ballots at the office of the county board for the use of absentee electors and for the use of any district, the ballots for which may be lost, destroyed or stolen. They shall also cause to be printed on tinted paper, and without the facsimile endorsements, permanent binding or stubs, copies of the form of ballots provided for each polling place at each primary or election therein, which shall be called specimen ballots, and which shall be of the same size and form as the official ballots, and at each election they shall deliver to the election officers, in addition to the official ballots to be used at such election, a suitable supply of specimen ballots for the use of the electors. At each primary, a suitable supply of specimen ballots of each party shall be furnished.

25 P.S. § 2968 (2013)**§ 2968. Forms of ballots on file and open to public inspection; ballots and diagrams to be furnished to candidates and parties**

(a) The county board of elections shall have on file in its office, on and after the Thursday preceding each primary and election, **open to public inspection, forms of the ballots and ballot labels**, with the names and such statements and notations as may be required by the provisions of this act, printed thereon, which shall be used in each election district within the county.

(b) On the Thursday preceding each primary, the county board shall, upon request made at their office, there deliver to each candidate whose name is printed on the ballot of any party, or to his authorized representative, without charge, three **specimen** ballots of such party for the entire district in which such candidate is to be voted for, and the candidate may, at his own expense, have printed on different colored paper as many copies as he requires for conducting his campaign.

(c) On the Thursday preceding each November election, the county board shall, upon request made at their office, there deliver to the county chairman or other authorized representative of each political party and political body in the county, without charge, two **specimen** ballots or diagrams for each election district within the county in which candidates of such party or political body are to be voted for, and such political party or political body may, at its own expense, have printed on different colored paper as many copies as it requires for conducting its campaign.

Rhode Island

General Laws of Rhode Island
TITLE 17. ELECTIONS
CHAPTER 5. STATEWIDE REFERENDA ELECTIONS

R.I. Gen. Laws § 17-5-3 (2012)

§ 17-5-3. Publication of questions to be submitted to voters

(a) Prior to each general election at which public questions are to be submitted, the secretary of state shall cause to be printed and shall send one copy of the full text of each legislative act to be acted upon and applicable to the state at large, or the secretary of state may substitute a description of the text of each act in lieu of the full text, to each residential unit in Rhode Island together with the following information:

- (1) The designated number of the question;
- (2) A brief caption of the question;
- (3) A brief explanation of the measure that is the subject matter of the question; and

(4) A notice that voter fraud is a felony and the penalty for voter fraud. This notice shall be in conspicuous lettering and shall contain the following language: "You must be registered to vote from your actual place of residence."

(b) If the public question involves the issuance of bonds or other evidence of indebtedness or any other long term financial obligation such as a lease, the notice required by subsection (a) of this section shall also include at least the following information to be provided by the agency or department for which the bonds or other evidence of indebtedness or any other long term financial obligation is intended:

- (1) The estimated total cost of the project or program, including financing (using a reasonable assumed rate of interest), legal, and other costs.
- (2) The estimated useful life of the project, and the term of the bonds, other indebtedness, or other obligation.
- (3) A reasonably detailed description of the project or program, its purposes, and a project timetable.

R.I. Gen. Laws § 17-19-10 (2012)

§ 17-19-10. Sample ballots -- Contents – Distribution

The secretary of state shall prepare a sample ballot, which shall be a copy of the computer ballot to be used. The sample ballot shall clearly and briefly explain and illustrate the manner of casting a vote, of voting a straight party ticket, of voting for candidates individually, and of voting upon questions. **The secretary of state shall furnish a reasonable supply of sample ballots to the state board of elections, for public distribution upon request; and no fewer than three (3) of the sample ballots shall be furnished for each voting place.**

R.I. Gen. Laws § 17-19-17 (2012)

**§ 17-19-17. Custody of optical scan precinct count units and voting booths -- Duties of local boards -
- Posting of sample ballots**

Each local board shall be responsible for safeguarding the optical scan precinct count units and voting booths delivered to it, and shall properly and safely locate the optical scan precinct count units in the polling places where they are to be used. The local board shall also be responsible for the storage of all voting booths assigned to them, and shall cause the voting booths to be delivered and picked up at the polling places in which they are to be used. The local board shall cause the keys of the voting equipment to be delivered to the warden of the elective meeting at which optical scan precinct count units are to be used at least half an hour before the opening of the polls. The key or keys of each optical scan precinct count unit shall be placed in a sealed envelope upon which shall be written or printed the number and location of the optical scan precinct count unit, and any other information or certification required pursuant to regulations promulgated by the state board of elections. The envelope shall be opened by the warden in the presence of the other election officers. The custody of the voting equipment shall remain with the local board up to the time of the delivery of the keys to the warden, and the local board shall be held fully responsible for any damage or injury to any voting equipment while it is in its custody, and for the failure to have voting equipment ready for use at the time of the opening of the polls. **The local board shall cause the sample ballots to be posted in a conspicuous place in each polling place, outside the guard rail.**

South Carolina

SOUTH CAROLINA CODE OF LAWS ANNOTATED BY LEXISNEXIS(R)

TITLE 7. ELECTIONS
CHAPTER 13. CONDUCT OF ELECTIONS
ARTICLE 13. VOTE RECORDERS**S.C. Code Ann. § 7-13-1400 (2012)****§ 7-13-1400. Delivery of vote recorders; duties of officials at polling places.**

(a) The county election officials shall deliver the proper vote recorder or vote recorders, properly furnished with ballot labels, to the polling places at least one hour before the time set for opening the polls at each election, and shall cause each vote recorder to be set up in the proper manner for use in voting. Such election officials shall place each vote recorder in a voting booth so that the ballot labels on the recorder can be plainly seen by the poll officers when not being voted on.

(b) The county election officials shall provide ample protection against molestation of and injury to the vote recorder and, for that purpose, shall call upon any law-enforcement officer to furnish such assistance as may be necessary, and it shall be the duty of the law-enforcement officer to furnish such assistance when so requested by such officials.

(c) The poll manager shall furnish for each vote recorder at least one hour before the opening of the polls:

(1) Sufficient light to enable electors, while in the voting booth, to read the ballot labels and suitable for the use of poll officers in examining the vote recorder.

(2) Two sample ballots printed on a single sheet of white paper or a number of sheets stapled together which shall be a reasonable facsimile of the ballot labels to be used in the primary or election, and accompanied by directions for voting on the vote recorder; and such sample ballots shall be posted prominently outside the enclosed space within the polling place.

(3) A seal for sealing the vote recorder after the polls are closed and such other materials and supplies as may be necessary or as may be required by law or by rules and regulations of the State Election Commission.

S.C. Code Ann. § 7-13-1740 (2012)

§ 7-13-1740. Sample or instruction ballots.

The commissioners of election or other electoral board of any county, city or town in which voting machines are used shall provide for each voting precinct in which such machines are used two sample ballots or instruction ballots, which shall be arranged in the form of a diagram of the entire front of the voting machine as it will appear after the official ballots are arranged therein or thereon for voting on election day. Such sample ballots shall be open to public inspection at such polling place during the day of election.

S.C. Code Ann. § 7-13-2110 (2012)

§ 7-13-2110. Authorization of simplified or more detailed explanation of proposed constitutional amendments.

In addition to all other requirements of law and the Constitution of this State, when any proposed amendment to the Constitution is submitted to the electorate for approval or disapproval in the general election and the proposed amendment is of such nature that it might not be clearly understood by the voters, a simplified or, when appropriate, more detailed explanation of the meaning and effect of such amendment shall be placed upon the ballot along with the proposed amendment question. When mechanical devices for voting are used, printed copies of such explanation shall be made available at each voting precinct. The provisions of this section shall apply only to statewide amendments.

S.C. Code Ann. § 7-13-2120 (2012)

§ 7-13-2120. Constitutional Ballot Commission.

To establish an agency to determine whether or not a proposed constitutional amendment requires a simplified or more detailed explanation as provided for in § 7-13-2110, there is hereby created the Constitutional Ballot Commission composed of the Attorney General, the Director of the State Election Commission and the Director of the Legislative Council. Prior to the printing of ballots in each general election year in which proposed constitutional amendments are voted upon, the Commission shall meet at the call of the Attorney General and:

(1) Consider each proposed amendment and make a determination as to whether or not a simplified or more detailed explanation is necessary or appropriate; and

(2) In those cases where it is determined that an explanation is deemed necessary or appropriate, phrase such explanation and submit it to the State Election Commission under the signatures of at least a majority of the ballot commissioners. The Election Commission shall arrange for the placement of amendment explanations on ballots and make them available to the news media, upon request, at least ten days prior to the general election.

South Dakota

LexisNexis (R) South Dakota Statutes Annotated

TITLE 12. ELECTIONS
CHAPTER 12-16. **BALLOTS****S.D. Codified Laws § 12-16-15 (2013)**

§ 12-16-15.

The county auditor shall post **sample** ballots in a manner that can be plainly seen and read by the public.

S.D. Codified Laws § 12-16-17 (2013)

§ 12-16-17.

The county auditor shall provide official and **sample** ballots to each precinct in the county. The quantity provided for a primary election shall be at least ten percent more than the number of votes cast for the gubernatorial candidate of the respective parties in the preceding gubernatorial primary election. The quantity provided for a general election shall be at least ten percent more than the number of votes cast for all candidates for Governor as shown by the returns of the last preceding gubernatorial election. The county auditor shall also provide and retain in that office an ample supply of all official ballots, and if at any time before or during an election, an additional supply for any precinct shall be requested by the precinct superintendent, the county auditor shall immediately cause to be delivered, to the precinct superintendent, a supply of extra official ballots. If the supply of official ballots has been completely exhausted, the county auditor may make emergency substitution by delivering or authorizing the use of **sample** ballots or photocopies of the official ballot. The election board shall account for any **sample** ballots or photocopies authorized to be used.

TENNESSEE CODE ANNOTATED

Title 2 Elections

Chapter 5 **Ballots** and SuppliesPart 2 **Ballots** and Supplies**Tenn. Code Ann. § 2-7-111 (2013)****§ 2-7-111. Posting of sample ballots and instructions -- Arrangement of polling place -- Restrictions.**

(a) The officer of elections shall have the **sample ballots**, voting instructions, and other materials which are to be posted, **placed in conspicuous positions inside the polling place for the use of voters**. The officer shall measure off one hundred feet (100') from the entrances to the building in which the election is to be held and place boundary signs at that distance.

(b) (1) Within the appropriate boundary as established in subsection (a), and the building in which the polling place is located, the display of campaign posters, signs or other campaign materials, distribution of campaign materials, and solicitation of votes for or against any person, political party, or position on a question are prohibited. No campaign posters, signs or other campaign literature may be displayed on or in any building in which a polling place is located.

(2) Except in a county with a population of not less than eight hundred twenty-five thousand (825,000) nor more than eight hundred thirty thousand (830,000) according to the 1990 federal census or any subsequent federal census, a solicitation or collection for any cause is prohibited. This does not include the normal activities that may occur at such polling place such as a church, school, grocery, etc.

(3) Nothing in this section shall be construed to prohibit any person from wearing a button, cap, hat, pin, shirt, or other article of clothing outside the established boundary but on the property where the polling place is located.

(c) The officer of elections shall have each official wear a badge with that official's name and official title.

(d) With the exception of counties having a metropolitan form of government, any county having a population over six hundred thousand (600,000) according to the 1970 federal census or any subsequent federal census, and counties having a population of between two hundred fifty thousand (250,000) and two hundred sixty thousand (260,000) by the 1970 census, any county may, by private act, extend the one hundred foot (100') boundary provided in this section.

Texas

LexisNexis (R) Texas Annotated Statutes

ELECTION CODE
TITLE 6. CONDUCT OF ELECTIONS
CHAPTER 62. PRELIMINARY ARRANGEMENTS

Tex. Elec. Code § 62.012 (2013)

§ 62.012. Posting Sample Ballot

An election officer shall post a **sample** ballot in one or more locations in the polling place where it can be read by persons waiting to vote.

Tex. Elec. Code § 274.021 (2013)

§ 274.021. Notice of Proposed Amendment Required

Notice of each proposed constitutional amendment shall be published as required by the constitution in accordance with this subchapter.

Tex. Elec. Code § 274.022 (2013)

§ 274.022. Contract for Publication

(a) The secretary of state shall contract in writing for the publication of notice of a proposed constitutional amendment with:

(1) each eligible newspaper; **or**

(2) a statewide association of daily and weekly newspapers in this state.

(b) A contract with a statewide association must provide for publication in each eligible newspaper in this state.

(c) In this subchapter, "eligible newspaper" means a newspaper that meets the requirements prescribed by law for the publication of official notices of officers and departments of the state government.

(d) In this subchapter, "contractor" means a newspaper or statewide association with which the secretary of state contracts under this section.

Tex. Elec. Code § 278.006 (2013) [For Judicial Elections]

§ 278.006. Preparation of Guide

(a) The secretary of state may contract for the preparation of the voter information guide after soliciting bids for that work. The secretary may prepare the guide if the secretary determines that the costs of that preparation are less than or equal to the most reasonable bid submitted.

(b) The **voter information guide must include the candidates' statements** that comply with this chapter, with candidates for election and write-in candidates for election as separate groups. The order of the candidates' names within the groups is determined by a drawing conducted by the secretary of state.

(c) The secretary of state may prescribe appropriate explanatory material to be included in the voter information guide to assist the voters, including a statement that the guide may be used at the polls to assist the voters in marking their **ballots**.

UTAH CODE ANNOTATED

TITLE 11. CITIES, COUNTIES, AND LOCAL TAXING UNITS
 CHAPTER 14. LOCAL GOVERNMENT BONDING ACT
 PART 2. BOND ELECTIONS

Utah Code Ann. § 11-14-202 (2013)

 § 11-14-202. Notice of election -- Contents -- Publication -- Mailing

- (1) The governing body shall ensure that **notice of the election is provided:**
- (a) **once per week during three consecutive weeks by publication in a newspaper having general circulation** in the local political subdivision in accordance with Section 11-14-316, the first publication occurring not less than 21 nor more than 35 days before the election;
 - (b) **on a website**, if available, in accordance with Section 45-1-101 for the three weeks that immediately precede the election; **and**
 - (c) **in a local political subdivision where there is no newspaper of general circulation, by posting notice of the bond election in at least five public places in the local political subdivision at least 21 days before the election.**
- (2) When the debt service on the bonds to be issued will increase the property tax imposed upon the average value of a residence by an amount that is greater than or equal to \$ 15 per year, the governing body shall prepare and mail either a voter information pamphlet or a notification described in Subsection (6):
- (a) at least 15 days but not more than 45 days before the bond election;
 - (b) to each household containing a registered voter who is eligible to vote on the bonds; and
 - (c) that includes the information required by Subsections (3) and (4).
- (3) The notice and voter information pamphlet required by this section shall include:
- (a) the date and place of the election;
 - (b) the hours during which the polls will be open; and
 - (c) the title and text of the ballot proposition.
- (4) The **voter information pamphlet required by this section shall include:**
- (a) the information required by Subsection (3); and
 - (b) an explanation of the property tax impact, if any, of the issuance of the bonds, which may be based on information the governing body determines to be useful, including:
 - (i) expected debt service on the bonds to be issued;
 - (ii) a description of the purpose, remaining principal balance, and maturity date of any outstanding general obligation bonds of the issuer;
 - (iii) funds other than property taxes available to pay debt service on general obligation bonds;

- (iv) timing of expenditures of bond proceeds;
 - (v) property values; and
 - (vi) any additional information that the governing body determines may be useful to explain the property tax impact of issuance of the bonds.
- (5) The governing body shall pay the costs associated with the notice required by this section.
- (6) (a) The governing body may mail a notice printed on a postage prepaid, preaddressed return form that a person may use to request delivery of a voter information pamphlet by mail.
- (b) The notice described in Subsection (6)(a) shall include:
- (i) the website upon which the voter information pamphlet is available; and
 - (ii) the phone number a **voter may call to request delivery of a voter information pamphlet by mail.**

TITLE 20A. ELECTION CODE
CHAPTER 5. ELECTION ADMINISTRATION
PART 1. ELECTION NOTICES AND INSTRUCTIONS

Utah Code Ann. § 20A-5-102 (2013)

§ 20A-5-102. Voting instructions

- (1) Each election officer shall:
- (a) print instruction cards for voters;
 - (b) ensure that the cards are printed in English in large clear type; and
 - (c) ensure that the cards instruct voters:
 - (i) about how to obtain ballots for voting;
 - (ii) about special political party affiliation requirements for voting in the Western States Presidential Primary or in a regular primary election;
 - (iii) about how to prepare ballots for deposit in the ballot box;
 - (iv) about how to record write-in votes;
 - (v) about how to obtain a new ballot in the place of one spoiled by accident or mistake;
 - (vi) about how to obtain assistance in marking ballots;
 - (vii) about obtaining a new ballot if the voter's ballot is defaced;
 - (viii) that identification marks or the spoiling or defacing of a ballot will make it invalid;
 - (ix) about how to obtain and vote a provisional ballot;
 - (x) about whom to contact to report election fraud;
 - (xi) about applicable federal and state laws regarding:
 - (A) voting rights and the appropriate official to contact if the voter alleges his rights have been violated; and
 - (B) prohibitions on acts of fraud and misrepresentation;
 - (xii) about procedures governing mail-in registrants and first-time voters; and
 - (xiii) about the date of the election and the hours that the polls are open on election day.
- (2) Each election officer shall:

- (a) provide the election judges of each voting precinct with sufficient instruction cards to instruct voters in the preparation of their ballots;
- (b) direct the election judges to post:
 - (i) general voting instructions in each voting booth; and
 - (ii) at least three instruction cards and at least one sample ballot elsewhere in and about the polling place.

Utah Code Ann. § 20A-5-405 (2013)

§ 20A-5-405. Election officer to provide ballots

(1) In jurisdictions using paper ballots, each election officer shall:

- (a) provide printed official paper ballots and absentee ballots for every election of public officers in which the voters, or any of the voters, within the election officer's jurisdiction participate;
- (b) cause the name of every candidate whose nomination has been certified to or filed with the election officer in the manner provided by law to be printed on each official paper ballot and absentee ballot;
- (c) cause any ballot proposition that has qualified for the ballot as provided by law to be printed on each official paper ballot and absentee ballot;
- (d) ensure that the official paper ballots are printed and in the possession of the election officer before commencement of voting;
- (e) ensure that the absentee ballots are printed and in the possession of the election officer with sufficient time before commencement of voting;
- (f) cause any ballot proposition that has qualified for the ballot as provided by law to be printed on each official paper ballot and absentee ballot;
- (g) allow candidates and their agents and the sponsors of ballot propositions that have qualified for the official ballot to inspect the official paper ballots and absentee ballots;
- (h) cause sample ballots to be printed that are in the same form as official paper ballots and that contain the same information as official paper ballots but that are printed on different colored paper than official paper ballots;
- (i) ensure that the sample ballots are printed and in the possession of the election officer at least seven days before commencement of voting;
- (j) make the sample ballots available for public inspection by:
 - (i) posting a copy of the sample ballot in his office at least seven days before commencement of voting;
 - (ii) mailing a copy of the sample ballot to:
 - (A) each candidate listed on the ballot; and
 - (B) the lieutenant governor; and
 - (iii) publishing a copy of the sample ballot immediately before the election:
 - (A) in at least one newspaper of general circulation in the jurisdiction holding the election; and
 - (B) as required in Section 45-1-101;

(k) deliver at least five copies of the sample ballot to poll workers for each polling place and direct them to post the sample ballots as required by Section 20A-5-102; and

(l) print and deliver, at the expense of the jurisdiction conducting the election, enough official paper ballots, absentee ballots, sample ballots, and instruction cards to meet the voting demands of the qualified voters in each voting precinct.

(2) In jurisdictions using a punch card ballot, each election officer shall:

(a) provide official ballot sheets, absentee ballot sheets, and printed official ballot labels for every election of public officers in which the voters, or any of the voters, within the election officer's jurisdiction participate;

(b) cause the name of every candidate who filed with the election officer in the manner provided by law or whose nomination has been certified to the election officer to be printed on each official ballot label;

(c) cause each ballot proposition that has qualified for the ballot as provided by law to be printed on each official ballot label;

(d) ensure that the official ballot labels are printed and in the possession of the election officer before the commencement of voting;

(e) ensure that the absentee ballots are printed and in the possession of the election officer with sufficient time before commencement of voting;

(f) cause any ballot proposition that has qualified for the ballot as provided by law to be printed on each official ballot label and absentee ballot;

(g) allow candidates and their agents and the sponsors of ballot propositions that have qualified for the official sample ballot to inspect the official sample ballot;

(h) cause sample ballots to be printed that contain the same information as official ballot labels but that are distinguishable from official ballot labels;

(i) ensure that the sample ballots are printed and in the possession of the election officer at least seven days before commencement of voting;

(j) make the sample ballots available for public inspection by:

(i) posting a copy of the sample ballot in his office at least seven days before commencement of voting;

(ii) mailing a copy of the sample ballot to:

(A) each candidate listed on the ballot; and

(B) the lieutenant governor; and

(iii) publishing a copy of the sample ballot immediately before the election:

(A) in at least one newspaper of general circulation in the jurisdiction holding the election; and

(B) as required in Section 45-1-101;

(k) deliver at least five copies of the sample ballot to poll workers for each polling place and direct them to post the sample ballots as required by Section 20A-5-102; and

(l) print and deliver official ballot sheets, official ballot labels, sample ballots, and instruction cards at the expense of the jurisdiction conducting the election.

(3) In jurisdictions using a ballot sheet other than a punch card, each election officer shall:

(a) provide official ballot sheets and absentee ballot sheets for every election of public officers in which the voters, or any of the voters, within the election officer's jurisdiction participate;

(b) cause the name of every candidate who filed with the election officer in the manner provided by law or whose nomination has been certified to or filed with the election officer to be printed on each official ballot and absentee ballot;

(c) cause each ballot proposition that has qualified for the ballot as provided by law to be printed on each official ballot and absentee ballot;

(d) ensure that the official ballots are printed and in the possession of the election officer before commencement of voting;

(e) ensure that the absentee ballots are printed and in the possession of the election officer with sufficient time before commencement of voting;

(f) cause any ballot proposition that has qualified for the ballot as provided by law to be printed on each official ballot and absentee ballot;

(g) allow candidates and their agents and the sponsors of ballot propositions that have qualified for the official sample ballot to inspect the official sample ballot;

(h) cause sample ballots to be printed that contain the same information as official ballots but that are distinguishable from the official ballots;

(i) ensure that the sample ballots are printed and in the possession of the election officer at least seven days before commencement of voting;

(j) **make the sample ballots available for public inspection by:**

(i) **posting a copy of the sample ballot in the election officer's office at least seven days before commencement of voting;**

(ii) mailing a copy of the sample ballot to:

(A) each candidate listed on the ballot; and

(B) the lieutenant governor; and

(iii) **publishing a copy of the sample ballot immediately before the election:**

(A) **in at least one newspaper of general circulation in the jurisdiction holding the election; and**

(B) **as required in Section 45-1-101;**

(k) **deliver at least five copies of the sample ballot to poll workers for each polling place and direct them to post the sample ballots as required by Section 20A-5-102;** and

(l) print and deliver, at the expense of the jurisdiction conducting the election, enough official ballots, absentee ballots, sample ballots, and instruction cards to meet the voting demands of the qualified voters in each voting precinct.

(4) In jurisdictions using electronic ballots, each election officer shall:

(a) provide official ballots for every election of public officers in which the voters, or any of the voters, within the election officer's jurisdiction participate;

(b) cause the name of every candidate who filed with the election officer in the manner provided by law or whose nomination has been certified to the election officer to be displayed on each official ballot;

(c) cause each ballot proposition that has qualified for the ballot as provided by law to be displayed on each official ballot;

(d) ensure that the official ballots are prepared and in the possession of the election officer before commencement of voting;

(e) ensure that the absentee ballots are prepared and in the possession of the election officer with sufficient time before commencement of voting;

(f) cause any ballot proposition that has qualified for the ballot as provided by law to be printed on each official ballot and absentee ballot;

(g) allow candidates and their agents and the sponsors of ballot propositions that have qualified for the official sample ballot to inspect the official sample ballot;

(h) cause sample ballots to be printed that contain the same information as official ballots but that are distinguishable from official ballots;

(i) ensure that the sample ballots are printed and in the possession of the election officer at least seven days before commencement of voting;

(j) make the sample ballots available for public inspection by:

(i) posting a copy of the sample ballot in the election officer's office at least seven days before commencement of voting;

(ii) mailing a copy of the sample ballot to:

(A) each candidate listed on the ballot; and

(B) the lieutenant governor; and

(iii) publishing a copy of the sample ballot immediately before the election:

(A) in at least one newspaper of general circulation in the jurisdiction holding the election; and

(B) as required in Section 45-1-101;

(k) deliver at least five copies of the sample ballot to poll workers for each polling place and direct them to post the sample ballots as required by Section 20A-5-102; and

(l) prepare and deliver official ballots, sample ballots, and instruction cards at the expense of the jurisdiction conducting the election.

(5) (a) Each election officer shall, without delay, correct any error discovered in any official paper ballot, ballot label, ballot sheet, electronic ballot, or sample ballot, if the correction can be made without interfering with the timely distribution of the paper ballots, ballot labels, ballot sheets, or electronic ballots.

(b) (i) If the election officer discovers an error or omission in a paper ballot, ballot label, or ballot sheet, and it is not possible to correct the error or omission by reprinting the paper ballots, ballot labels, or ballot sheets, the election officer shall direct the poll workers to make the necessary corrections on the official paper ballots, ballot labels, or ballot sheets before they are distributed at the polls.

(ii) If the election officer discovers an error or omission in an electronic ballot and it is not possible to correct the error or omission by revising the electronic ballot, the election officer shall direct the poll workers to post notice of each error or omission with instructions on how to correct each error or omission in a prominent position at each polling booth.

(c) (i) If the election officer refuses or fails to correct an error or omission in the paper ballots, ballot labels, ballot sheets, or electronic ballots, a candidate or a candidate's agent may file a verified petition with the district court asserting that:

(A) an error or omission has occurred in:

(I) the publication of the name or description of a candidate;

(II) the preparation or display of an electronic ballot; or

(III) in the printing of sample or official paper ballots, ballot labels, or ballot sheets; and

(B) the election officer has failed to correct or provide for the correction of the error or omission.

(ii) The district court shall issue an order requiring correction of any error in a paper ballot, ballot label, ballot sheet, or electronic ballot or an order to show cause why the error should not be corrected if it appears to the court that the error or omission has occurred and the election officer has failed to correct it or failed to provide for its correction.

(iii) A party aggrieved by the district court's decision may appeal the matter to the Utah Supreme Court within five days after the decision of the district court.

Utah Code Ann. § 20A-7-701 (2013)

§ 20A-7-701. Voter information pamphlet to be prepared

(1) The lieutenant governor shall cause to be printed a voter information pamphlet designed to inform the voters of the state of the content, effect, operation, fiscal impact, and the supporting and opposing arguments of any measure submitted to the voters by the Legislature or by a statewide initiative or referendum petition.

(2) The pamphlet shall also include a separate section prepared, analyzed, and submitted by the Judicial Council describing the judicial selection and retention process.

(3) The lieutenant governor shall cause to be printed as many voter information pamphlets as needed to comply with the provisions of this chapter.

(4) Voter information pamphlets prepared in association with a local initiative or a local referendum shall be prepared in accordance with the procedures and requirements of [Section 20A-7-402](#).

Utah Code Ann. § 20A-7-702 (2013)

§ 20A-7-702. Voter information pamphlet -- Form -- Contents -- Distribution

(1) The lieutenant governor shall ensure that all information submitted for publication in the voter information pamphlet is:

(a) printed and bound in a single pamphlet;

(b) printed in clear readable type, no less than 10 point, except that the text of any measure may be set forth in eight-point type; and

(c) printed on a quality and weight of paper that best serves the voters.

(2) The voter information pamphlet shall contain the following items in this order:

(a) a cover title page;

(b) an introduction to the pamphlet by the lieutenant governor;

(c) a table of contents;

(d) a list of all candidates for constitutional offices;

(e) a list of candidates for each legislative district;

(f) a 100-word statement of qualifications for each candidate for the office of governor, lieutenant governor, attorney general, state auditor, or state treasurer, if submitted by the candidate to the lieutenant governor's office before 5 p.m. on the date that falls 105 days before the date of the election;

(g) information pertaining to all measures to be submitted to the voters, beginning a new page for each measure and containing, in the following order for each measure:

(i) a copy of the number and ballot title of the measure;

(ii) the final vote cast by the Legislature on the measure if it is a measure submitted by the Legislature or by referendum;

(iii) the impartial analysis of the measure prepared by the Office of Legislative Research and General Counsel;

(iv) the arguments in favor of the measure, the rebuttal to the arguments in favor of the measure, the arguments against the measure, and the rebuttal to the arguments against the measure, with the name and title of the authors at the end of each argument or rebuttal;

(v) for each constitutional amendment, a complete copy of the text of the constitutional amendment, with all new language underlined, and all deleted language placed within brackets;

(vi) for each initiative qualified for the ballot, a copy of the measure as certified by the lieutenant governor and a copy of the fiscal impact estimate prepared according to Section 20A-7-202.5; and

(vii) for each referendum qualified for the ballot, a complete copy of the text of the law being submitted to the voters for their approval or rejection, with all new language underlined and all deleted language placed within brackets, as applicable;

(h) a description provided by the Judicial Performance Evaluation Commission of the selection and retention process for judges, including, in the following order:

(i) a description of the judicial selection process;

(ii) a description of the judicial performance evaluation process;

- (iii) a description of the judicial retention election process;
- (iv) a list of the criteria of the judicial performance evaluation and the minimum performance standards;
- (v) the names of the judges standing for retention election; and
- (vi) for each judge:
 - (A) a list of the counties in which the judge is subject to retention election;
 - (B) a short biography of professional qualifications and a recent photograph;
 - (C) a narrative concerning the judge's performance;
 - (D) for each standard of performance, a statement identifying whether or not the judge met the standard and, if not, the manner in which the judge failed to meet the standard;
 - (E) a statement identifying whether or not the Judicial Performance Evaluation Commission recommends the judge be retained or declines to make a recommendation and the number of votes for and against the commission's recommendation;
 - (F) any statement provided by a judge who is not recommended for retention by the Judicial Performance Evaluation Commission under Section 78A-12-203;
 - (G) in a bar graph, the average of responses to each survey category, displayed with an identification of the minimum acceptable score as set by Section 78A-12-205 and the average score of all judges of the same court level; and
 - (H) a website address that contains the Judicial Performance Evaluation Commission's report on the judge's performance evaluation;
 - (i) for each judge, a statement provided by the Utah Supreme Court identifying the cumulative number of informal reprimands, when consented to by the judge in accordance with Title 78A, Chapter 11, Judicial Conduct Commission, formal reprimands, and all orders of censure and suspension issued by the Utah Supreme Court under Utah Constitution Article VIII, Section 13, during the judge's current term and the immediately preceding term, and a detailed summary of the supporting reasons for each violation of the Code of Judicial Conduct that the judge has received;
 - (j) an explanation of ballot marking procedures prepared by the lieutenant governor, indicating the ballot marking procedure used by each county and explaining how to mark the ballot for each procedure;
 - (k) voter registration information, including information on how to obtain an absentee ballot;
 - (l) a list of all county clerks' offices and phone numbers; and
 - (m) on the back cover page, a printed copy of the following statement signed by the lieutenant governor:

"I, (print name), Lieutenant Governor of Utah, certify that the measures contained in this pamphlet will be submitted to the voters of Utah at the election to be held throughout the state on (date of election), and that this pamphlet is complete and correct according to law. SEAL

Witness my hand and the Great Seal of the State, at Salt Lake City, Utah this day of (month),
(year)

(signed)

Lieutenant Governor"

(3) No earlier than 75 days, and no later than 15 days, before the day on which voting commences, the lieutenant governor shall:

(a) (i) distribute one copy of the voter information pamphlet to each household within the state;

(ii) distribute to each household within the state a notice:

(A) printed on a postage prepaid, preaddressed return form that a person may use to request delivery of a voter information pamphlet by mail;

(B) that states the address of the Statewide Electronic Voter Information Website authorized by Section 20A-7-801; and

(C) that states the phone number a voter may call to request delivery of a voter information pamphlet by mail; or

(iii) ensure that one copy of the voter information pamphlet is placed in one issue of every newspaper of general circulation in the state;

(b) ensure that a sufficient number of printed voter information pamphlets are available for distribution as required by this section;

(c) provide voter information pamphlets to each county clerk for free distribution upon request and for placement at polling places; and

(d) ensure that the distribution of the voter information pamphlets is completed 15 days before the election.

(4) The lieutenant governor may distribute a voter information pamphlet at a location frequented by a person who cannot easily access the Statewide Electronic Voter Information Website authorized by Section 20A-7-801.

(5) The lieutenant governor shall:

(a) conduct a study to evaluate the effectiveness of the notice authorized by this section; and

(b) provide the results of a study described in Subsection (5)(a) to the Government Operations Interim Committee by October 1, 2013.

Utah Code Ann. § 20A-7-801 (2013)

§ 20A-7-801. Statewide Electronic Voter Information Website Program -- Duties of the lieutenant governor -- Content -- Duties of local election officials -- Deadlines -- Frequently asked voter questions -- Other elections

(1) There is established the Statewide Electronic Voter Information Website Program administered by the lieutenant governor in cooperation with the county clerks for general elections and municipal authorities for municipal elections.

(2) In accordance with this section, and as resources become available, the lieutenant governor, in cooperation with county clerks, shall develop, establish, and maintain a state-provided Internet website designed to help inform the voters of the state of:

(a) the offices and candidates up for election; and

(b) the content, effect, operation, fiscal impact, and supporting and opposing arguments of ballot propositions submitted to the voters.

(3) Except as provided under Subsection (6), the website shall include:

(a) all information currently provided in the Utah voter information pamphlet under Title 20A, Chapter 7, Part 7, Voter Information Pamphlet, including a section prepared, analyzed, and submitted by the Judicial Council describing the judicial selection and retention process;

(b) all information submitted by election officers under Subsection (4) on local office races, local office candidates, and local ballot propositions;

(c) a list that contains the name of a political subdivision that operates an election day voting center under Section 20A-3-703 and the location of the election day voting center;

(d) other information determined appropriate by the lieutenant governor that is currently being provided by law, rule, or ordinance in relation to candidates and ballot questions; and

(e) any differences in voting method, time, or location designated by the lieutenant governor under Subsection 20A-1-308(2).

(4) (a) An election official shall submit the following information for each ballot label under the election official's direct responsibility under this title:

(i) a list of all candidates for each office;

(ii) if submitted by the candidate to the election official's office at 5 p.m. at least 45 days before the primary election and 60 days before the general election:

(A) a statement of qualifications, not exceeding 200 words in length, for each candidate;

(B) the following current biographical information if desired by the candidate, current:

(I) age;

(II) occupation;

(III) city of residence;

(IV) years of residence in current city; and

(V) email address; and

(C) a single web address where voters may access more information about the candidate and the candidate's views; and

- (iii) factual information pertaining to all ballot propositions submitted to the voters, including:
 - (A) a copy of the number and ballot title of each ballot proposition;
 - (B) the final vote cast for each ballot proposition, if any, by a legislative body if the vote was required to place the ballot proposition on the ballot;
 - (C) a **complete copy of the text of each ballot proposition**, with all new language underlined and all deleted language placed within brackets; and
 - (D) other factual information determined helpful by the election official.

(b) The information under Subsection (4)(a) shall be submitted to the lieutenant governor no later than one business day after the deadline under Subsection (4)(a) for each general election year and each municipal election year.

(c) The lieutenant governor shall:

- (i) review the information submitted under this section, to determine compliance under this section, prior to placing it on the website;
- (ii) refuse to post information submitted under this section on the website if it is not in compliance with the provisions of this section; and
- (iii) organize, format, and arrange the information submitted under this section for the website.

(d) The lieutenant governor may refuse to include information the lieutenant governor determines is not in keeping with:

- (i) Utah voter needs;
- (ii) public decency; or
- (iii) the purposes, organization, or uniformity of the website.

(e) A refusal under Subsection (4)(d) is subject to appeal in accordance with Subsection (5).

(5) (a) A person whose information is refused under Subsection (4), and who is aggrieved by the determination, may appeal by submitting a written notice of appeal to the lieutenant governor within 10 business days after the date of the determination. A notice of appeal submitted under this Subsection (5)(a) shall contain:

- (i) a listing of each objection to the lieutenant governor's determination; and
- (ii) the basis for each objection.

(b) The lieutenant governor shall review the notice of appeal and shall issue a written response within 10 business days after the notice of appeal is submitted.

(c) An appeal of the response of the lieutenant governor shall be made to the district court, which shall review the matter de novo.

(6) (a) The lieutenant governor shall ensure that each voter will be able to conveniently enter the voter's address information on the website to retrieve information on which offices, candidates, and ballot propositions will be on the voter's ballot at the next general election or municipal election.

(b) The information on the website will anticipate and answer frequent voter questions including the following:

- (i) what offices are up in the current year for which the voter may cast a vote;
- (ii) who is running for what office and who is the incumbent, if any;

- (iii) what address each candidate may be reached at and how the candidate may be contacted;
- (iv) for partisan races only, what, if any, is each candidate's party affiliation;
- (v) what qualifications have been submitted by each candidate;
- (vi) where additional information on each candidate may be obtained;
- (vii) what ballot propositions will be on the ballot; and
- (viii) what judges are up for retention election.

(7) As resources are made available and in cooperation with the county clerks, the lieutenant governor may expand the electronic voter information website program to include the same information as provided under this section for special elections and primary elections.

VERMONT STATUTES ANNOTATED

TITLE SEVENTEEN. ELECTIONS

CHAPTER 51. CONDUCT OF ELECTIONS

SUBCHAPTER 5. WARNINGS, NOTICES, **SAMPLE** BALLOTS AND OTHER VOTER
INFORMATION**17 V.S.A. § 2522 (2012)**

§ 2522. Sample ballots

(a) As soon as ballots are received by the town clerk, but not later than 20 days prior to any primary or general election or 10 days prior to any municipal election, **the town clerk shall post sample ballots in at least two public places within the town and in or near the town clerk's office.** If a town has more than one polling place and the polling places are not all in the same building, the **sample** ballot shall be posted in at least two public places within each voting district and in or near the town clerk's office.

(b) The town clerk shall prepare the **sample** ballots by marking the words **SAMPLE BALLOT** prominently at the top of official election ballots.

(c) [Repealed.]

(d) Upon the request of any high school or other educational institution in the town, the town clerk shall deliver a **sample** ballot to the high school or educational institution.

17 V.S.A. § 2523 (2012)

§ 2523. Posting at polling place on election day

(a) Before the polls open **on election day, the presiding officer shall post** copies of the warning and notice and the **sample ballots conspicuously in and about the polling place so that voters can reasonably be expected to see them before voting.**

(b) The presiding officer shall ensure that signs are placed on or near the ballot boxes informing voters of procedures for depositing ballots. The secretary of state shall supply the signs.

CODE OF VIRGINIA.

TITLE 24.2. ELECTIONS
CHAPTER 6. THE ELECTION
ARTICLE 3. VOTING EQUIPMENT AND SYSTEMS

Va. Code Ann. § 24.2-641 (2013)

§ 24.2-641. Sample ballot

The electoral board shall provide for each precinct in which mechanical voting machines or direct electronic voting devices are used, two sample ballots, which shall be arranged as a diagram of the front of the voting device as it will appear with the official ballot for voting on election day. Such sample ballots shall be posted for public inspection at each polling place during the day of election.

Washington

ANNOTATED REVISED CODE OF WASHINGTON

TITLE 29A. ELECTIONS
 CHAPTER 29A.32. VOTERS' PAMPHLETS
 STATE VOTERS' PAMPHLET

Rev. Code Wash. (ARCW) § 29A.32.010 (2013)

§ 29A.32.010. Printing and distribution

The secretary of state shall, **whenever at least one statewide measure or office is scheduled to appear on the general election ballot, print and distribute a voters' pamphlet.**

The secretary of state shall distribute the voters' pamphlet **to each household in the state, to public libraries, and to any other locations he or she deems appropriate.** The secretary of state shall also produce taped or Braille transcripts of the voters' pamphlet, publicize their availability, and mail without charge a copy to any person who requests one.

The secretary of state may make the material required to be distributed by this chapter available to the public in electronic form. The secretary of state may provide the material in electronic form to computer bulletin boards, print and broadcast news media, community computer networks, and similar services at the cost of reproduction or transmission of the data.

Rev. Code Wash. (ARCW) § 29A.32.031 (2013)

Legislative Alert: [LEXSEE 2013 Wa. ALS 283](#) -- See section 2.

§ 29A.32.031. Contents

The voters' pamphlet published or distributed under [RCW 29A.32.010](#) must contain:

(1) Information about each measure for an advisory vote of the people and each ballot measure initiated by or referred to the voters for their approval or rejection as required by [RCW 29A.32.070](#);

(2) In even-numbered years, statements, if submitted, from candidates for the office of president and vice president of the United States, United States senator, United States representative, governor, lieutenant governor, secretary of state, state treasurer, state auditor, attorney general, commissioner of public lands, superintendent of public instruction, insurance commissioner, state senator, state representative, justice of the supreme court, judge of the court of appeals, or judge of the superior court. Candidates may also submit campaign contact information and a photograph not more than five years old in a format that the secretary of state determines to be suitable for reproduction in the voters' pamphlet;

(3) In odd-numbered years, if any office voted upon statewide appears on the ballot due to a vacancy, then statements and photographs for candidates for any vacant office listed in subsection (2) of this section must appear;

(4) Contact information for the public disclosure commission established under [RCW 42.17A.100](#);

(5) Contact information for major political parties;

(6) A brief statement explaining the deletion and addition of language for proposed measures under [RCW 29A.32.080](#); and

(7) Any additional information pertaining to elections as may be required by law or in the judgment of the secretary of state is deemed informative to the voters.

Rev. Code Wash. (ARCW) § 29A.32.260 (2013)

§ 29A.32.260. Mailing

As soon as practicable before the primary, special election, or general election, the county auditor, or if applicable, the city clerk of a first-class or code city, as appropriate, shall mail the local voters' pamphlet to every residence in each jurisdiction that has included information in the pamphlet. The county auditor or city clerk, as appropriate, may choose to mail the pamphlet to each registered voter in each jurisdiction that has included information in the pamphlet, if in his or her judgment, a more economical and effective distribution of the pamphlet would result.

Rev. Code Wash. (ARCW) § 29A.36.151 (2013)

§ 29A.36.151. Sample ballots

Except in each county with a population of one million or more, on or before the fifteenth day before a primary or election, the county auditor shall prepare a sample ballot which shall be made readily available to members of the public. The secretary of state shall adopt rules governing the preparation of sample ballots in counties with a population of one million or more. The rules shall permit, among other alternatives, the preparation of more than one sample ballot by a county with a population of one million or more for a primary or election, each of which lists a portion of the offices and issues to be voted on in that county. The position of precinct committee officer shall be shown on the sample ballot for the primary, but the names of candidates for the individual positions need not be shown.

West Virginia

Michie's TM West Virginia Code

Chapter 3. Elections.

Article 1. General Provisions and Definitions.

W. Va. Code § 3-1-20 (2013)**§ 3-1-20. Cards of instructions to voters; sample ballots; posting.**

(a) The board of ballot commissioners of each county shall provide cards of general information which will include:

- (1) The date of the election and the hours during which polling places will be open;
- (2) Instruction for mail-in registrants and first-time voters;
- (3) Voters' rights; and
- (4) Prohibitions against fraud and misrepresentation.

The board of ballot commissioners shall also provide cards of instruction for voters in preparing their ballots and casting a provisional ballot as prescribed by the Secretary of State. The provisional ballot notice shall include a notification to voters of their rights as a provisional voter to inquire as to the correct precinct to cast a ballot and notification that if a ballot is cast in the incorrect precinct the ballot may not be counted at the canvass for that election. The board of ballot commissioners shall furnish a sufficient number of cards to the commissioners of election at the same time they deliver the ballots for the precinct. The instructions regarding a provisional ballot shall be posted in the precinct in a highly visible location for voters to review.

(b) The commissioners of election shall post one instruction card in each voting booth giving instructions to the voters on how to prepare the ballots for deposit in the ballot boxes and how to obtain a new ballot in place of one accidentally spoiled.

(c) The commissioners of election shall post one or more other cards of general information at places inside and outside of the voting place where voters pass or wait to vote. The commissioners shall also post the official write-in candidates in the same locations inside and outside of the voting place.

(d) The ballot commissioners shall have printed, on a different color paper than the official ballot, two or more copies of **sample ballots for each voting place for each election. Sample ballots shall be furnished and posted with the cards of general information at each voting place.**

(e) During the period of early in-person voting, the clerk of the county commission shall post the cards of general information, a list of official write-in candidates and **sample** ballots within the area where absentee voting is conducted.

W. Va. Code § 3-4A-15 (2013)

§ 3-4A-15. Instructions and help to voters; vote recording device models; facsimile diagrams; sample ballots; legal ballot advertisements.

(a) For the instruction of the voters on any election day in counties utilizing an electronic voting system that uses a screen upon which votes may be recorded by means of a stylus or by means of touch, the ballot commissioners shall provide for each polling place a **sample** ballot with each screen as it will appear on the devices, together with written instructions regarding the operation of the devices. Upon request, the election officers shall offer instruction to each voter, before voting, in the operation of the vote-recording device.

(b) The ballot commissioners shall also provide facsimile ballots, at least two of which, or complete sets of which, are to be posted on the walls of each polling place. The facsimile diagrams are exact diagrams of the ballots or screens so that the voter may become familiar with the location of the parties, offices, candidates and questions as they appear on the ballot to be used in his or her precinct.

(c) The ballot commissioners may, with the consent of the county commission, or the county commission may, prepare and mail to each qualified voter at the address shown on the registration books a facsimile **sample** of the ballot or screens for his or her precinct.

(d) In counties where an electronic voting system has been adopted, the legal ballot advertisements required by articles five [§§ 3-5-1 et seq.] and six [§§ 3-6-1 et seq.] of this chapter, which specify the publication of a facsimile **sample** ballot, are to consist of a facsimile of the ballot or screens with the names of the candidates and the offices for which they are running shown in their proper positions.

W. Va. Code § 3-6-3 (2013)

§ 3-6-3. Publication of sample ballots and lists of candidates.

(a) The ballot commissioners of each county shall prepare a **sample** official general election ballot for all political party or independent nominees, nonpartisan candidates for election, if any, and all ballot issues to be voted for at the general election, according to the provisions of this article and articles four [§§ 3-4-1 et seq.] and four-a [§§ 3-4A-1 et seq.] of this chapter, as appropriate to the voting system, and for any ballot issue, according to the provisions of law authorizing the election.

(b) The facsimile **sample** general election ballot shall be published as follows:

(1) For counties in which two or more qualified newspapers publish a **daily newspaper**, not more than twenty-six nor less than twenty days preceding the general election, the ballot commissioners shall publish the **sample** official general election ballot as a Class I-0 legal advertisement in the two qualified daily newspapers of different political parties within the county having the largest circulation in compliance with the provisions of article three [§§ 59-3-1 et seq.], chapter fifty-nine of this code;

(2) For counties having no more than one daily newspaper, or having only one or more qualified newspapers which publish weekly, not more than twenty-six nor less than twenty days preceding the primary election, the ballot commissioners shall publish the **sample** official general election ballot as a **Class I legal advertisement in the qualified newspaper within the county having the largest circulation** in compliance with the provisions of article three [§§ 59-3-1 et seq.], chapter fifty-nine of this code; and

(3) Each facsimile **sample** ballot shall be a photographic reproduction of the official **sample** ballot or ballot pages and shall be printed in a size no less than sixty-five percent of the actual size of the ballot, at the discretion of the ballot commissioners: Provided, That when the ballots for the precincts within the county contain different senatorial, delegate, magisterial or executive committee districts or when the ballots for precincts within a city contain different municipal wards, the facsimile shall be altered to include each of the various districts in the appropriate order. If, in order to accommodate the size of each ballot, the ballot or ballot pages must be divided onto more than one page, the arrangement and order shall be made to conform as nearly as possible to the arrangement of the ballot. The publisher of the newspaper shall submit a proof of the ballot and the arrangement to the ballot commissioners for approval prior to publication.

(c) The ballot commissioners of each county shall prepare, in the form and manner prescribed by the Secretary of State, an official list of offices and nominees for each office which will appear on the general election ballot for each political party or as independent nominees and, as the case may be, for the nonpartisan candidates to be voted for at the general election:

(1) All information which appears on the ballot, including the names of parties for which a straight ticket may be cast, instructions relating to straight ticket voting, instructions as to the number of candidates for whom votes may be cast for the office, any additional language which will appear on the ballot below the name of the office, any identifying information relating to the candidates, such as his or her residence and magisterial district or presidential preference. Following the names of all candidates, the list shall include the full title, text and voting positions of any issue to appear on the ballot.

(2) The order of the straight ticket positions, offices and candidates for each office and the manner of designating the parties shall be as follows:

(A) The straight ticket positions shall be designated "straight (party name) ticket", with the parties listed in the order in which they appear on the ballot, from left to right or from top to bottom, as the case may be;

(B) The offices shall be listed in the same order in which they appear on the ballot;

(C) The candidates within each office for which one is to be elected shall be listed in the order they appear on the ballot, from left to right or from top to bottom, as the case may be, and the candidate's political party affiliation or independent status shall be indicated by the one or two letter initial specifying the affiliation, placed in parenthesis to the right of the candidate's name; and

(D) The candidates within each office for which more than one is to be elected shall be arranged by political party groups in the order they appear on the ballot and the candidate's affiliation shall be indicated as provided in paragraph (C) of this subdivision.

(d) The official list of candidates and issues as provided in subsection (c) of this section shall be published as follows:

(1) For counties in which two or more qualified newspapers publish a daily newspaper, on the last day on which a newspaper is published immediately preceding the general election, the ballot commissioners shall publish the official list of nominees and issues as a Class I-0 legal advertisement in the two qualified daily newspapers of different political parties within the county having the largest circulation in compliance with the provisions of article three [§§ 59-3-1 et seq.], chapter fifty-nine of this code;

(2) For counties having no more than one daily paper, or having only one or more qualified newspapers which publish weekly, on the last day on which a newspaper is published immediately preceding the general election, the ballot commissioners shall publish the **sample** official list of nominees and issues as a Class I legal advertisement in the qualified newspaper within the county having the largest circulation in compliance with the provisions of article three [§§ 59-3-1 et seq.], chapter fifty-nine of this code;

(3) The publication of the official list of nominees for each party and for nonpartisan candidates shall be in single or double columns, as required to accommodate the type size requirements as follows:

(A) The words "official list of nominees and issues", the name of the county, the words "General Election" and the date of the election shall be printed in all capital letters and in bold type no smaller than fourteen point;

(B) The designation of the straight ticket party positions shall be printed in all capital letters in bold type no smaller than twelve point and the title of the office shall be printed in bold type no smaller than twelve point and any voting instructions or other language printed below the title shall be printed in bold type no smaller than ten point; and

(C) The names of the candidates and the initial within parenthesis designating the candidate's affiliation shall be printed in all capital letters in bold type no smaller than ten point and the residence information shall be printed in type no smaller than ten point; and

(4) When any ballot issue is to appear on the ballot, the title of that ballot shall be printed in all capital letters in bold type no smaller than twelve point. The text of the ballot issue shall appear in no smaller than eight point type. The ballot commissioners may require the publication of the ballot issue under this subsection in the facsimile **sample** ballot format in lieu of the alternate format.

(e) Notwithstanding the provisions of subsections (c) and (d) of this section, beginning with the general election to be held in the year two thousand, the ballot commissioners of any county may choose to publish a facsimile **sample** general election ballot, instead of the official list of candidates and issues, for purposes of the last publication required before any general election.

LEXISNEXIS (R) WISCONSIN ANNOTATED STATUTES

ELECTIONS

CHAPTER 5. ELECTIONS -- GENERAL PROVISIONS; BALLOTS AND VOTING SYSTEMS
SUBCHAPTER II BALLOT FORM

Wis. Stat. § 5.66 (2012)

§ 5.66. Number of ballots.

(1) For local elections, where necessary, municipal clerks shall have sufficient ballots printed or otherwise prepared whenever a voting system does not utilize printed ballots to assure a ballot for all electors or voting machines. For all other elections the municipal clerks shall certify to their county clerk, on the first day of the 2nd month preceding the month in which the primary is held, the approximate number of electors in the municipality. The county clerk shall total these estimates and order a sufficient supply to assure ballots for all electors and voting machines.

(2) The county clerk or board of election commissioners shall print a sufficient number of sample ballots. The municipal clerk or board of election commissioners shall print sample ballots whenever the municipality prepares ballots under s. 7.15 (2) (b) or (c) Sample ballots shall be printed on nonwhite colored paper and shall be overprinted "SAMPLE". Voting machine sample ballots shall be a reduced size diagram of the face of the board or screen inside the voting machine with all candidates, issues and voting instructions as they will appear on the official ballot. Sample ballots to be used with an electronic voting system in which ballots that are distributed to electors are used shall be an actual size copy of the ballot. The clerk or board of election commissioners printing the ballots shall distribute the samples approximately as follows: 45% shall be kept in the clerks or boards office and distributed to electors requesting them; 45% shall be sent to the municipalities, or, if the municipality prints ballots, 45% shall be sent to the county for distribution to the electors; and 10% shall be reserved to be sent to the polling places by municipalities in proportion to the number certified in sub. (1) and made available to electors at the polls on election day.

Wis. Stat. § 5.94 (2012)

§ 5.94. Sample ballots; publication.

When an electronic voting system employing a ballot that is distributed to electors is used, the county and municipal clerk of the county and municipality in which the polling place designated for use of the system is located shall cause to be published, in the type B notices, a true actual-size copy of the ballot containing the names of offices and candidates and statements of measures to be voted on, as nearly as possible, in the form in which they will appear on the official ballot on election day. The notice may be published as a newspaper insert. Municipal clerks may post the notice if the remainder of the type B notice is posted.

Wis. Stat. § 5.95 (2012)

§ 5.95. Elector information.

The board shall prescribe information to electors in municipalities and counties using various types of electronic voting systems to be published in lieu of the information specified in s. 10.02 (3) in type B notices whenever the type B notice information is inapplicable.

Wis. Stat. § 10.01 (2012)

§ 10.01. Election notice form.

(1) The form of the various election notices shall be prescribed by the board to standardize election notices. To accomplish this purpose, the board shall make rules and draft whatever forms it considers necessary. Notification or certification lists of candidates or referenda questions sent to the county clerks shall prescribe the form in which the county clerks shall publish the relevant portions of the notice and any additional county offices and referenda questions. The board shall also prescribe the provisions for municipal notices which shall be sent to each county clerk who shall immediately forward them to each municipal clerk.

(2) For election purposes there shall be 5 basic types of notices, modified as necessary to apply to the various elections, which shall be published in substantially the same form as prescribed by the board. The 5 types of notices are:

(a) Type A -- **The type A notice shall be entitled "Notice of Election"**. The notice shall list the date of the election. For an election to fill any office, the notice shall list each office to be filled and the incumbent for each; the length of the term of each office and the expiration date of the term; and the beginning date for circulating, the place and deadline for filing declarations of candidacy and nomination papers, where required, for each office listed and the date of the primary election, if required. If a redistricting since the most recent election makes the description of the incumbents office of limited usefulness, the notice may contain supplementary information describing the territory in which an election is to be held. For an election at which a referendum is held, the notice shall contain the text of the question and a statement specifying where a copy of the resolution directing submission of the question may be obtained. Whenever an election is noticed to be held within a district, the notice shall contain a statement specifying where information concerning district boundaries may be obtained. The type A notice shall be published once by the county clerk of each county for each national, state or county election, and once by the clerk of each municipality or special purpose district for each municipal or special purpose district election, at the times designated in s. 10.06 (b) Type B -- **The type B notice shall include the relevant facsimile ballots** and the relevant portions of voting instructions to electors under s. 10.02 for each office or referendum and shall specify the date of the election. In counties or municipalities where an electronic voting system in which ballots are distributed to electors is used, the notice shall include the information specified in s. 5.94 The type B notice shall be published once by the county clerks, and for primaries and other elections in municipalities or special purpose districts, once by the clerk of the municipality or special purpose district on the day preceding each primary and other election.

(c) Type C -- **The type C notice shall be entitled "Notice of Referendum". The notice shall be given whenever a referendum is held.** The notice shall contain the date of the referendum, the entire text of the

question and the proposed enactment, if any, as well as an explanatory statement of the effect of either a "yes" or "no" vote. For state questions, the statement shall be prepared by the attorney general. For county questions, the statement shall be prepared by the corporation counsel. For other questions, the statement shall be prepared by the attorney for the jurisdiction in which the question is submitted. County clerks and, for questions submitted by municipalities or special purpose districts, the clerk of the municipality or special purpose district shall publish the type C notice once at the same time that the type B notice is published. The type C notice shall be printed in the newspaper as close as possible to that portion of the type B notice showing the facsimile referendum ballot.

(d) Type D -- The type D notice shall state the hours the polls will be open and the polling places to be utilized at the election or shall include a concise statement of how polling place information may be obtained. In cities over 500,000 population, the board of election commissioners shall determine the form of the notice. In other municipalities and special purpose districts, the clerk of the municipality or special purpose district shall give the polling place information in the manner the governing body of the municipality or special purpose district decides will most effectively inform the electors. The type D notice shall be published by the municipal clerk or board of election commissioners of each municipality once on the day before each spring primary and election, each special national, state, county or municipal election at which the electors of that municipality are entitled to vote and each partisan primary and general election. The clerk of each special purpose district which calls a special election shall publish a type D notice on the day before the election, and the day before the special primary, if any, except as authorized in s. 8.55 (3) (e) Type E -- The type E notice shall state the qualifications for absentee voting, the procedures for obtaining an absentee ballot in the case of registered and unregistered voters, the places and the deadlines for application and return of application, including any alternate site under s. 6.855, and the office hours during which an elector may cast an absentee ballot in the municipal clerks office or at an alternate site under s. 6.855 The municipal clerk shall publish a type E notice on the 4th Tuesday preceding each spring primary and election, on the 4th Tuesday preceding each partisan primary and general election, on the 4th Tuesday preceding the primary for each special national, state, county or municipal election if any, on the 4th Tuesday preceding a special county or municipal referendum, and on the 3rd Tuesday preceding each special national, state, county or municipal election to fill an office which is not held concurrently with the spring or general election. The clerk of each special purpose district which calls a special election shall publish a type E notice on the 4th Tuesday preceding the primary for the special election, if any, on the 4th Tuesday preceding a special referendum, and on the 3rd Tuesday preceding a special election for an office which is not held concurrently with the spring or general election except as authorized in s. 8.55 (3)

Wis. Stat. § 985.02 (2012)

§ 985.02. Method of notification.

(1) Except as otherwise provided by law, a legal notice shall be published in a newspaper likely to give notice in the area or to the person affected. Whenever the law requires publication in a newspaper published in a designated municipality or area and no newspaper is published therein publication shall be made in a newspaper likely to give notice.

(2) If the governing body of a municipality elects to post under s. 985.05 (1) it shall post in the following manner:

(a) The notice must be posted in at least 3 public places likely to give notice to persons affected.

(b) The notice posted before the act or event requiring notice shall be posted no later than the time specified for the first newspaper publication.

(c) The notice posted after the act or event requiring notice shall be posted within one week after the act or event. Actions of governing bodies posted after the act or event shall be effective upon posting.

(d) The affidavit of the officer or person posting the legal notice containing the time, place and manner of the posting is presumptive evidence of the facts stated therein.

(3) The newspaper that publishes a legal notice shall, in addition to newspaper publication, place an electronic copy of the legal notice at no additional charge on the Wisconsin newspapers legal notice Web site.

Wyoming

Wyoming Statutes Annotated

Title 22 Elections

Chapter 6 Ballots

Wyo. Stat. § 22-6-104 (2013)

§ 22-6-104. Sample ballots and voting machine facsimiles; printing, distribution, posting.

The officer providing the official ballot shall also print **sample** ballots or voting machine labels which shall be identical to the official ballot or voting machine facsimile except that it shall contain the words "**SAMPLE BALLOT**" in large clear letters and may be printed on paper of a different color than the official ballot or label. The officer shall distribute copies of the **sample** ballot or voting machine facsimile to each precinct prior to opening of the polls. **The judges of election shall post at least three (3) copies of the sample in and around the polling place during the election. The county clerk shall have the samples available in his office for the public.**

Wyo. Stat. § 22-6-105 (2013)

§ 22-6-105. Sample ballots and voting machine facsimiles; publication.

The officer providing the official ballots shall publish sample paper ballots and voting machine facsimiles at least once in a newspaper of general circulation in the district in which each primary and general election is held within two (2) weeks prior to the election. This notice shall also state that the names of candidates will be rotated on the official ballots and will not always appear in the order indicated in the **sample** ballots.

Wyo. Stat. § 22-12-105 (2013)

§ 22-12-105. Posting instruction card and sample ballot.

Before the polls are opened, the judges of election shall post in each booth one (1) instruction card. They **shall post elsewhere in the polling place at least one (1) instruction card and one (1) sample ballot.**