

TITLE 1: GOVERNMENT
DIVISION 6: ELECTIONS

§ 6525. Ballot Irregularities.

(a) If a ballot being counted appears improper, the final decision as to the validity of the ballot shall be made by the Commission. The accounting and tabulation committee shall separate any ballot it believes to be improper and forward the ballot or ballots to the Commission for ultimate determination. All ballots declared invalid for any irregularity shall be sorted or separated and a notation placed upon them indicating that they are rejected ballots. Upon completion of the counting of the ballots, the rejected ballots shall be placed in the ballot box and returned by the accounting and tabulation committee to the Commission with the cast ballots.

(b) At any election, any ballot which is not marked as provided by law shall be void, but the ballot shall be preserved and returned with the other ballots.

(c) Any voter who spoils a ballot may return it to a poll worker and receive another ballot.

(d) At any election, a ballot may not be rejected if it is possible to determine the voter's choice even though the ballot has been severely soiled or defaced.

(e) If a voter indicates the choice of more candidates than there are offices to be filled or if for any reason it is impossible to determine the voter's choice for any office, the ballot may not be counted for that office. The rest of the ballot, if properly marked, shall be counted.

Source: PL 12-18, § 2 (6525).