

Rules of
Elected Officials
Division 30—Secretary of State
Chapter 9—Uniform Counting Standards

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Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 9—Uniform Counting Standards

15 CSR 30-9.010 Uniform Counting Standards—Punch Card Voting Systems

PURPOSE: This rule provides for standards to be used by election authorities when counting ballots cast using punch card voting systems.

(1) The election authority shall be responsible for insuring that the standards provided for in this rule are followed when counting ballots cast using punch card voting systems.

(2) Prior to tabulating ballots, all ballot cards shall be inspected by the election authority for hanging chad and/or damaged ballots.

(3) Inspection of ballot cards shall be conducted using the following guidelines:

(A) The election authority shall appoint a bipartisan team to inspect all ballots where a question exists about the condition of a ballot or existence of hanging chad;

(B) All ballot card inspections conducted pursuant to this section shall be conducted by examining the ballot card from the back of the card;

(C) If a ballot is determined to be damaged, the bipartisan team shall spoil the original ballot and duplicate the voter's intent on the new ballot, provided that there is an undisputed method of matching the duplicate card with its original after it has been placed with the remainder of the ballot cards from that precinct; and

(D) If a chad is determined to be hanging by two (2) or less corners, it shall be removed prior to being tabulated.

(4) In jurisdictions using punch card systems, a valid vote for a write-in candidate must include the following:

(A) A distinguishing mark in the square immediately preceding the name of the candidate;

(B) The name of the candidate. If the name of the candidate, as written by the voter, is substantially as declared by the candidate it shall be counted, or in those circumstances where the names of candidates are similar, the names of candidates as shown on voter registration records shall be counted; and

(C) The name of the office for which the candidate is to be elected.

(5) Whenever a hand recount of votes is ordered of punch card ballots, the provisions of this section shall be used to determine voter intent.

AUTHORITY: section 115.225, RSMo 2000. Original rule filed Aug. 8, 2001, effective March 1, 2002.*

**Original authority: 115.225, RSMo 1977, amended 1993, 1995.*

15 CSR 30-9.020 Uniform Counting Standards—Optical Scan Voting Systems

PURPOSE: This rule provides for standards to be used by election authorities when counting ballots cast using optical scan voting systems.

(1) The election authority shall be responsible for insuring that the standards provided for in this rule are followed when counting ballots cast using optical scan voting systems.

(2) Prior to tabulating ballots all machines shall be programmed to reject blank ballots where no votes are recorded, or where an overvote is registered in any race.

(A) In jurisdictions using precinct-based tabulators, the voter who cast the ballot shall review the ballot if rejected, to determine if he/she wishes to make any changes to the ballot or if he/she would like to spoil their ballot and receive another ballot.

(B) In jurisdictions using centrally based tabulators, if a ballot is so rejected, it shall be reviewed by a bipartisan team using the following criteria:

1. If a ballot is determined to be damaged, the bipartisan team shall spoil the original ballot and duplicate the voter's intent on the new ballot, provided that there is an undisputed method of matching the duplicate card with its original after it has been placed with the remainder of the ballot cards from that precinct; and

2. Voter intent shall be determined using the following criteria:

A. There is a distinguishing mark in the printed oval adjacent to the name of the candidate, or issue preference;

B. There is a distinguishing mark adjacent to the name of the candidate, or issue preference; or

C. The name of the candidate or issue preference is circled.

(3) In jurisdictions using optical scan systems, a valid vote for a write-in candidate must include the following:

(A) A distinguishing mark in the designated location preceding the name of the candidate;

(B) The name of the candidate. If the name of the candidate, as written by the voter, is substantially as declared by the candidate it shall be counted, or in those circumstances where the names of candidates are similar, the names of candidates as shown on voter registration records shall be counted; and

(C) The name of the office for which the candidate is to be elected.

(4) Whenever a hand recount of votes of optical scan ballots is ordered, the provisions of this section shall be used to determine voter intent.

AUTHORITY: section 115.225, RSMo 2000. Original rule filed Aug. 8, 2001, effective March 1, 2002.*

**Original authority: 115.225 RSMo 1977, amended 1993, 1995.*

15 CSR 30-9.030 Uniform Counting Standards—Paper Ballots

PURPOSE: This rule provides for standards to be used by election authorities when counting ballots cast using paper ballots.

(1) The election authority shall be responsible for insuring that the standards provided for in this rule are followed when counting ballots cast using paper ballots.

(2) Voter intent shall be determined using the following criteria:

(A) There is a distinguishing mark in the square adjacent to the name of the candidate, or issue preference;

(B) There is a distinguishing mark adjacent to the name of the candidate, or issue preference; or

(C) The name of the candidate or issue preference is circled.

(3) In jurisdictions using paper ballots, a valid vote for a write-in candidate must include the following:

(A) A distinguishing mark in the square immediately preceding the name of the candidate;

(B) The name of the candidate. If the name of the candidate, as written by the voter, is substantially as declared by the candidate it shall be counted, or in those circumstances where the names of candidates are similar, the names of candidates as shown



on voter registration records shall be counted; and

(C) The name of the office for which the candidate is to be elected.

(4) Whenever a hand recount of votes of paper ballots is ordered, the provisions of this section shall be used to determine voter intent.

AUTHORITY: section 115.225, RSMo 2000. Original rule filed Aug. 8, 2001, effective March 1, 2002.*

**Original authority: 115.225, RSMo 1977, amended 1993, 1995.*

15 CSR 30-9.040 Write-In Stickers

PURPOSE: This rule sets out the procedures for the process of using stickers to vote for write-in candidates.

(1) The sticker shall contain the name of a candidate, office sought, and a distinguishing mark in the square immediately preceding the name of the candidate and shall be approximately one inch by three inches (1" × 3") in size with black print on a white background.

(2) The sticker shall be placed by the voter on the write-in line designating the office sought or the sticker shall be placed by the voter on the write-in line on the secrecy envelope.

AUTHORITY: section 115.439.5, RSMo Supp. 2002. Emergency rule filed Oct. 11, 2002, effective Oct. 21, 2002, expired April 18, 2003. Original rule filed Oct. 18, 2002, effective April 30, 2003.*

**Original authority: 115.439, RSMo 1977, amended 1993, 2002.*