

Tabulating Overvoted Ballots Using the Override Function

If the voting equipment is programmed to permit the use of the override function to tabulate overvoted ballots, that function may be used instead of remaking ballots for which the elector's intent regarding the overvoted contest cannot be determined. All such ballots must be treated uniformly, either by remaking or using the override function, as instructed by the municipal clerk.

An overvoted ballot is a ballot with at least one contest in which the elector has voted for more than the maximum number of selections allowed. When programmed to use the override function, the voting equipment will display an overvote warning message when a voter inserts an overvoted ballot into the machine. An election inspector must be assigned to monitor the tabulation equipment at all times that voters are inserting ballots into the machine.

Below are two separate procedures for using the override function when processing an overvoted ballot, depending upon whether it is an absentee ballot or one that is being cast while the voter is present.

Overvoted Absentee Ballots

1. The election inspector inserts the ballot without inspection into the tabulation equipment and the machine displays the overvote warning.
2. The inspector selects the "return ballot" option on the machine.
3. The inspectors review the ballot to attempt to determine the voter's intent for the contest, or contests in question.
 - a. If voter intent can be determined, the ballot should be remade using the process outlined in the Election Day Manual.
 - b. If voter intent cannot be determined, continue to Step 4.
4. The inspector reinserts the ballot into the tabulation equipment and casts the ballot using the override function.
5. The inspector makes a notation on the Inspectors' Statement (GAB-104) to indicate that the override function was used to cast the ballot. The ballot is not marked.

Overvoted Ballot When Voter is Present

1. The voter inserts the ballot into the tabulation equipment and the machine displays the overvote warning.
2. The election inspector assigned to monitor the tabulation equipment should intervene and explain the overvote notification to the voter.
3. The voter is informed that they can spoil the overvoted ballot and mark another ballot (up to three ballots) OR cast the ballot as is.
 - a. If the voter chooses to spoil the ballot, the election inspector should select the "return ballot" option, return the ballot to the voter without examining it, and direct the voter to exchange the overvoted ballot at the ballot issuing table for a replacement ballot.
 - b. If the voter wants the ballot cast as is, the election official casts the ballot using the override function. The inspector should first offer to retrieve the overvoted ballot by selecting the "return ballot" option so that the voter may review the ballot.
4. The inspector makes a notation on the Inspectors' Statement (GAB-104) to indicate that the override function was used to cast the ballot. The ballot is not marked.