

## Counting Write-in Votes at a Partisan Primary

*The following is an excerpt from the current Counting Votes Manual. In general, all of the statements are correct. However, once it is determined that a write-in vote can be counted, the provisions of 2013 Act 178 must be addressed. We will discuss Act 178 following this brief review of general practices for counting write-in votes.*

### **Count Write-in Votes When:**

1. *A sticker contains only the name of a person and is placed under an office on the ballot:*
  - The vote is counted for the person named on the sticker, for the office where the sticker is placed.
2. *The name-only sticker is placed in the margin or any place other than under an office:*
  - Voter intent must be determined.
    - If the person named on the sticker has filed a campaign registration statement indicating the office sought, the vote should be counted for the person named on the sticker for the office.
    - If the person has not filed a campaign registration statement, the vote cannot be counted.
3. *A sticker contains the write-in candidate's name, political party and office. It is placed in the margin or any place other than under an office:*
  - The vote is counted for the person for the political party and office listed on the sticker.
4. *A candidate's name is printed on the ballot for one office and the voter writes in that candidate's name for another office for the same party:*
  - The vote is counted for the candidate for the office where the name is written.
5. *The name of a registered write-in candidate is written in under the same party but in a different office than indicated on the campaign registration statement:*
  - The vote is counted for the candidate for the office where the name is written.

### **Looks like an overvote, but it isn't...**

6. *The instructions to voters are "Vote for 1." The voter selects a name that is printed on the ballot and also writes in another person's name for the same office:*
  - Only the write-in vote is counted. This is not an overvote.
7. *A sticker containing the name of a candidate and the office sought is placed under a different office than the one indicated on the sticker:*
  - The vote counts for the person named on the sticker for the office under which the sticker is placed.

### **Do Not Count Write-in Votes When:**

1. *A registered write-in candidate is written in under a party other than the one indicated on the campaign registration statement:*
  - This is a crossover vote and cannot be counted.
2. *The voter selected a party preference choice, and then writes in the name of a person whose name appears on the ballot in a different political party:*
  - This creates a crossover vote for that office only, and the write-in is not counted.

3. *The voter has not selected a party preference, but has cast votes in one political party, and then writes in the name of a person whose name appears in a different party:*

- This creates a crossover vote. In this case, the entire ballot is not counted.

Looks like an overvote, and it is...

4. *"Vote for 1." More than one person has been written in for a single office:*

- This is an overvote and no votes are counted for that office.

5. *"Vote for 1." The name of more than one person has been written in, and a vote has also been cast for a candidate whose name is printed on the ballot for the same office:*

- This is an overvote and no votes are counted for that office.

### **Application of 2013 Act 178**

Basics of Act 178:

- If there is at least one ballot candidate for a given office—
  - Only tally votes for registered write-in candidates
- If there are no ballot candidates for a given office—
  - Tally all write-in votes
- If there are one or more ballot candidates for a given office, and one or more pass away—
  - Tally all write-in votes

**Note:** If a ballot candidate's name is marked and an unregistered write-in candidate is written in, the ballot candidate's vote is not tallied, even if the name written is ineligible and can't be tallied either. In this case, no votes count for the office. The ballot candidate does not get a vote just because the write-in vote is not eligible to be tallied.

See examples on back: