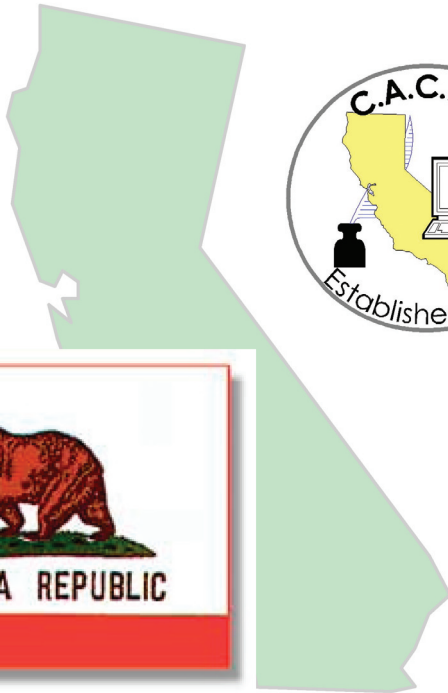


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PURPOSE OF THE CANVASS

The Official Canvass is conducted:

Elections Code § 15302

- ◆ To verify the accuracy and validity of the votes counted;
- ◆ To resolve any discrepancies through review of the official election materials and unused ballots;
- ◆ To complete the official vote count including *Write-in Votes*, *Absentee Ballots* and *Provisional Ballots* not included in the *Semifinal Official Vote Count*.

CANVASS BEGINS & ENDS

The Official Canvass is open to the public.

- ◆ Elections Code § 15301 requires the Official Canvass to begin no later than Thursday following Election Day.
- ◆ The canvass is to continue daily except for Saturdays, Sundays and holidays, not less than six hours each day until completed.
- ◆ The Election Official is to prepare a certified statement of the results of the Election, after the canvass, and submit it to the *Governing Body* within 28 days of the election. (For Elections conducted in November of odd-numbered years, no later than the last Monday before the last Friday of November.)
Elections Code § 15372
- ◆ Certified results are transmitted to the Secretary of State, as required. Elections Code § 15375

DEFINITIONS

Note: All *italicized words* are defined here.

- ◆ ***Absentee Ballots*** – A ballot cast by a voter in any way other than at the polling place. Elections Code § 300
- ◆ ***Canceled Ballots*** – A ballot that is not counted because the voter has voluntarily returned it to the precinct officers or election official.
Elections Code § 14296
- ◆ ***Damaged Ballots*** – Any ballot that is torn or mutilated and is not machine-readable.
Elections Code §15208 & 15210
- ◆ ***Governing Body*** – The board of directors of a district or agency or the board or body which governs the activities of the district or agency.
Elections Code § 10500 (7)
- ◆ ***Identifying Marks*** – Any ballot that is marked in a manner so as to identify the voter.
Elections Code § 14287, 15208 & 15154
- ◆ ***Index*** – A list of voters registered in the precinct.
Elections Code § 14105, 14108 & 14202
- ◆ ***Manual Tally of Votes (1% Hand Count)*** – The public process of manually counting votes in 1 % of the precincts randomly selected by the election official, and in one precinct for each race not included in the randomly selected precincts.
Elections Code § 336.5 & 15360

- ◆ ***Overvotes*** – Voter voted for more candidates than allowed or voted both ‘yes’ and ‘no’ on a proposition or measure. Elections Code § 15302
- ◆ ***Precinct Ballot Statement*** – A ballot reconciliation statement completed by the precinct officers at the polling place. Elections Code §14420 (b) & 14405
- ◆ ***Precinct Board*** – The board appointed by the election official to serve at a single precinct or a consolidated precinct. Elections Code § 339
- ◆ ***Provisional Ballots*** – A ballot voted by a voter whose qualifications or entitlement to vote cannot be immediately established. The ballot will be isolated and researched by the election official to determine the voter’s eligibility. Elections Code § 14310 (a)
- ◆ ***Roster*** – The document signed by the voters at the polling place. Elections Code § 14107
- ◆ ***Semifinal Official Vote Count or Semifinal Official Canvass*** – The process of collecting, processing, and tallying ballots. The Semifinal Official Canvass may include some or all of the absentee and provisional vote totals.
Elections Code § 353.5, § 15150 - 15154
- ◆ ***Spoiled Ballots*** – A ballot on which a voter has inadvertently selected the wrong candidate or measure or has somehow defaced the ballot. Elections Code § 14288
- ◆ ***Write – in Votes*** – A vote cast by the voter by writing in the name and office of a qualified write-in candidate in the appropriate space provided on or with the ballot. Elections Code § 15342

TASKS OF THE OFFICIAL CANVASS

- ◆ An inspection of all of the election materials and supplies returned by *Precinct Board*.
- ◆ A reconciliation of the number of signatures on the *roster* with the number of ballots recorded on the *Precinct Ballot Statement*.
- ◆ In the event of a discrepancy in the reconciliation of the number of ballots received from each polling place, the ballots are reconciled with the number of ballots cast, as indicated on the *Precinct Ballot Statement*.
- ◆ Processing the official polling place *Roster/Index*, which includes accounting for all voters who signed the *Roster* on Election Day.
- ◆ Update voter history from the *Roster/Index*.
- ◆ A reconciliation of the number of ballots counted, *Spoiled*, *Canceled*, or invalidated due to *Identifying Marks* and *Overvotes* with the number of votes recorded, including *Absentee* and *Provisional Ballots*, by the ballot counting system (for example: Optical Scan counting systems; Direct Recording Touch Screen counting systems).
- ◆ Processing and counting any valid *Absentee* and *Provisional Ballots* not included in the *Semifinal Official Vote Count*.
- ◆ Counting any valid *Write-in Votes*.
- ◆ Correct/Duplicate any *Damaged Ballots*.

- ◆ Conduct the *1% Manual Tally of Votes*.
- ◆ Reporting final results to the *Governing Board*.
- ◆ Certified results transmitted to the Secretary of State, as required.

CANVASS OBSERVERS

- ◆ Interested parties **may observe** that the Election Official is following proper procedures. The Election Official shall determine the number and placement of observers. (Note: Specific 'Ground Rules' can be obtained from each County Election Official.)
- ◆ Observers shall not touch or handle any ballots, envelopes, containers or equipment. No observers shall interfere with the orderly process of the canvass.
- ◆ Except to challenge a canvass procedure, observers shall not carry on conversations with each other or election personnel or make disruptive comments while in the observation or canvass work areas.
- ◆ Observers shall not assist in the operations of the canvass.
- ◆ The Election Official will determine and establish a reasonable observation distance.
- ◆ Failure to follow observer rules will be reported to the Election Official, who will determine appropriate action.

RELATED ELECTION CODES

- ◆ **Elections Code § 15104. Observation of absentee ballot processing and counting.**
 - (a) The processing of absentee ballot return envelopes, and the processing and counting of absentee ballots shall be open to the public, both prior to and after the election.
 - (b) Any member of the county grand jury, and at least one member each of the republican county central committee, the Democratic county central committee, and of any other party with a candidate on the ballot, and any other interested organization, shall be permitted to observe and challenge the manner in which the absentee ballots are handled, from the processing of absentee ballot return envelopes through the counting and disposition of the ballots.
 - (c) The elections official shall notify absentee voter observers and the public at least 48 hours in advance of the dates, times, and places where absentee ballots will be processed and counted.
 - (d) Absentee voter observers shall be allowed sufficiently close access to enable them to observe and challenge whether those individuals handling absentee ballots are following established procedures, including all of the following:
 - (1) Verifying signatures and addresses by comparing them to voter registration information.
 - (2) Duplicating accurately any damaged or defective ballots.
 - (3) Securing absentee ballots to prevent any tampering with them before they are counted on Election Day.
 - (e) No absentee voter observer shall interfere with the orderly processing of absentee ballot return envelopes or processing and counting of absentee ballots, including touching or handling of the ballots.

◆ **Elections Code § 15301. Time for conducting canvass.**

The canvass shall commence no later than the Thursday following the election, shall be open to the public, and, for state or statewide elections, shall result in a report of results to the Secretary of State. The canvass shall be continued daily, Saturdays, Sundays, and holidays excepted, for not less than six hours each day until completed.

◆ **Elections Code §15302. Tasks of the Official Canvass.**

The Official Canvass shall include, but not be limited to, the following tasks:

- (a) An inspection of all materials and supplies returned by poll workers.
- (b) A reconciliation of the number of signatures on the roster with the number of ballots recorded on the ballot statement.
- (c) In the event of a discrepancy in the reconciliation required by subdivision (b), the number of ballots received from each polling place shall be reconciled with the number of ballots cast, as indicated on the ballot statement.
- (d) A reconciliation of the number of ballots counted, spoiled, canceled or invalidated due to identifying marks, overvotes, or as otherwise provided by statute, with the number of votes recorded, including absentee and provisional ballots, by the vote counting system.
- (e) Processing and counting any valid absentee and provisional ballots not included in the semifinal Official Canvass.
- (f) Counting any valid write-in votes.
- (g) Reproducing any damaged ballots, if necessary.
- (h) Reporting final results to the governing board and the Secretary of State, as required.

- ◆ **Elections Code § 15320. Processing and counting absentee ballots.** Absentee ballots and mail ballot precinct ballots returned to the elections office and to the polls on election day that are not included in the semifinal Official Canvass phase of the election shall be processed and counted during the Official Canvass in the manner prescribed by Chapter 3 (commencing with Section 15100 – Absentee Ballot Processing).
- ◆ **Elections Code § 15360. Manual tally when using a voting system.** During the Official Canvass of every election in which a voting system is used, the official conducting the election shall conduct a public manual tally of the ballots tabulated by those devices cast in 1 percent of the precincts chosen at random by the elections official. If 1 percent of the precincts should be less than one whole precinct, the tally shall be conducted in one precinct chosen at random by the elections official. In addition to the 1 percent count, the elections official shall, for each race not included in the initial group of precincts, count one additional precinct. The manual tally shall apply only to the race not previously counted. Additional precincts for the manual tally may be selected at the discretion of the elections official.
- ◆ **Elections Code § 15372. Certified statement of the results.** The elections official shall prepare a certified statement of the results of the election and submit it to the governing body within 28 days of the election or, in the case of school district, community college district, county board of education, or special district elections conducted on the first Tuesday after the first Monday in November of odd-numbered years, no later than the last Monday before the last Friday of that month.

- ◆ **Elections Code § 15375. Transmit to Secretary of State copy of results.** The elections official shall send to the Secretary of State within 35 days of the election in the manner requested one complete copy of all results as to all of the following:
 - (a) All candidates voted for statewide office.
 - (b) All candidates voted for the following offices:
 - (1) Member of the Assembly.
 - (2) Member of the Senate.
 - (3) Member of the United States House of Representatives.
 - (4) Member of the State Board of Equalization.
 - (5) Justice of the Court of Appeal
 - (6) Judge of the superior court.
 - (7) Judge of the municipal court.
 - (c) All persons voted for at the presidential primary. The results for all persons voted for at the presidential primary for delegates to national conventions shall be canvassed and shall be sent within 28 days after the election. The results at the presidential primary for candidates for President to whom delegates of a political party are pledged shall be reported according to the number of votes each candidate received from all voters and separately according to the number of votes each candidate received from voters affiliated with each political party qualified to participate in the presidential primary election, and from voters who have declined to affiliate with a qualified political party.
 - (d) The vote given for persons for electors of President and Vice President of the United States. The results for presidential electors shall be endorsed "Presidential Election Returns."
 - (e) All statewide measures.



*CALIFORNIA ASSOCIATION OF CLERKS AND ELECTION
OFFICIALS*

Canvass Subcommittee 2003

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