

Chapter 9 – Provisional Judge & Provisional Voting

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Election Set-Up

All tasks are supervised by chief judges.

Pre-election meeting:

Arrive at 6:30 p.m.

Make sure you sign the *Payroll Sheet*.

1. Set up a table for provisional voting in an area that is away from the table for issuing regular ballots. Look at the polling place layout provided by the Montgomery County Board of Elections County Board of Elections. A provisional voter should never need to go to the regular voting area.
2. Put chairs at the table for provisional voters and a chair for the provisional judge.
3. Set up privacy screens for voters to use when marking their provisional ballots.
4. Set up the supplies.



Work together so that your polling place is ready to open at 7:00 a.m.

5. Open the provisional voting supply bag. It will have these supplies:
 - *Provisional Voted Ballot Bag*
 - *Mail-in Voted Ballot Bag*
 - *Provisional Opening & Closing Certificate*
 - *Provisional Ballot Tally Sheet*
 - *Provisional Ballot Applications (with envelope and instructions)*
 - Security seal for closing the orange provisional ballot bag after the polls close
 - Provisional Return Envelope
 - Envelope for provisional voter authority cards
 - Black pens for voters to fill out applications and mark provisional ballots

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6. Make sure the security seal number(s) on the zipper at the top of the orange provisional ballot bag is the same number printed on the “Opening” section of the *Provisional Opening & Closing Certificate*.
7. Make sure the orange provisional ballot bag is empty. Put a checkmark on the “Opening” section of the *Provisional Opening & Closing Certificate*.
8. Make sure the bottom of the orange provisional ballot bag is locked. If the bag is not locked, contact the Montgomery County Board of Elections right away.
9. Make sure the security seal number on the zipper on the top of the yellow voted mail-in ballot bag is the same number printed on the “Opening” section of the *Mail-in Voted Ballot Bag Certificate*.
10. Make sure the yellow mail-in ballot voted bag is empty. Put a checkmark on the “Opening” section of the *Mail-in Voted Ballot Bag Certificate*.
11. Make sure the bottom of the yellow mail-in voted ballot bag is locked. If the bag is not locked, contact the Montgomery County Board of Elections right away.

Figure - Provisional Opening & Closing Certificate


Maryland State Board of Elections
 Provisional Opening and Closing Certificate - 2026 Governorial Primary Election

County: _____ Date: June 23, 2026

District/Precinct: _____

OPENING		Verify <input checked="" type="checkbox"/>
1.	Verify seal number on orange provisional bag is: _____	
2.	Verify that the orange provisional bag is empty.	

CLOSING			
Voter Authority Cards (VACs)		Provisional Ballots	
Provisional Ballot Tally Sheet #	Totals	Provisional Ballot Tally Sheet #	Totals
Democratic VACs		Democratic Provisional Ballots	
Republican VACs		Republican Provisional Ballots	
All others/ UNA VACs		All others/ UNA Provisional Ballots	
Blank or No VAC			
Total (A)		Total (B)	

NOTE: Total (A) and Total (B) should be equal.

Record seal # placed on provisional orange bag at closing: _____

To the best of our knowledge, the information on this form is true and correct.
 Provisional Judge:

 Democratic Chief Judge

 Republican Chief Judge

Election morning

Make sure you sign the Payroll Sheet and put on your name tag.

1. Reverify the provisional and mail-in voted ballot bags are sealed and locked.
2. Give the yellow mail-in voted ballot bag to the chief judges.
3. Remove the seal on the orange provisional voted ballot bag.



Never leave provisional ballots unattended. During voting hours check the security of the ballots and ballot bag(s).

Provisional Ballot Application Procedures

1. The voter will be directed to the provisional voting by the check-in judge. A chief judge may ask another election judge to walk the provisional voter to the provisional judge.



Under federal law, every voter who claims to be registered and eligible to vote MUST be given an opportunity to vote.

2. Each voter will have a provisional voter authority card with a provisional ballot reason code number printed on it. They will also have an orange privacy sleeve.



If a person's name is not listed on the pollbook, then they may be eligible to register to vote using same day registration. Refer the person to the election judge who processes same day registrations. If a person is not eligible to register to vote using same day registration, they will not have a printed voter authority card. The person will have a hand-written voter authority card. A chief judge will tell you when someone does not have a voter authority card.

3. Check the provisional voter authority card for the voter's signature and the check-in judge's initials.
4. Tell the voter to print and sign their name on the Provisional Voter Sign-in Sheet. Use the provisional voter authority card to write in the voter's ID #, and provisional reason code. If reason code 4, then have the voter indicate the explanation.

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5. Tear off the Provisional Ballot Application Instructions page and tell the voter to read it completely and take it with them when they leave the polling place. Do not give the voter the Provisional Ballot Application yet.
6. Use the reason code on the provisional voter authority card to fill out the "Election Judge" section on the back of the *Provisional Ballot Application*.
 - Write the voter's ID # in the white space at the top.
 - Put a check mark next to the reason code on the application.
 - Write the district/precinct number, the ballot style issued, and your initials in the boxes in the top right corner. OR Verify that there is a pre-printed label with the correct district/precinct numbers and write the ballot style issued and your initials in the boxes in the top right corner.
 - If the voter needs to show ID, you **must** write down the type of ID that the voter provided. Write this in item #7 on the "Election Judge" section of the *Provisional Ballot Application*.

Figure - "Election Judge" Section on the back of the Provisional Ballot Application

Maryland Provisional Ballot - For Official Use Only		Location: (District/ Polling Place/Early Voting Center)	+
Election Judge Mark the code that is shown on the Voter Authority Card	A provisional ballot application was issued because the voter was:		Ballot Style Issued
	1. Not listed on the precinct register 2. Listed but indicated a change of address 3. Listed but claims to have different party affiliation (primary election only) 4. Listed as "Abs Issued": ○ a. Voter did not request a mail-in ballot ○ b. Voter did not receive mail-in ballot as requested ○ c. Voter received a MIB but did not return it and chose to vote in person ○ d. Voter has voted a mail-in ballot but wants to change their vote 5. Listed as "REG Issued," "PROV," or "Voted Early" 6. Listed as "Active" or "Inactive" and "Show ID" and unable to provide sufficient ID 7. Listed as "Pend1" and "Show ID" OR listed as "Pend2" and "Need DL/SSN#"		Election Judge Today's Date
	Was acceptable ID presented? <input type="radio"/> Yes <input type="radio"/> No		BSA
	Photo ID - The photo ID does not need an address . If there is an address, the address does not need to match the address on the VAC or this application. MVA DL or ID # on front of application Other Photo ID (specify): _____		Non Photo ID - The document must be current (dated within the last 3 months) and must contain the same name and address as listed on the VAC or this form. Specify document here: _____
	8. Challenged by a poll watcher and could not provide acceptable form of ID 9. Other (explain): _____ 10. Voted during extended hours 11. Not previously qualified for same-day registration (for FDP voters only)		

7. Put the provisional voter authority card in the "Provisional VAC Envelope." Do not give the voter the *Provisional Ballot Application* yet.
8. Put a tally mark for each provisional voter authority card in the "Voter Authority Cards" section of the *Provisional Ballot Tally Sheet*.

Figure - "Voter Authority Cards" Section of the Provisional Ballot Tally Sheet


Maryland State Board of Elections
 Provisional Ballot Tally Sheet - 2026 Gubernatorial Primary Election

County: _____ Date: June 23, 2026

District/Precinct: _____

1. Keep a tally of provisional voters on the first line.
(Ex. IIII = 4, IIII II = 12)

2. A voter not listed in the pollbook is tallied on the second line as blank or no VAC.

1. Keep a tally of provisional ballots voted.
(Ex. IIII = 4, IIII II = 12)

2. Spoiled ballots are tallied in the box near the bottom of the form.

VOTER AUTHORITY CARDS (VACs)

VAC Type	VAC Tally	Totals
Democratic		
Republican		
Other/ UNA		
TOTAL (A)		

PROVISIONAL BALLOTS

Ballot Type	Provisional Ballot Tally	Totals
Democratic		
Republican		
Other/ UNA		
TOTAL (B)		

Note: TOTAL (A) and TOTAL (B) should be equal.

Provisional Judge Signature

Spoiled Ballot Tally	Total
Spoiled Provisional Ballots	

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9. Show the voter the instructions on the application and tell the voter to:

- Read the instructions page.
- Tear off and keep the instructions page.
- Completely fill out and sign the *Provisional Ballot Application*.
- **DO NOT** detach the application (voter registration application) from the envelope.

10. While the voter completes the application, a chief judge or another judge delegated by the chief judge, will go to the ballot table to get a ballot for the provisional voter.

11. Check the application to make sure it is completed and signed.



Make sure the voter signs the application. If the voter does not sign the application, the voter's provisional ballot will not count.

12. Show the voter the ballot style and make sure it is correct.

13. Fold the ballot in half and then in half again and place it in the ballot application envelope in the slot marked "Insert Ballot Here." and place the application in an orange privacy sleeve.
14. Tell the voter to take the application envelope and the ballot to the privacy screen in the provisional voting area.
15. Tell the voter to put the voted ballot into the ballot application envelope and seal the envelope.



A provisional voter may use the ballot marking device to vote their provisional ballot if the voter asks to use the ballot marking device. An election judge must escort the voter to the ballot marking device and back to the provisional table. Make sure the ballot activation card ballot is put into the ballot application envelope and the envelope is sealed. The provisional judge should not leave the table.



If the voter makes a mistake on the ballot, tell the voter to overvote every contest. Write "Spoiled" across the ballot and put it in the "Spoiled Provisional Ballot Envelope" before issuing the voter a replacement ballot.

16. A voter may only be given two (2) replacement ballots. If a voter already spoiled two (2) ballots, an election judge must offer to help the voter. Two (2) judges, with different party affiliations, can work together to help the voter or the voter may choose a helper who is not an election judge. In either case a *Voter Assistance Form* must be completed.
17. Tell the voter to put the sealed application envelope into the orange provisional ballot bag.



If the provisional ballot bag is getting full, tell the chief judges right away. The chief judges must contact the Montgomery County Board of Elections to request another bag.

18. Put a tally mark for each provisional ballot put into the orange provisional ballot bag by a voter in the "Provisional Ballots" section of the *Provisional Ballot Tally Sheet*.

Figure - "Provisional Ballots" Section of the Provisional Ballot Tally Sheet


Maryland State Board of Elections
 Provisional Ballot Tally Sheet - 2026 Gubernatorial Primary Election

County: _____ Date: June 23, 2026

District/Precinct: _____

1. Keep a tally of provisional voters on the first line.
(Ex. IIII = 4, IIII II = 12)

2. A voter not listed in the pollbook is tallied on the second line as blank or no VAC.

1. Keep a tally of provisional ballots voted.
(Ex. IIII = 4, IIII II = 12)

2. Spoiled ballots are tallied in the box near the bottom of the form.

VOTER AUTHORITY CARDS (VACs)

VAC Type	VAC Tally	Totals
Democratic		
Republican		
Other/ UNA		
TOTAL (A)		

PROVISIONAL BALLOTS

Ballot Type	Provisional Ballot Tally	Totals
Democratic		
Republican		
Other/ UNA		
TOTAL (B)		

19. Make sure the voter does not leave the provisional voting area until the voter puts the voted ballot and sealed application in the orange provisional ballot bag.



Provisional ballots do not go into the scanning unit. Make sure provisional voters do not put their voted ballots into the scanning unit.



Monitor the provisional ballot bag(s) at all times. Keep all provisional ballot supplies secure and notify the chief judges right away if any provisional ballot supplies are missing or show signs of tampering.

Provisional Ballots Reasons and Instructions to Voters

The following chart shows the reason a voter is issued a provisional ballot. Note that the "Reason Codes" are the same as the codes listed on the back of the *Provisional Ballot Application*.

For each reason code, give the voter the correct instructions from the table below.

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Reason Code:	Tell the voter:
<p>1. Not listed on the precinct register.</p>	<ol style="list-style-type: none"> 1. If you are registered and in the correct precinct, your entire ballot will be counted. 2. If you are registered but in the wrong precinct, you can still choose to vote here instead of going to your correct precinct. But only the contests that would appear on the ballot for your correct precinct will be counted. 3. If you are not registered and not eligible to register using same day registration, your provisional ballot may not count. But the <i>Provisional Ballot Application</i> will serve as a voter registration application for future elections.
<p>2. Listed on the precinct register but indicated a change of address.</p>	<p>You say that you moved more than 21 days before the election and that you did not tell election officials about the change. Now you are in the wrong precinct for your new address. You can choose to vote a provisional ballot here, instead of going to your correct precinct. However, only the contests that would appear on the ballot for your new precinct will be counted.</p>
<p>3. Listed but claims to have different party affiliation. (Primary Election only)</p>	<p>Your provisional ballot will only be counted for all contests if the Montgomery County Board of Elections can confirm that you really are registered with the party that you claim. If you vote on a party's ballot other than your registered party, only selections for non-partisan school board contests will count.</p>

Reason Code:	Tell the voter:
<p>4. Listed as an absentee voter.</p> <ul style="list-style-type: none"> a. Voter did not request a mail-in ballot. b. Voter did not receive a mail-in ballot as requested. c. Voter received a MIB but did not return it and chose to vote in person. d. Voted a MiB but wants to change vote or is unaware if MiB was counted 	<p>[Ask the voter and mark the appropriate option]</p> <ul style="list-style-type: none"> 1.) Did you request a mail-in ballot? 2.) Did you receive your mail-in ballot as requested? 3.) Did you return your mail-in ballot? <p>Your provisional ballot will only be counted if you did not already vote by mail-in ballot and if you did not vote somewhere else.</p>
<p>5. Listed as “REG Issued,” “PROV,” or “Voted Early”</p>	<p>Your provisional ballot will only be counted. if you have not previously voted in this election. Provisional ballots are counted starting on the 2nd Wednesday after election day.</p>
<p>6. Listed as “Active or “Inactive” and “Show ID” and unable to provide sufficient ID.</p>	<p>If you provide the Montgomery County Board of Elections with the required ID before the provisional ballots are counted, then your ballot will be counted. Provisional ballots are counted starting on the 2nd Wednesday after election day.</p>

Reason Code:	Tell the voter:
<p>7. Listed as “Pend1” & “Show ID” OR listed as “Pend2” and “Need DL/SSN #”</p>	<p>If the Montgomery County Board of Elections can confirm the number you provided in Section 5 (Maryland Driver’s License, Learner’s Permit, or ID Card number OR last 4 digits of social security number), you will be registered to vote, and your ballot will be counted.</p> <p>If you marked in Section 5 “I do not have a valid Maryland Driver’s License or MVA ID card or a social security number,” you will be registered to vote, and your ballot will be counted.</p> <p>If you do not respond to any question in section 5, you will not be registered to vote, and your ballot will not be counted. If the number you provided cannot be confirmed before the provisional ballots are counted, your ballot will not be counted.</p>
<p>8. Challenged by a poll watcher and could not provide acceptable form of ID.</p>	<p>You must provide an acceptable form of ID to the Montgomery County Board of Elections before the provisional ballots are counted. Provisional ballots are counted starting the 2nd Wednesday after election day.</p> <p>If the Montgomery County Board of Elections decides that you are the registered voter you claim to be and that you are eligible to vote, then your ballot will be counted.</p>
<p>9. (Other)</p>	<p><i>[Note to provisional ballot judge: The chief judges will provide you with instructions if #9 is printed on the voter authority card.]</i></p>

Reason Code:	Tell the voter:
<p>10. Voted during extended hours</p>	<p>You are voting during extended voting hours ordered by the court.</p> <p>Your vote will be counted unless the court order extending voting hours is successfully challenged in court.</p>
<p>11. Not prequalified for Same Day Registration (SDR voters only)</p>	<p>The pollbook database did not show you as prequalified for registration.</p> <p>If the Montgomery County Board of Elections can confirm you meet the qualifying standards to be a registered voter, you will be registered to vote, and your ballot will be counted.</p>
<p>12. No proof of residency for Same Day Registration (SDR voters only)</p>	<p>You did not provide a current document showing your name and current address. You did not present a utility bill, bank statement, government check, paycheck or any other government document that is dated within the last three months.</p> <p>If you provide acceptable ID to the Montgomery County Board of Elections before the provisional ballots are counted, your ballot will be counted. If you do not provide acceptable ID before the provisional ballots are counted, your ballot will not be counted. Provisional ballots are counted starting the 2nd Wednesday after election day.</p>

Closing the Polls

1. Count each provisional voter authority card by party affiliation and write the number under "Voter Authority Cards (VACs)" on the "Closing" section of the *Provisional Opening & Closing Certificate*.

Figure - "Closing" Section of the Provisional Opening & Closing Certificate

 Maryland State Board of Elections Provisional Opening and Closing Certificate - 2026 Gubernatorial Primary Election			
County:		Date: June 23, 2026	
District/Precinct:			
OPENING			Verify <input checked="" type="checkbox"/>
1. Verify seal number on orange provisional bag is: _____			
2. Verify that the orange provisional bag is empty.			
CLOSING			
Voter Authority Cards (VACs)		Provisional Ballots	
Provisional Ballot Tally Sheet #	Totals	Provisional Ballot Tally Sheet #	Totals
Democratic VACs		Democratic Provisional Ballots	
Republican VACs		Republican Provisional Ballots	
All others/ UNA VACs		All others/ UNA Provisional Ballots	
Blank or No VAC			
Total (A)		Total (B)	
NOTE: Total (A) and Total (B) should be equal.			
Record seal # placed on provisional orange bag at closing: _____			
To the best of our knowledge, the information on this form is true and correct.			
Provisional Judge:			
_____		_____	
Democratic Chief Judge		Republican Chief Judge	

2. Check that the written total matches the number of tally marks on the *Provisional Ballot Tally Sheet*.
3. Count the number of tally marks under the "Provisional Ballots" section of the *Provisional Tally Sheet* and write the total on the "Closing" section of the *Provisional Opening & Closing Certificate*.
4. Sign the "Closing" section of the Provisional Opening & Closing Certificate.
5. Return all unvoted ballots to the ballot judge at the ballot issuing table.
6. Ask both chief judges to sign the Provisional Opening & Closing Certificate.
7. Place all provisional documents in the Provisional Return Envelope and return the envelope in the orange Provisional Supply Bag.

8. Put the security seal(s) over the opening on the orange Provisional Voted Ballot Bag(s).
9. Put all other provisional voting supplies in the orange Provisional Supply Bag.



Do everything that the chief judges ask you to do. It is important to complete all tasks quickly and efficiently.