

# Provisional Ballot Survey

## *New Mexico*

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Provisional Ballots Cast: 15,360  
Provisional Ballots Counted: 8,767  
Percent Counted: 57%  
Percent of Vote: 1.16%

### **DESIGN**

#### **Who designs the provisional ballot, the state or county?**

The state designs the provisional ballot.

#### **Is the entity responsible for designing the provisional ballot designated by statute or rule?**

State statute designates the state as responsible for the design.

#### **Does New Mexico have a provisional ballot that also serves as a voter registration application?**

Yes, the outer envelope of the provisional ballot serves as a voter registration application.

#### **Is New Mexico's provisional ballot visually distinguishable from a regular ballot?**

Yes, though the method varies depending on the type of machine a county uses. Provisional voting is one form of emergency voting. The ballot is the same for different types of emergency voting, but the envelope is specific. So, for example, there is a provisional ballot envelope into which the generic emergency ballot is placed.

### **AVAILABILITY AND STANDARDS**

#### **Are there a required number of provisional ballots at polling places?**

Yes, state statute mandates that there be a number of emergency ballots equal to 10% of registered voters.

#### **What to do poll workers do if the polling place runs out of provisional ballots?**

Precinct workers contact the County Clerk.

#### **Are provisional ballots tracked through distribution to polling sites through counting?**

Yes. Each ballot has a unique number, and each county has a unique sequence.

## **COUNTING PROVISIONAL BALLOTS**

### **Who determines whether or not a provisional ballot is valid?**

By administrative rule, county clerks determine whether the provisional voter is eligible. County commission functions as canvass board and actually “counts” the ballots.

### **What is the time frame for counting provisional ballots?**

Provisional ballots are counted at the time of canvassing. If a ballot is rejected the voter has until the Friday before the state canvass to appeal the county clerks decision to reject the voters provisional ballot.

### **What is the process for determining the eligibility of a provisional ballot?**

Not reported.

### **Who can observe the process?**

N/A

### **Is a provisional ballot counted if it is cast in the wrong precinct?**

A provisional ballot cast outside of its home precinct would be counted for all races within the county for which the voter is eligible to cast a vote.

### **What information must voters provide on the provisional ballot?**

The same information needed for registration.

### **May a voter remedy a provisional ballot that may be rejected?**

If a voters’ provisional ballot may be rejected, the voter is notified by registered mail and has until the Friday before the third Tuesday to contact the county clerk to provide additional information.

### **If voters remedy a flawed provisional ballot, how are they notified of this opportunity?**

Registered Mail.

**What can voters do if they failed to bring ID to the polls?**

If a voter failed to bring ID with him to the polls, the voter may bring ID to the county clerk up until the Friday before the third Tuesday.

**NOTIFICATION SYSTEM**

**What is the state's Free Notification System to inform voters whether their provisional ballot was counted?**

The notification system varies by county, but includes website or 1-800 system.

**Who administers the Free Notification System?**

The notification system is currently administered by county, but pending legislation may give the responsibility to the state.

**What is the timeline for posting information to the Free Notification System?**

Information is posted as determinations are made.