

Provisional Ballot Verification

30 states and the District of Columbia require provisional ballots to be cast in the correct precinct to be counted. (AL, AZ, AR, CT, DE, DC, FL, HI, IL, IN, IA, KY, MA, MI, MS, MO, MT, NE, NV, NY, OH, OK, SC, SD, TN, TX, UT*, VA, WV, WI**, WY**)

15 states count provisional ballots cast in the correct jurisdiction - i.e. municipality, county, state. (AK, CA, CO, GA, KS, LA, MD, NJ, NM, NC, OR, PA, RI, VT, WA)

3 states are exempt from HAVA's provisional ballot requirement because they allow Election Day Registration. (ID, MN, NH)

1 state is exempt from HAVA's provisional ballot requirement because it does not have voter registration (ND)

1 state with Election Day Registration allows voters to cast challenged ballots. (ME)

*Note: Utah requires provisional ballots to be cast in the correct precinct to be counted unless the ballot cast is identical to the precinct of the voter's residence.

**Wisconsin and Wyoming, exempt from HAVA's provisional ballot requirement because they allow Election Day Registration, offer provisional ballots to voters who cannot meet voter ID requirements. These states require provisional ballots to be cast in the correct precinct to be counted.

STATE	PROVISIONAL BALLOT COUNTING	LAW/REGULATION
Alabama	Counted if cast in correct precinct	The procedure for casting a provisional ballot at the polling place shall be as follows: The individual shall execute a written affirmation by the individual before the inspector or clerk stating the following: I do solemnly swear (or affirm) that I am a registered voter in the precinct in which I am seeking to vote and that I am eligible to vote in this election. <i>Source: Code of Alabama 1975 § 17-10A-2 (b)(2)</i>
Alaska	Counted if cast in correct jurisdiction (district)	Residence address information on the absentee in-person or questioned ballot envelope: If the voter provides an address and the address is different from that appearing on the voter's current registration record, the residence address provided will be considered in determining the voter's eligibility to vote in the election, and in the senate, house, or judicial district in which the voter voted, in accordance with the provisions of AS 15.20.211. <i>Source: Alaska Administrative Code 25.541</i> If a qualified voter of the state votes a ballot for a house district other than the house district in which the voter is registered, that person may vote only for (1) statewide ballot measures and questions; (2) candidates for federal or statewide offices; (3) candidates for the state senate if the voter's former

		residence and present residence are in the same senate district; and (4) candidates for judicial retention if the voter's former residence and present residence are in the same judicial district. Source: Alaska Statutes § 15.20.211
Arizona	Counted if cast in correct precinct	A qualified elector whose name is not on the precinct register, upon presentation of identification verifying the identity of the elector that includes the voter's given name and surname and the complete residence address that is verified by the election board to be in the precinct or on signing an affirmation that states that the elector is a registered voter in that jurisdiction and is eligible to vote in that jurisdiction, shall be allowed to vote a provisional ballot. Source: Arizona Revised Statutes § 16-584 (B)
Arkansas	Counted if cast in correct precinct	If following the hearing process, the county board is still unable to verify the provisional voter's registration status or makes a final determination that the provisional ballot was cast in the wrong precinct, the provisional ballot should not be counted. Source: Rules on Provisional Voting
California	Counted if cast in correct jurisdiction (county)	The provisional ballot of a voter who is otherwise entitled to vote shall not be rejected because the voter did not cast his or her ballot in the precinct to which he or she was assigned by the elections official. (A) If the ballot cast by the voter contains the same candidates and measures on which the voter would have been entitled to vote in his or her assigned precinct, the elections official shall count the votes for the entire ballot. (B) If the ballot cast by the voter contains candidates or measures on which the voter would not have been entitled to vote in his or her assigned precinct, the elections official shall count only the votes for the candidates and measures on which the voter was entitled to vote in his or her assigned precinct. Source: California Elections Code § 14310 (c)(3)

Colorado	Counted if cast in correct jurisdiction (county)	<p>(Any provisional ballot given an acceptance code shall be counted. However codes ADB, AEJ & AFS apply under those circumstances where only the state and federal races, issues and questions upon which the elector may vote shall be counted):</p> <p>ADB: Election official is knowledgeable that the elector was erroneously sent to the wrong precinct or erroneously given the wrong ballot style in the elector's correct precinct. Voted ballot will be duplicated and only races and issues for which the elector is qualified to vote shall be counted.</p> <p>AEJ: Election judge who was appointed after close of early and absentee voting and is working outside his or her precinct; judge shall vote on a ballot in the precinct in which he or she is working; voted ballot will be duplicated so that only the races and issues for which the judge is qualified to vote shall be counted.</p> <p>AFS: Voter is registered in the county but is voting in the wrong precinct or the voter moved from the county in which the voter was registered to another county in the state less than thirty days before the election. Only the votes for federal and statewide offices and statewide ballot issues and questions upon which the voter may vote shall be counted.</p> <p>Source: Colorado Secretary of State Election Rules § 26.53</p>
Connecticut	Counted if cast in correct precinct	<p>Applications for provisional ballots. (a) An individual may apply for and be issued a provisional ballot if the individual appears at the polling place and declares that such individual is an elector in the town in which the individual desires to vote and that the individual is eligible to vote in the primary or election for federal office in the polling place, but the name of the individual does not appear on the official registry list for such polling place. Source: Connecticut General Statutes § 9-232(l)</p>
Delaware	Counted if cast in correct precinct	<p>Provisional ballots cast by persons who are not registered to vote in the state or who are not registered to vote in the election district [precinct] in which they were cast shall be set aside, not opened and the votes not tallied. Source: Delaware Code § 4948 (h)(7)</p>

District of Columbia	Counted if cast in correct precinct	An individual whose eligibility to vote in the election cannot be determined at the polls on election day... shall vote by special ballot. The outside of the special ballot envelope shall contain a statement warning the voter of the criminal penalties for making a false representation as to his or her qualifications for voting and an affirmation signed by the voter attesting the following: (c) That he or she resides in the precinct where voting at the address provided. <i>Source: 3 DC ADC § 721.3(c) (not available online)</i>
Florida	Counted if cast in correct precinct	If it is determined that the person voting the provisional ballot was not registered or entitled to vote at the precinct where the person cast a vote in the election, the provisional ballot shall not be counted and the ballot shall remain in the envelope containing the Provisional Ballot Voter's Certificate and Affirmation and the envelope shall be marked "Rejected as Illegal." <i>Source: Florida Statutes § 101.048(2)(b)(2)</i>
Georgia	Counted if cast in correct jurisdiction	(g) If the person appears at a precinct in a county or municipality in which the person does not reside, the registrars shall instruct the poll officers to direct the person to contact the registrars in the county in which the person resides to determine in which precinct such person should vote. (h) If the poll officers cannot get in touch with the registrars after making a reasonable effort to do so, the poll officers shall be authorized to permit the person to vote a provisional ballot at the precinct without additional authorization from the registrars. In such case, all votes cast by such person for candidates for whom such person is properly entitled to vote shall be counted and all votes cast for candidates for whom such person is not properly entitled to vote shall be void and shall not be counted in accordance with O.C.G.A. § 21-2-419(c). <i>Source: Georgia Statutes § 183-1-12-.06(g) and (h)</i>
Hawaii	Counted if cast in correct precinct	Requirements for provisional voting: A voter attests that he or she has registered to vote, and is eligible to vote in the correct district and precinct in that election, but there is no evidence of registration. <i>Source: Hawaii office of elections factsheet on provisional voting</i>
Idaho	N/A	Election day registration, exempt from HAVA provisional ballot requirements.

Illinois	Counted if cast in correct precinct	If a county clerk or board of election commissioners determines that all of the following apply, then a provisional ballot is valid and shall be counted as a vote: The provisional voter cast the provisional ballot in the correct precinct based on the address provided by the provisional voter. The provisional voter's affidavit shall serve as a change of address request by that voter for registration purposes for the next ensuing election if it bears an address different from that in the records of the election authority. Source: Illinois Statutes Art. 10 § 5/18A-15 (b)(1)
Indiana	Counted if cast in correct precinct	(a) If the board determines that the affidavit executed by the provisional voter has not been properly executed, that the provisional voter is not a qualified voter of the precinct, that the voter failed to provide proof of identification when required under IC 3-10-1, IC 3-11-8, or IC 3- 11-10-26, or that the provisional voter did not register to vote at a registration agency under this article on a date within the registration period, the board shall make the following findings: (1) The provisional ballot is invalid. (2) The provisional ballot may not be counted. (3) The provisional ballot envelope containing the ballots cast by the provisional voter may not be opened. (b) If the county election board determines that a provisional ballot is invalid, a notation shall be made on the provisional ballot envelope: "Provisional ballot determined invalid". Source: Indiana Code § 3-11.7-5-3
Iowa	Counted if cast in correct precinct	No person shall vote in any precinct but that of the person's residence. Source: Iowa Code § 49.9
Kansas	Counted if cast in correct jurisdiction	When a registered voter has cast a provisional ballot intended for a precinct other than the precinct in which the voter resides but located within the same county, the canvassers shall count the votes for those offices or issues which are identical in both precincts. The canvassers shall not count the votes for those offices or issues which differ from the offices or issues appearing on the ballot used in the precinct in which the voter resides. Source: Kansas Statutes § 25-3002
Kentucky	Counted if cast in correct precinct	If the county board of elections determines the individual is ineligible to vote in the precinct in the election, the vote shall not be counted and the county board shall so indicate on the provisional ballot outer envelope. Source: 31 Kentucky Administrative Rules 6:020 Section 4(14)

Louisiana	Counted if cast in correct jurisdiction (parish)	<p>In an election for federal office, when an applicant's name does not appear on the precinct register and the registrar of voters has not authorized the applicant to vote by affidavit, or the commissioners assert that the applicant is not eligible to vote, and the applicant declares himself to be a registered voter and eligible to vote in the election for federal office, the applicant may cast a provisional ballot for candidates for federal office. Procedure for provisional voting for federal office at a polling place: The applicant shall first fill in the blanks on the provisional ballot envelope flap and sign the certificate on the envelope flap in the presence of a commissioner attesting that he is a registered voter in the parish and is eligible to vote in the election for federal office. Source: Louisiana Statutes § 18:566 (A)(B) And: A provisional voter must certify that he is a registered voter in the parish and is eligible to vote in the election for federal office.....If a voter is registered to vote in another precinct, send them to the correct precinct to vote. If the voter insists on voting in the incorrect precinct, the commissioners will issue a federal provisional ballot to the individual and he voter will sign his name on the list behind the provisional voters tab in the Precinct Register.</p> <p>**Note: The individual will not be allowed to vote on any state, parish, or municipal races or propositions. Source: Jefferson Parish Clerk of Court Guide to Provisional Voting</p>
Maine	Election day registration - challenged ballots	<p>Maine has a challenged ballot procedure: A challenged ballot can be cast when " A voter, whose name does not appear on the voting list, but who affirms that the voter is eligible to vote in the municipality. (A completed, signed voter registration application is the voter's affirmation.) If the challenger meets the requirements for a proper challenge, the warden completes the Challenge Affidavit Certificate, except for the ballot #. The warden administers the oath to the challenger. The warden and the challenger then sign the certificate. The warden completes the process, by writing the secret number on the ballot (in the upper right corner of the back of the ballot) and the challenge certificate. The warden returns the ballot to the voter, along with a copy of the attached document entitled "Information for Voters Casting a Challenged Ballot in Maine". The voter may then proceed to vote in the usual manner. Challenged ballots are counted in the same manner as regular ballots. No decision will be made on the challenge</p>

		unless a recount occurs, and the challenged ballots could affect the outcome of the election. Source: Requirements for provisional voting under HAVA: (Maine's challenged ballot procedure)
Maryland	Counted if cast in correct jurisdiction (state)	A local board shall count: The entire provisional ballot if the address on the provisional ballot application is within the precinct where the provisional ballot was cast; or (2) only the votes cast by the voter for each candidate or question applicable to the precinct in which the voter resides, as determined by the address on the provisional ballot application of the voter. Source: Maryland Code 11-303
Massachusetts	Counted if cast in correct precinct	A provisional ballot shall be counted if the city or town clerk determines that the individual is eligible to vote in the precinct in the election under the law of the commonwealth. A provisional ballot shall not be counted if the city or town clerk determines that the individual is ineligible to vote in the precinct in the election under the law of the commonwealth. Source: Massachusetts General Laws § 54.76C(d)
Michigan	Counted if cast in correct precinct	If you or the clerk determines that the voter is registered to vote in a different precinct and the voter is willing to travel to his or her proper polling place, there is no need to complete this form. Instead, give the voter directions to his or her proper polling place. (If the voter declines to travel to his or her proper polling place, continue with the completion of this form and carefully follow the instructions under Step Four for issuing an "envelope" ballot to the voter. In such an instance, inform the voter that his or her ballot will not count if it is confirmed that the voter is voting in the wrong polling place.) Source: Department of State procedure for issuing provisional ballots
Minnesota	N/A	Election day registration, exempt from HAVA provisional ballot requirements.
Mississippi	Counted if cast in correct precinct	If the voter resides in another precinct, tell the voter he/she must go to that precinct's polling place. Reason: if the voter casts a ballot in a precinct where the voter does not reside, the entire ballot must be rejected by the Election Commission or Executive Committee. Source: 2005 Mississippi county election handbook, p. 42

Missouri	Counted if cast in correct precinct	If the voter declares that the voter is eligible to vote and the election authority determines that the voter is eligible to vote at another polling place, the voter shall be directed to the correct polling place or a central polling place as established by the election authority pursuant to subsection 5 of section 115.115. If the voter refuses to go to the correct polling place or a central polling place, the voter shall be permitted to vote a provisional ballot at the incorrect polling place, but such ballot shall not be counted. Source: Missouri Revised Statutes § 115.430(2)
Montana	Counted if cast in correct precinct	Provisional voting in person. (1) Before being given a ballot, an elector casting a provisional ballot: (b) shall sign an affirmation in a form prescribed by the secretary of state swearing that, to the best of the elector's knowledge, the elector is eligible to vote in the election and precinct and is aware of the penalty for false swearing. Source: Montana Code § 13-13-601
Nebraska	Counted if cast in correct precinct	A provisional ballot cast by a voter pursuant to section 32-915 shall not be counted if: (e) The residence address provided on the registration application completed pursuant to subdivision (1)(e) of section 32-915 is in a different county or in a different precinct than the county or precinct in which the voter voted. Source: Nebraska Statutes § 32-1002
Nevada	Counted if cast in correct precinct	A provisional ballot must not be counted if the county or city clerk determines that the person who cast the provisional ballot cast the wrong ballot for the address at which he resides. Source: Nevada Statutes § 293.3085(4)
New Hampshire	N/A	Election day registration, exempt from HAVA provisional ballot requirements.
New Jersey	Counted if cast in correct jurisdiction	If, for any reason, a provisional ballot voter votes a ballot other than the ballot for the district in which the voter is qualified to vote, the votes for those offices and questions for which the voter would be otherwise qualified to vote shall be counted. All other votes shall be void. Source: New Jersey Statutes § 19:53C-17

New Mexico	Counted if cast in correct jurisdiction (county)	A person shall be permitted to vote on a provisional paper ballot even though the person's original certificate of registration cannot be found in the county register or even if the person's name does not appear on the signature roster, provided: (1) the person's residence is within the boundaries of the county in which the person offers to vote. Source: New Mexico Statutes § 1-12-8
New York	Counted if cast in correct precinct	Whenever a voter presents himself and offers to cast a ballot, and the address at which he claims to live is in the election district in which he seeks to vote but no registration poll record can be found for him in the poll ledger or his name does not appear on the computer generated registration list or his signature does not appear next to his name on such computer generated registration list or his registration poll record or the computer generated registration list does not show him to be enrolled in the party in which he claim to be enrolled, he shall be permitted to vote only as hereinafter provided: He may swear to and subscribe an affidavit stating that he has duly registered to vote, the address in such election district from which he registered, that he remains a duly qualified voter in such election district, that his registration poll record appears to be lost or misplaced or that his name and/or his signature was omitted from the computer generated registration list or that he has moved within the county or city since he last registered, the address from which he was previously registered and the address at which he currently resides, and at a primary election, the party in which he is enrolled. The inspectors of election shall offer such an affidavit to each such voter whose residence address is in such election district. Each such affidavit shall be in a form prescribed by the state board of elections, shall be printed on an envelope of the size and quality used for an absentee ballot envelope, and shall contain an acknowledgment that the affiant understands that any false statement made therein is perjury punishable according to law. The voter's name and the entries required shall then be entered without delay and without further inquiry in the fourth section of the challenge report or in the place provided at the end of the computer generated registration list, with the notation that the voter has executed the affidavit hereinabove prescribed, or, if such person's name appears on the computer generated registration list, the board of elections may provide a place to make such entry

		<p>next to his name on such list. The voter shall then, without further inquiry, be permitted to vote an emergency ballot provided for by this chapter. Such ballot shall thereupon be placed in the envelope containing his affidavit, and the envelope sealed and returned to the board of elections in the manner provided by this chapter for protested official ballots, including a statement of the number of such ballots. 3-a. The inspectors shall also give to every person whose address is in such election district for whom no registration poll record can be found and, in a primary election, to every voter whose registration poll record does not show him to be enrolled in the party in which he wishes to be enrolled a copy of a notice, in a form prescribed by the state board of elections, advising such person of his right to, and of the procedure by which he may, cast an affidavit ballot or seek a court order permitting him to vote, and shall also give every such person who does not cast an affidavit ballot, an application for registration by mail. Source: New York State Consolidated Laws § 8-302</p>
<p>North Carolina</p>	<p>Counted if cast in correct jurisdiction (county)</p>	<p>When it enacted G.S. 163•166.11, it was then and is now the intent of the General Assembly that any individual who is a registered voter in a county but whose name does not appear on the official list of registered voters at the voting place at which that voter appears be allowed to cast a provisional official ballot. When it enacted G.S. 163•166.11, it was then and is now the intent of the General Assembly that all provisional ballots be counted for all those ballot items for which a voter was eligible to vote. In enacting G.S. 163•166.11 in 2003, the General Assembly was fully mindful of and intended to reinforce the fact that prior statutory enactments in 2001 had already recognized the right of a voter to cast a provisional ballot and to have that ballot counted for all items for which that voter was eligible to vote. See G.S. 163•182.2(a)(4). Even prior to 2003, the General Statutes recognized the right of a registered voter to cast a provisional ballot and to have that ballot counted for all those items for which the voter was duly qualified to vote. Provisional official ballots shall be counted by the county board of elections before the canvass. If the county board finds that an individual voting a provisional official ballot is not eligible to vote in one or more ballot items on the official ballot, the board shall not count the official ballot in those ballot items, but shall count the official ballot in any ballot items for which</p>

		<p>the individual is eligible to vote. Eligibility shall be determined by whether the voter is registered in the county as provided in G.S. 163•82.1 and whether the voter is qualified by residency to vote in the election district as provided in G.S. 163•55 and G.S. 163•57. If a voter was properly registered to vote in the election by the county board, no mistake of an election official in giving the voter a ballot or in failing to comply with G.S. 163•82.15 or G.S. 163•166.11 shall serve to prevent the counting of the vote on any ballot item the voter was eligible by registration and qualified by residency to vote. Precincts and Election Districts. – For purposes of qualification to vote in an election, a person's residence in a precinct, ward, or election district shall be determined in accordance with G.S. 163•57. When an election district encompasses more than one precinct, then for purposes of those offices to be elected from that election district a person shall also be deemed to be resident in the election district which includes the precinct in which that person resides. An election district may include a portion of a county, an entire county, a portion of the State, or the entire State. When a precinct has been divided among two or more election districts for purposes of elections to certain offices, then with respect to elections to those offices a person shall be deemed to be resident in only that election district which includes the area of the precinct in which that person resides. Qualification to vote in referenda shall be treated the same as qualification for elections to fill offices. Source: Senate Bill 133, 2005</p>
<p>North Dakota</p>	<p>N/A</p>	<p>No voter registration, HAVA provisional ballot requirements do not apply.</p>
<p>Ohio</p>	<p>Counted if cast in correct precinct</p>	<p>If an individual declares that the individual is eligible to vote in a jurisdiction other than the jurisdiction in which the individual desires to vote, or if, upon review of the precinct voting location guide using the residential street address provided by the individual, an election official at the polling place at which the individual desires to vote determines that the individual is not eligible to vote in that jurisdiction, the election official shall direct the individual to the polling place for the jurisdiction in which the individual appears to be eligible to vote, explain that the individual may cast a provisional ballot at the current location but the ballot will not be counted if it is cast in the wrong precinct, and provide the telephone number of the board of</p>

		elections in case the individual has additional questions. Source: Ohio Revised Code § 3505.181 (C)(1)
Oklahoma	Counted if cast in correct precinct	A provisional ballot shall be counted only if it is cast in the precinct of the voter's residence and if evidence of the provisional voter's valid voter registration, or of the voter's identity, is found, except a provisional ballot cast by a voter identified in Section 14-121 of Title 26 of the Oklahoma Statutes shall be counted. Source: Oklahoma Statutes Title 26 § 7-116.1(C)
Oregon	Counted if cast in correct jurisdiction	Procedure for voting by person for whom no evidence of registration is found. (1) A person offering to vote and who claims to be an elector, but for whom no evidence of active or inactive registration can be found, shall be granted the right to vote in the manner provided in this section. (2) Whenever an elector updates a registration at a polling place on the date of the election, the elector shall vote in the manner provided in this section. (3) An elector voting under this section shall complete and sign a registration card. (4) The elector shall insert the ballot into a small envelope provided by the election board and then insert the small envelope into a larger envelope. The larger envelope shall be deposited in the ballot box. When the ballot box is opened, the larger envelopes shall be segregated and not counted until the registration of the elector is verified under this section. (5) The county clerk shall determine if the elector is validly registered to vote and if the vote was properly cast. The ballot shall be counted only if the county clerk determines the registration of the elector is considered active or inactive. (6) A vote shall be counted only if the elector is qualified to vote for the particular office or on the measure. Source: Oregon Statutes § 254.408

Pennsylvania	Counted if cast in correct jurisdiction (county)	If it is determined that the individual voting the provisional ballot was eligible to vote in the county in which the ballot was cast but not at the election district where the ballot was cast, the county board of elections shall open the envelope and only count that portion of the ballot that the individual would have been eligible to vote in his proper election district and at the election district where the vote was cast if: (A) the county board of elections confirms that the individual did not cast any other ballot, including an absentee ballot, in the election; and (B) the individual casting the provisional ballot is a resident of the county in which the provisional ballot was cast. (ii) In the event that the individual casting the provisional ballot is not found to be a resident of the county in which the provisional ballot was cast, the ballot shall not be counted. Source: Pennsylvania Statutes Title 25 § 3050
Rhode Island	Counted if cast in correct jurisdiction	If the street address which appears on the "Provisional Ballot Application" does not match the street address which appears on the community's official list of registered voters and the street address is located outside of the voting district where the provisional ballot was cast the individual shall be deemed eligible to cast a ballot for "Federal Offices Only" and the local board shall so indicate on the "Provisional Ballot Application"; provided, however, that in the City of Providence, if the street address which appears on the "Provisional Ballot Application" does not match the street address which appears on the community's official list of registered voters and the street address is located outside of the voting district and Congressional District where the provisional ballot was cast the individual shall be deemed eligible to cast a ballot for the offices of president and vice president only, and the local board shall so indicate on the "Provisional Ballot Application. Source: Rules and Regulations for Provisional Voting Adopted by the Rhode Island Board of Elections

South Carolina	Counted if cast in correct precinct	Where, pursuant to § 7-13-820, a person's name could not be verified by the registration board or where a telephone was not available and the person was allowed to vote a provisional ballot, the Board of Voter Registration, before the meeting, must certify to the authority in charge whether or not the voter is a qualified elector of the precinct in which he voted his provisional ballot. If the board certifies the person challenged is not a qualified elector of the precinct, this certification is considered an administrative challenge and is clear and convincing evidence for the meeting authority to disallow the ballot. Source: South Carolina Code § 7-13-830
South Dakota	Counted if cast in correct precinct	Prior to the official canvass, the person in charge of the election shall determine if the person voting by provisional ballot was legally qualified to vote in the precinct in which the provisional ballot was cast. In making this determination, the person in charge of the election shall consider the information provided on the affirmation and diligently investigate the voter registration status of the person. If there is no evidence that a voter registration form had been completed by the person showing a residence address in that precinct and returned to an official voter registration site prior to the deadline to register to vote for the election, the provisional ballot is invalid. Source: South Dakota Codified Laws § 12-20-5.1
Tennessee	Counted if cast in correct precinct	If the central provisional ballot counting board determines that the person should not have been registered to vote in the precinct where the voter cast the ballot or that the voter has previously cast a ballot in the election in a different precinct, the provisional ballot envelope shall not be opened nor its provisional ballot affidavit removed, but it shall be marked "Rejected" across its face with the reason for rejection written on it and signed by at least two (2) members of the central provisional ballot counting board. It shall then be placed in the container of rejected absentee ballots. A list shall be made of such rejected ballots, and the administrator shall notify the voters by mail of the rejection and the reason for such rejection. Source: Tennessee Code § 2-7-112

Texas	Counted if cast in correct precinct	A person to whom Section 63.008(b) or 63.009(a) applies may cast a provisional ballot if the person executes an affidavit stating that the person: (1) is a registered voter in the precinct in which the person seeks to vote; and (2) is eligible to vote in the election. Source: Texas Statutes § 63.011
Utah	Counted if cast in correct precinct unless the ballot cast is identical to the precinct of the voter's residence.	Review and disposition of provisional ballot envelopes: (1) As used in this section, a voter is "legally entitled to vote" if: (a) the voter: (i) is registered to vote in the county; (ii) resides within the voting precinct where the voter seeks to vote; and (iii) provided valid voter identification to the election judge as indicated by a notation in the official register; (b) the voter: (i) is registered to vote in the county; and (ii) did not vote in the voter's precinct of residence, but the ballot that the voter voted is identical to the ballot voted in the voter's precinct of residence. Source: Utah Code § 20A-4-107(1)
Vermont	Counted if cast in correct jurisdiction (town/city)	Provisional ballot envelopes: (1) A statement informing the applicant of the requirements for voter eligibility set forth in section 2121 of this title and space for the provisional voter to provide the information necessary for the town clerk to determine eligibility, including a place for the applicant to swear or affirm, by checking the appropriate box, that he or she meets all voter eligibility requirements set forth in section 2121 of this title and the signature of the provisional voter signed under penalty of perjury. (4) A statement informing the provisional voter: "Provisional balloting allows a provisional voter only to vote in federal elections. If you wish to vote in any other state or local election, you should return this form to the elections officials and file an appeal in superior court in the county in which you live pursuant to section 2148 of Title 17. If you choose to vote by provisional ballot, after the close of the polls, the town clerk will determine whether you meet all eligibility requirements. If the clerk denies your application, he or she will inform you that the application has been denied." Section 2121: Eligibility of voters: Any person who, on election day: (1) is a citizen of the United States; (2) is a resident of the state of Vermont; (3) has taken the voter's oath; and (4) is 18 years of age or more may register to vote in the town of his residence in any election held in a political subdivision of this state in which he resides. Source: Vermont Statutes Title 17 § 2555

Virginia	Counted if cast in correct precinct	The electoral board shall meet on the day following the election and determine whether each person having submitted such a provisional vote was entitled to do so as a qualified voter in the precinct in which he offered the provisional vote. If the electoral board determines that such person was not entitled to vote as a qualified voter in the precinct in which he offered the provisional vote, or is unable to determine his right to vote, the envelope containing his ballot shall not be opened and his vote shall not be counted. Source: Virginia Code § 24.2-653(B)
Washington	Counted if cast in correct jurisdiction (state)	Once the provisional ballot has been investigated, disposition of the ballot is as follows: (4) If the voter is a registered voter but has voted a ballot other than the one which the voter would have received for his or her precinct, the auditor must ensure that only those votes for the positions and measures for which the voter was eligible to vote are counted. (5) If the voter is a registered voter in another county, the auditor shall forward the ballot and a corresponding voter guide, or other means by which the ballot can be interpreted, to the supervisor of elections for the jurisdiction in which the voter is registered. The ballot must be forwarded within seven calendar days after a primary or special election and fifteen calendar days after a general election, and as soon as possible if past that date. Source: Washington Code § 434-253-047(4)(5)
West Virginia	Counted if cast in correct precinct	Citizens of the state shall be entitled to vote at all elections held within the precincts of the counties and municipalities in which they respectively reside. Source: West Virginia Code § 3-1-3
Wisconsin	Counted if cast in correct precinct. Is an election-day registration state, provisional ballots only offered if voter is required to show ID and cannot provide ID	Provisional ballots will not be given when a voter is at the wrong polling place or when a person is attempting to register in-person at the polling place and does not have proof of residence. Source: State Board of Elections provisional voting information sheet
Wyoming	Counted if cast in correct precinct. Is an election-day registration state, provisional ballots only offered if voter is required to show ID and cannot provide ID	Those voters casting provisional ballots who are determined to be eligible to vote in the precinct shall have their provisional ballots counted and the results added to the unofficial results of the election. Source: Wyoming Rules and Regulations SOS EP Ch. 4 Section 8(d)

