A dual primary is two primary elections conducted on the same day. Some supplies and procedures are different from regular elections. The instructions below cover these differences and are a supplement to the usual instructions:

In a dual primary, officers of election must:

- Determine in which primary election the voter wishes to vote by <u>asking the voter</u>:

   "Do you wish to vote in the Democratic Party Primary or in the Republican Party Primary?"

   o   The voter must somehow indicate their choice of primary to the pollbook officer(s). The officer must confirm that he or she heard the choice correctly. If the voter chooses to provide written confirmation of his/her full name and address to hand to the officer, his/her ballot choice decision may also be written. (§§ 24.2-529 -- 24.2-531, 24.2-643(B))

   o   All persons qualified to vote may vote in <u>either</u> primary. (§ 24.2-530)

   o   But, the voter <u>may **not** vote in both primaries held on the same date,</u> even if the desire is to vote for candidates running for different offices. (§ 24.2-530)

   o   No voter may be challenged on their choice of a primary. (§ 24.2-530)

      ▪   FAQ Help: The question must be asked and answered so that the voter will receive the ballot requested, and the pollbook(s) will be appropriately marked. State laws require separate ballots and separate paper pollbooks (if used) for each party's primary. The two primaries are two separate elections. (§§ 24.2-529 -- 24.2-532)

      ▪   The choice to vote in a party's primary does not mean that the voter will be "registered" with that party. **Virginia does not have "party registration".** (§§ 24.2-101, 24.2-418)

- For paper pollbooks, each voter's name <u>must be looked up in both parties' pollbooks at the same time</u>, to make sure that the voter has not already voted in <u>either</u> primary. For each alphabetical division of the pollbook, place two pollbook officers side-by-side with the same alphabetical split of the respective pollbooks, and with separate count sheets.

- Enter the next Pollbook count number from either the Democratic Pollbook Count Sheet or the Republican Pollbook Count Sheet, as appropriate. Enter PBC in the <u>appropriate</u> pollbook. **Do not make any mark for the voter in the other party's pollbook.**

- Before the polls open, enter any subsequent "AB" designations by each voter's name in either the Democratic Paper Pollbook or the Republican Paper Pollbook, as appropriate, i.e., denoting AB activity since the paper pollbook was printed.

- For electronic pollbooks, the EPB officer must select the voter's political party selection before the voter's name can be confirmed or "checked-in" to the dual party primary electronic pollbook.

- Emergency absentee voters from the Monday before the election should be designated in the electronic pollbooks as well.

- Provide the voter with the appropriately colored entry permit (or access card). Use a different color entry permit for each party's primary (for example, blue for Democratic Primary and white for Republican Primary).

- The voting machine or ballot officer must ensure that the voter receives the ballot for the party requested. Specific instructions for different types of equipment and ballots can be found below.

- Officers can either prepare <u>two</u> Statements of Results for the <u>Democratic</u> Primary Election and <u>two</u> for the <u>Republican</u> Primary Election OR two Statements of Results that have both parties' results. (§ 24.2-667)

- The fact that there are two separate elections being conducted does not require two completely separate teams of election officers, only that there be enough officers of each party to fill all of the required stations, including all divisions of both paper pollbooks or sets of electronic pollbooks.

- The officer must give the voter either the official Democratic Primary ballot **or** the official Republican Primary ballot, according to the voter's entry permit.

- The officer must direct the voter to deposit the voted ballot (for either party primary) into the ballot counter before the voter leaves the polling place.

For Provisional Ballots:

- The officer must enter above the "Precinct #" in the top right corner either "D" for Democratic Party Primary" or "R" for Republican Party Primary. This area is on the side of the **Provisional Ballot Envelope** that <u>the voter is **required to complete**</u>.

- Provisional ballot envelopes with voted ballots must be deposited into <u>separate 1A Provisional Envelopes</u>, one marked "Democratic Primary" and one marked "Republican Primary."

- Democratic and Republican provisional ballots must be logged onto separate Provisional Ballot Logs.

- Keeping the provisional ballots separated by political party will assist the Electoral Board in conducting separate provisional ballot meetings.

Same Day Voter Registration:

ELECT's established same day voter registration procedures remain in place during a dual primary. The voter's ballot selection will be necessary after the officer determines that the individual is not presently registered in the precinct's pollbook.

Uploading/Entering Credit in VERIS

Be very careful to ensure you upload/enter credit to the correct Primary. If you accidentally upload/enter both primaries credit into the same election, or have trouble with entering each primary's credit correctly, create a JIRA ticket so IT can help you.

Key Points for a Quick and Happy Voter Experience

- Two separate elections are being conducted. It is important for everyone to be aware of that. While certain aspects are not required to be kept separate, it is encouraged to proceed as much as possible with the idea of keeping the elections separate. In the end it will help ensure voters understand this concept, are recorded on the correct election, and results are entered in the correct election.

- Voters are only allowed to vote once. OOEs are asking which primary the voter wants to vote in, not which party they are affiliated with. Making sure OOEs ask the correct question can go a long way toward voter satisfaction.

Scenario: AFTER being entered in the pollbook for one political party's primary and being issued an entry ticket giving access to the selected party's ballot, but **BEFORE** casting the ballot, the voter changes his mind and wants to vote in the other party's primary.

If the voter has **not** cast his ballot by placing the ballot in the ballot scanner, he is entitled to change his mind regarding his primary choice and may request the ballot for the other political party. If this should occur, the following procedures should be followed:

1. The voter must be instructed to return the initially issued ballot to the ballot officer and the entry ticket to the pollbook officer. This voter must return to the end of the line, if one, and wait his turn to be processed for the election in which he wishes to vote.

2. At the pollbook table, the voter must restate his name, address, and political party selection or provide them in writing to the pollbook officer. The voter must present ID again.

3. Updating the pollbooks:

    a. For an **electronic pollbook (EPB)**, the chief officer of election should be summoned so that the voter's party primary selection can be changed according to the EPB's instructions.

    b. For **paper pollbooks**, both pollbook officers must simultaneously find the voter's name in the paper pollbooks.

        i. The pollbook officer handling the paper pollbook for the primary in which the voter does **not** wish to vote must:

            1. Draw a single line through the pollbook count number placed in the "Pollbook Count" column to the left of the voter's name and write VCM (Voter Changed Mind) to the left of the line number for that voter.

            2. The officer should also turn to the last page of his paper pollbook or pollbook division and enter a "-1" after the last printed line on the page, in the "Pollbook Count" column. **The number assigned to this voter CANNOT be re-assigned to another voter.**

        ii. The pollbook officer handling the paper pollbook for the primary in which the voter **does** wish to vote would then enter the next pollbook count number from his party's pollbook count sheet in the "Pollbook Count" column to the left of the voter's name, give the voter an entry ticket for the party in which he is now entitled to vote and direct him to the ballot officer.

        iii. After the polls close, the total number of minuses should equal the total number of "VCM" notations entered in the paper pollbook. These will have to be subtracted from the total number of voters indicated by the numbers that have been crossed off from the pollbook count sheet, e.g., last Pollbook count number used is 427, minuses total 10 (should also have 10 voters marked VCM), total number of voters is 417.

4. The officers of election may need to explain discrepancies between the number of voters checked in and the number of ballots cast on the appropriate party's or combined Statement of Results, i.e., section 4.

5. If the voter decides to abandon voting, make sure the voter returns his or her unvoted ballot, entry slip, and is unchecked from the electronic or paper pollbook before he or she leaves the polling place. Anonymous voter departures my occur. In those instances, the voter will remain in the pollbook and abandoned unvoted ballots are returned to the ballot officer to be voided.

NOTE: If a voter changes his mind more than once, and it is determined that this behavior is hindering or delaying other voters in voting, the officers of election may, by a majority vote, require this person to leave the polling place and to remain outside the prohibited area.