

# DEFINITION

OF A



Overview and Examples

# Contents

## Introduction 1

<b>Definition of a Vote</b>	<ul style="list-style-type: none"><li>2 What if the majority of an oval is filled in?</li><li>3 What if the oval next to the candidate’s name or the question choice is circled or underlined?</li><li>4 What if the candidate’s name or the question choice is circled or underlined?</li><li>5 What if the party affiliation associated with the candidate’s name is circled or underlined?</li><li>6 What if there is an “X”, a check mark, a plus sign, an asterisk, or a star, any portion of which is contained in a single oval, and no portion of which enters into another oval, next to the candidate’s name or question choice?</li><li>7 What if there is a diagonal, horizontal, or vertical line used to mark the boxes?</li><li>8 What if there are words of affirmative choice, such as “Vote for Smith” or “vote yes”, written in the area for the specific contest?</li><li>9 What if there is a valid choice has been made and one or more other choices are similarly marked and contain an “X”, a cross-out, or another mark obscuring the filled in area, or contain words of error or affirmative choice such as “no,” “not this,” “ignore this,” “vote for Smith,” or “Vote yes,” do the choices without the additional markings, or in the absence of additional markings, the choices indicated by the written words, constitute a valid vote?</li></ul>
<b>Write-In Voting</b>	<ul style="list-style-type: none"><li>10 What if a voter designates a vote for a named candidate on the ballot and also provides for a write-in candidate in the same contest?.</li><li>11 What if the written name of a filed write-in candidate, or the written name of a candidate whose name is on the ballot in the contest is written in the write-in space?</li><li>12 What if a voter designates a vote for a named candidate on the ballot and writes in the name of a different person?</li><li>13 What if any abbreviations, misspelling, or other minor variations in the form of the name of a filed write-in candidate is marked when the intended candidate can be determined?</li><li>14 What if the voter uses first name or initials of a filed write-in candidate?</li><li>15 What if the voter writes in only the last name of the candidate for Governor or the last name of the candidate for Lieutenant Governor?</li><li>16 What if the voter writes in the name of the candidate for President or the name of the candidate for Vice President?</li></ul>

## Appendix 17-18

# INTRODUCTION

This document is intended to aid Local Boards of Elections (LBEs) and the Local Board of Canvassers during a canvass of absentee or provisional ballots, a review of write-in votes, a post-election audit or a recount using ballots or ballot images. The examples below are taken from the Code of Maryland Regulations (COMAR) §§ 33.08.02.02 and 33.08.02.03 (See Attached Appendix) and must be used to determine the voter's intent based on what defines a vote under Maryland law.

The following visual examples include votes that must be counted, as well as votes that cannot be counted. Of course, the range of ways in which a voter can mark a ballot is unlimited and not all possibilities are included here. These examples should be used to inform decision-making regarding voter intent; however, in the event voter intent cannot be determined, assistance should be sought from the LBE's counsel or the State Board of Elections (SBE).

Note that for many of the following examples, duplication of the ballot following the regulations found at COMAR § 33.08.04.05 (See Attached Appendix) would be necessary prior to tabulation on either a DS200 or DS850. Absentee and provisional ballots should be visually examined prior to tabulation and should be referred to duplication teams as necessary. Finally, if a voter does not mark or leaves blank a candidate or question choice, the valid votes for other choices on the same ballot must be counted.

# 1. DEFINITION OF A VOTE

A vote is...

1) The majority of an oval designating a candidate or question choice is filled in.

Examples of votes to be counted:



<b>Mayor Vote for 1</b>
<input type="radio"/> <b>Armand F. Girard</b>
<input checked="" type="radio"/> <b>Chancellor Torbit</b>
<input type="radio"/> <b>Brian Charles Vaeth</b>
<input type="radio"/> <b>Alan Walden</b>
<input type="radio"/> <b>Larry O. Wardlow, Jr.</b>



<b>Question B Charter Amendment Budget Deadline and Budget Amendment Notice</b>
<p>This Charter Amendment would amend the Frederick County Charter to extend the time for the County Council to adopt the County Budget until May 31 and would require that the County Council provide at least two days advance public notice on the County website before holding a public hearing on a budget amendment that constitutes a change of substance.</p>
<input type="radio"/> <b>For the Charter Amendment</b>
<input checked="" type="radio"/> <b>Against the Charter Amendment</b>

2) The oval next to the candidate's name or the question choice is circled or underlined.

Examples of votes to be counted:



<b>Member of the City Council District 9</b> <b>Vote for 1</b>
<input checked="" type="radio"/> <b>Kenneth Earl Ebron, Jr.</b>
<input type="radio"/> <b>Octavia D. Njuhigu</b>



<b>Question A Charter Amendment Compilation of Laws</b>
To amend the Anne Arundel County Charter to remove the requirement of recodifying the Anne Arundel County Code at least every ten years.
<input checked="" type="radio"/> <b>For the Charter Amendment</b>
<input type="radio"/> <b>Against the Charter Amendment</b>



<b>Question A Charter Amendment Compilation of Laws</b>
To amend the Anne Arundel County Charter to remove the requirement of recodifying the Anne Arundel County Code at least every ten years.
<input type="radio"/> <b>For the Charter Amendment</b>
<input checked="" type="radio"/> <b>Against the Charter Amendment</b>



<b>Representative in Congress District 7</b> <b>Vote for 1</b>
<input checked="" type="radio"/> <b>Ray Bly</b>
<input type="radio"/> <b>William T. Newton</b>
<input type="radio"/> <b>Corrogan R. Vaughn</b>

3) The candidate's name or the question choice is circled or underlined.

Examples of votes to be counted:



**President of the City Council**  
**Vote for 1**

**David Anthony Wiggins**

**Shannon Wright**



**Question A**  
**Charter Amendment**  
**Compilation of Laws**

To amend the Anne Arundel County Charter to remove the requirement of recodifying the Anne Arundel County Code at least every ten years.

For the Charter Amendment

**Against the Charter Amendment**



**Question F**  
**Charter Amendment**  
**Interim Notes**

To amend the Anne Arundel County Charter to allow the County Council to pass ordinances authorizing the issuance of interim notes to temporarily fund appropriations for capital projects.

For the Charter Amendment

Against the Charter Amendment



**Representative in Congress**  
**District 7**  
**Vote for 1**

Ray Bly

William T. Newton

**Corrogran R. Vaughn**

4) The party affiliation associated with the candidate's name is circled or underlined.

Examples of votes to be counted:










U.S. Senator Vote for 1	
<input type="radio"/>	<b>Kathy Szeliga</b> Republican
<input type="radio"/>	<b>Chris Van Hollen</b> Democratic
<input type="radio"/>	<b>Margaret Flowers</b> Green
<input type="radio"/>	or write-in:  









Representative in Congress District 4 Vote for 1	
<input type="radio"/>	<b>George E. McDermott</b> Republican
<input type="radio"/>	<b>Anthony G. Brown</b> Democratic
<input type="radio"/>	<b>Benjamin Lee Krause</b> Libertarian
<input type="radio"/>	<b><u>Kamesha T. Clark</u></b> Green
<input type="radio"/>	or write-in:  

5) There is an “X”, a check mark, a plus sign, an asterisk, or a star, any portion of which is contained in a single oval, and no portion of which enters into another oval, next to the candidate’s name or question choice.

Examples of votes to be counted:

	<p><b>President of the City Council</b> Vote for 1</p> <p><input type="radio"/> David Anthony Wiggins</p> <p><input checked="" type="radio"/> Shannon Wright</p>		<p><b>Mayor</b> Vote for 1</p> <p><input type="radio"/> Armand F. Girard</p> <p><input type="radio"/> Chancellor Torbit</p> <p><input type="radio"/> Brian Charles Vaeth</p> <p><input checked="" type="radio"/> Alan Walden</p> <p><input type="radio"/> Larry O. Wardlow, Jr.</p>		<p><b>Representative in Congress</b> District 2 Vote for 1</p> <p><input type="radio"/> Bill Heine</p> <p><input type="radio"/> Carl H. Magee, Jr.</p> <p><input type="radio"/> Pat McDonough</p> <p><input checked="" type="radio"/> Yuripzy Morgan</p> <p><input type="radio"/> Mark Gerard Shell</p>
	<p><b>Member of the City Council</b> District 10 Vote for 1</p> <p><input type="radio"/> Christine Digman</p> <p><input checked="" type="radio"/> Michael W. Nolet</p>		<p><b>Representative in Congress</b> District 7 Vote for 1</p> <p><input checked="" type="radio"/> Ray Bly</p> <p><input type="radio"/> William T. Newton</p> <p><input type="radio"/> Corrogan R. Vaughn</p>		<p><b>Mayor</b> Vote for 1</p> <p><input checked="" type="radio"/> Armand F. Girard</p> <p><input type="radio"/> Chancellor Torbit</p> <p><input type="radio"/> Brian Charles Vaeth</p> <p><input type="radio"/> Alan Walden</p> <p><input type="radio"/> Larry O. Wardlow, Jr.</p>
	<p><b>President of the City Council</b> Vote for 1</p> <p><input checked="" type="radio"/> David Anthony Wiggins</p> <p><input type="radio"/> Shannon Wright</p>				

Examples of votes NOT to be counted (overvote):

	<p><b>President of the City Council</b> Vote for 1</p> <p><input checked="" type="radio"/> David Anthony Wiggins</p> <p><input checked="" type="radio"/> Shannon Wright</p>		<p><b>Mayor</b> Vote for 1</p> <p><input type="radio"/> Armand F. Girard</p> <p><input type="radio"/> Chancellor Torbit</p> <p><input checked="" type="radio"/> Brian Charles Vaeth</p> <p><input checked="" type="radio"/> Alan Walden</p> <p><input type="radio"/> Larry O. Wardlow, Jr.</p>		<p><b>Mayor</b> Vote for 1</p> <p><input checked="" type="radio"/> Armand F. Girard</p> <p><input checked="" type="radio"/> Chancellor Torbit</p> <p><input type="radio"/> Brian Charles Vaeth</p> <p><input type="radio"/> Alan Walden</p> <p><input type="radio"/> Larry O. Wardlow, Jr.</p>
	<p><b>Member of the City Council</b> District 1 Vote for 1</p> <p><input type="radio"/> Liz Copeland</p> <p><input checked="" type="radio"/> Jennifer Susan Dudley</p> <p><input checked="" type="radio"/> Matthew McDaniel</p>		<p><b>Representative in Congress</b> District 2 Vote for 1</p> <p><input type="radio"/> Bill Heine</p> <p><input type="radio"/> Carl H. Magee, Jr.</p> <p><input type="radio"/> Pat McDonough</p> <p><input checked="" type="radio"/> Yuripzy Morgan</p> <p><input checked="" type="radio"/> Mark Gerard Shell</p>		<p><b>Member of the City Council</b> District 1 Vote for 1</p> <p><input type="radio"/> Liz Copeland</p> <p><input checked="" type="radio"/> Jennifer Susan Dudley</p> <p><input checked="" type="radio"/> Matthew McDaniel</p>

6) There is a diagonal, horizontal, or vertical line:

- a portion of which intersects two points on the oval next to the candidate's name or the question choice;
- that does not intersect another oval at any two points;
- that, if it is a horizontal line, does not strike through the candidate's name or the question choice language.

Examples of votes to be counted:

✔	<b>Representative in Congress District 2</b> <b>Vote for 1</b> <input checked="" type="radio"/> Bill Heine <input type="radio"/> Carl H. Magee, Jr. <input type="radio"/> Pat McDonough <input type="radio"/> Yuripzy Morgan <input type="radio"/> Mark Gerard Shell	✔	<b>Comptroller</b> <b>Vote for 1</b> <input type="radio"/> Mike King <input checked="" type="radio"/> Joan M. Pratt	✔	<b>President of the City Council</b> <b>Vote for 1</b> <input type="radio"/> Kim Trueheart <input checked="" type="radio"/> Bernard C. "Jack" Young
✔	<b>President of the City Council</b> <b>Vote for 1</b> <input checked="" type="radio"/> David Anthony Wiggins <input type="radio"/> Shannon Wright	✔	<b>Mayor</b> <b>Vote for 1</b> <input checked="" type="radio"/> Armand F. Girard <input type="radio"/> Chancellor Torbit <input type="radio"/> Brian Charles Vaeth <input type="radio"/> Alan Walden <input type="radio"/> Larry O. Wardlow, Jr.	✔	<b>President of the City Council</b> <b>Vote for 1</b> <input checked="" type="radio"/> David Anthony Wiggins <input type="radio"/> Shannon Wright

Examples of votes NOT to be counted (overvote):

✘	<b>Representative in Congress District 2</b> <b>Vote for 1</b> <input type="radio"/> Bill Heine <input type="radio"/> Carl H. Magee, Jr. <input checked="" type="radio"/> Pat McDonough <input type="radio"/> Yuripzy Morgan <input type="radio"/> Mark Gerard Shell	✘	<b>President of the City Council</b> <b>Vote for 1</b> <input checked="" type="radio"/> David Anthony Wiggins <input type="radio"/> Shannon Wright	✘	<b>Question A</b> <b>Charter Amendment</b> <b>Bill Amendment Notice</b>  This Charter Amendment would amend the Frederick County Charter to require that the County Council provide at least four days advance public notice on the County website before holding a public hearing on a bill amendment that constitutes a change of substance.  <input checked="" type="radio"/> For the Charter Amendment <input type="radio"/> Against the Charter Amendment
✘	<b>Question A</b> <b>Charter Amendment</b> <b>Bill Amendment Notice</b>  This Charter Amendment would amend the Frederick County Charter to require that the County Council provide at least four days advance public notice on the County website before holding a public hearing on a bill amendment that constitutes a change of substance.  <input type="radio"/> For the Charter Amendment <input type="radio"/> Against the Charter Amendment				

7) There are words of affirmative choice, such as "Vote for Smith" or "vote yes", written in the area for the specific contest.

Examples of votes to be counted:

✓

<b>President of the City Council</b> <b>Vote for 1</b>
<input type="radio"/> Kim Trueheart <i>vote yes</i>
<input type="radio"/> Bernard C. "Jack" Young

✓

<b>Representative in Congress</b> <b>District 3</b> <b>Vote for 1</b>
<input type="radio"/> John Rea <i>YES!</i>
<input type="radio"/> John Sarbanes

✓

<b>Representative in Congress</b> <b>District 3</b> <b>Vote for 1</b>
<input type="radio"/> John Rea
<input type="radio"/> John Sarbanes <i>My Man!</i>

✓

<b>Comptroller</b> <b>Vote for 1</b>
<input type="radio"/> Mike King
<input type="radio"/> Joan M. Pratt <i>yes</i>

✓

<b>Comptroller</b> <b>Vote for 1</b>
<input type="radio"/> Mike King <i>This one!</i>
<input type="radio"/> Joan M. Pratt

✓

<b>President of the City Council</b> <b>Vote for 1</b>
<input type="radio"/> Kim Trueheart <i>vote for young</i>
<input type="radio"/> Bernard C. "Jack" Young

✓

<b>Member of the City Council</b> <b>District 1</b> <b>Vote for 1</b>
<input type="radio"/> Zeke Cohen <i>← Him</i>
<input type="radio"/> Mark Edelson
<input type="radio"/> Sean P. Flanagan
<input type="radio"/> Scott Goldman
<input type="radio"/> Ed Marcinko
<input type="radio"/> Mark Parker

8) Where a valid choice has been made as shown in 1-7, above, and one or more other choices are similarly marked and contain an "X", a cross-out, or another mark obscuring the filled in area, or contain words of error or affirmative choice such as "no," "not this," "ignore this," "don't want," "wrong," "vote for Smith," or "Vote yes," the choices without the additional markings, or in the absence of additional markings, the choices indicated by the written words constitute a valid vote.

Examples of votes to be counted:

Representative in Congress  
District 7  
Vote for 1  
 Elijah Cummings  
 Adrian Petrus *NO!*

Valid vote for Cummings

Comptroller  
Vote for 1  
 Mike King  
 Joan M. Pratt *vote yes*

Valid vote for Pratt

President of the City Council  
Vote for 1  
 Kim Trueheart *NOT this one*  
 Bernard C. "Jack" Young

Valid vote for Young

Member of the City Council  
District 14  
Vote for 1  
 Mary Pat Clarke *vote yes*  
 Terrell R. Williams

Valid vote for Clarke

Member of the City Council  
District 4  
Vote for 1  
 Rodney C. Burris  
 Brian W. Hammock  
 Bill Henry *Vote for Henry*  
 Francesco Legaluppi

Valid vote for Henry

President of the City Council  
Vote for 1  
 Kim Trueheart *wrong*  
 Bernard C. "Jack" Young

Valid vote for Young

Representative in Congress  
District 7  
Vote for 1  
 Elijah Cummings  
 ~~Adrian Petrus~~

Valid vote for Cummings

Comptroller  
Vote for 1  
 Mike King *Don't want this*  
 Joan M. Pratt

Valid vote for Pratt

Representative in Congress  
District 3  
Vote for 1  
 John Rea  
 John Sarbanes *not this*

Valid vote for Rea

Comptroller  
Vote for 1  
 Mike King  
 Joan M. Pratt

Valid vote for Pratt

President of the City Council  
Vote for 1  
 Kim Trueheart *NO*  
 Bernard C. "Jack" Young *YES*

Valid vote for Young

Representative in Congress  
District 3  
Vote for 1  
 John Rea *Don't want*  
 John Sarbanes

Valid vote for Sarbanes

Member of the City Council  
District 3  
Vote for 1  
 Beatrice M. Brown  
 Marques Dent *ignore this*  
 Ryan Dorsey  
 Jermaine Jones  
 Alicia Joynes  
 Steven T. Mitchell  
 Richard R. Riha

Valid vote for Dorsey

# 2. WRITE-IN VOTING

For any printed ballot or ballot image that is to be counted manually (absentee, provisional or write-in canvass, post-election audit or recount), where the voter has voted for a qualified, or filed, write-in candidate, the following guidelines should be used to determine whether a valid vote for the write-in candidate has been cast. These guidelines are developed from COMAR 33.08.02.03.

To be a “qualified” write-in candidate, the candidate must file a certificate of candidacy with the appropriate (State or Local) board of elections. Md. Code Ann. Elec. Law § 5-301(e). Write-in votes for any candidate who has not filed a certificate of candidacy and is not on the qualified write-in candidate list will be counted as part of the total votes cast and will be reported in the “other write-in” total.

Again, many of the following examples would require duplication pursuant to COMAR § 33.08.04.05 prior to tabulation.

1) If a voter designates a vote for a named candidate on the ballot and also provides for a write-in candidate in the same contest, the vote shall be treated as follows:

If the voter designates a vote for a named candidate on the ballot and writes in the name of the same candidate, only one vote shall count for the candidate.

Votes to be counted (as one vote for the candidate):

✔	<table border="1"><tr><td><b>U.S. Senator</b> <b>Vote for 1</b></td></tr><tr><td><input checked="" type="radio"/> <b>Kathy Szeliga</b> Republican</td></tr><tr><td><input type="radio"/> <b>Chris Van Hollen</b> Democratic</td></tr><tr><td><input type="radio"/> <b>Margaret Flowers</b> Green</td></tr><tr><td><input checked="" type="radio"/> or write-in:  <i>Katny Szeliga</i></td></tr></table>	<b>U.S. Senator</b> <b>Vote for 1</b>	<input checked="" type="radio"/> <b>Kathy Szeliga</b> Republican	<input type="radio"/> <b>Chris Van Hollen</b> Democratic	<input type="radio"/> <b>Margaret Flowers</b> Green	<input checked="" type="radio"/> or write-in:  <i>Katny Szeliga</i>	✔	<table border="1"><tr><td><b>Representative in Congress</b> <b>District 6</b> <b>Vote for 1</b></td></tr><tr><td><input type="radio"/> <b>Amie Hoeber</b> Republican</td></tr><tr><td><input type="radio"/> <b>John K. Delaney</b> Democratic</td></tr><tr><td><input type="radio"/> <b>David L. Howser</b> Libertarian</td></tr><tr><td><input checked="" type="radio"/> <b>George Gluck</b> Green</td></tr><tr><td><input type="radio"/> or write-in:  <i>George Gluck</i></td></tr></table>	<b>Representative in Congress</b> <b>District 6</b> <b>Vote for 1</b>	<input type="radio"/> <b>Amie Hoeber</b> Republican	<input type="radio"/> <b>John K. Delaney</b> Democratic	<input type="radio"/> <b>David L. Howser</b> Libertarian	<input checked="" type="radio"/> <b>George Gluck</b> Green	<input type="radio"/> or write-in:  <i>George Gluck</i>	✔	<table border="1"><tr><td><b>Representative in Congress</b> <b>District 7</b> <b>Vote for 1</b></td></tr><tr><td><input type="radio"/> <b>Corrogan R. Vaughn</b> Republican</td></tr><tr><td><input type="radio"/> <b>Elijah Cummings</b> Democratic</td></tr><tr><td><input checked="" type="radio"/> <b>Myles B. Hoenic</b> Green</td></tr><tr><td><input type="radio"/> or write-in:  <i>Myles Hoenic</i></td></tr></table>	<b>Representative in Congress</b> <b>District 7</b> <b>Vote for 1</b>	<input type="radio"/> <b>Corrogan R. Vaughn</b> Republican	<input type="radio"/> <b>Elijah Cummings</b> Democratic	<input checked="" type="radio"/> <b>Myles B. Hoenic</b> Green	<input type="radio"/> or write-in:  <i>Myles Hoenic</i>
<b>U.S. Senator</b> <b>Vote for 1</b>																					
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<input type="radio"/> <b>Corrogan R. Vaughn</b> Republican																					
<input type="radio"/> <b>Elijah Cummings</b> Democratic																					
<input checked="" type="radio"/> <b>Myles B. Hoenic</b> Green																					
<input type="radio"/> or write-in:  <i>Myles Hoenic</i>																					

2) Where the written name of a filed write-in candidate, or the written name of a candidate whose name is on the ballot in the contest is written in the write-in space, whether or not the oval designating the selection of a write-in candidate has been marked, constitutes a valid vote for the candidate.

Examples of votes to be counted:

(where Kathy Szeliga is a candidate and Ted Atney, Michael Pearson and Bob Robinson are filed write-in candidates)



<b>U.S. Senator</b> <b>Vote for 1</b>
<input type="radio"/> Kathy Szeliga Republican
<input type="radio"/> Chris Van Hollen Democratic
<input type="radio"/> Margaret Flowers Green
<input checked="" type="radio"/> or write-in:  Kathy Szeliga



<b>U.S. Senator</b> <b>Vote for 1</b>
<input checked="" type="radio"/> Kathy Szeliga Republican
<input type="radio"/> Chris Van Hollen Democratic
<input type="radio"/> Margaret Flowers Green
<input checked="" type="radio"/> or write-in:  Kathy Szeliga



<b>U.S. Senator</b> <b>Vote for 1</b>
<input type="radio"/> Kathy Szeliga Republican
<input type="radio"/> Chris Van Hollen Democratic
<input type="radio"/> Margaret Flowers Green
<input type="radio"/> or write-in:  Kathy Szeliga



<b>Representative in Congress</b> <b>District 6</b> <b>Vote for 1</b>
<input type="radio"/> Amie Hoerber Republican
<input type="radio"/> John K. Delaney Democratic
<input type="radio"/> David L. Howser Libertarian
<input type="radio"/> George Gluck Green
<input type="radio"/> or write-in:  Ted Atney



<b>Representative in Congress</b> <b>District 6</b> <b>Vote for 1</b>
<input type="radio"/> Amie Hoerber Republican
<input type="radio"/> John K. Delaney Democratic
<input type="radio"/> David L. Howser Libertarian
<input type="radio"/> George Gluck Green
<input checked="" type="radio"/> or write-in:  Ted Atney



<b>U.S. Senator</b> <b>Vote for 1</b>
<input type="radio"/> Kathy Szeliga Republican
<input checked="" type="radio"/> Chris Van Hollen Democratic
<input type="radio"/> Margaret Flowers Green
<input checked="" type="radio"/> or write-in:  Bob Robinson



<b>Representative in Congress</b> <b>District 6</b> <b>Vote for 1</b>
<input checked="" type="radio"/> Amie Hoerber Republican <b>NO!</b>
<input type="radio"/> John K. Delaney Democratic
<input type="radio"/> David L. Howser Libertarian
<input type="radio"/> George Gluck Green
<input checked="" type="radio"/> or write-in:  Ted Atney



<b>Representative in Congress</b> <b>District 7</b> <b>Vote for 1</b>
<input type="radio"/> Corrogon R. Vaughn Republican
<input type="radio"/> Elijah Cummings Democratic
<input type="radio"/> Myles B. Hoenig Green
<input checked="" type="radio"/> or write-in: Michael Pearson

3) If a voter designates a vote for a named candidate on the ballot and writes in the name of a different person, it shall be considered an overvote, with neither candidate receiving credit for the vote.

Votes NOT to be counted (overvote):



**Representative in Congress  
District 7  
Vote for 1**

Corrogan R. Vaughn  
Republican

**Elijah Cummings**  
Democratic

Myles B. Hoenig  
Green

or write-in:

*Michael Pearson*



**Representative in Congress  
District 6  
Vote for 1**

Amie Hoerber  
Republican

John K. Delaney  
Democratic

David L. Howser  
Libertarian

George Gluck  
Green

or write-in:

*Ted Atney*



**Representative in Congress  
District 7  
Vote for 1**

Corrogan R. Vaughn  
Republican

**Elijah Cummings**  
Democratic

Myles B. Hoenig  
Green

or write-in:

*Michael Pearson*

4) Any abbreviations, misspellings, or other minor variations in the form of the name of a filed write-in candidate shall be disregarded in determining the validity of a write-in vote, as long as the intended candidate can be determined.

NOTE: While the examples below show write-in votes written by voters, these examples would also apply to a write-in vote recorded by an ExpressVote ballot marking device.

Votes to be counted:  
(where Ann Dalrymple is a filed write-in candidate)

<input checked="" type="checkbox"/> Representative in Congress District 3 Vote for 1 <input type="radio"/> Mark Plaster Republican <input type="radio"/> John Sarbanes Democratic <input type="radio"/> Nnabu Eze Green <input checked="" type="radio"/> or write-in: <u>A. Dalrymple</u>	<input checked="" type="checkbox"/> Representative in Congress District 3 Vote for 1 <input type="radio"/> Mark Plaster Republican <input type="radio"/> John Sarbanes Democratic <input type="radio"/> Nnabu Eze Green <input checked="" type="radio"/> or write-in: <u>Anne Dalrimple</u>	<input checked="" type="checkbox"/> Representative in Congress District 3 Vote for 1 <input type="radio"/> Mark Plaster Republican <input type="radio"/> John Sarbanes Democratic <input type="radio"/> Nnabu Eze Green <input checked="" type="radio"/> or write-in: <u>A. Drimple</u>
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<input checked="" type="checkbox"/> Representative in Congress District 3 Vote for 1 <input type="radio"/> Mark Plaster Republican <input type="radio"/> John Sarbanes Democratic <input type="radio"/> Nnabu Eze Green <input checked="" type="radio"/> or write-in: <u>Anne D.</u>	<input checked="" type="checkbox"/> Representative in Congress District 3 Vote for 1 <input type="radio"/> Mark Plaster Republican <input type="radio"/> John Sarbanes Democratic <input type="radio"/> Nnabu Eze Green <input checked="" type="radio"/> or write-in: <u>Ann DALRIMPL</u>	<input checked="" type="checkbox"/> Representative in Congress District 3 Vote for 1 <input type="radio"/> Mark Plaster Republican <input type="radio"/> John Sarbanes Democratic <input type="radio"/> Nnabu Eze Green <input checked="" type="radio"/> or write-in: <u>ANN</u> <u>DAHLRIPLE</u>
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<input checked="" type="checkbox"/> Representative in Congress District 3 Vote for 1 <input type="radio"/> Mark Plaster Republican <input type="radio"/> John Sarbanes Democratic <input type="radio"/> Nnabu Eze Green <input checked="" type="radio"/> or write-in: <u>annie Dal.</u>	<input checked="" type="checkbox"/> Representative in Congress District 3 Vote for 1 <input type="radio"/> Mark Plaster Republican <input type="radio"/> John Sarbanes Democratic <input type="radio"/> Nnabu Eze Green <input type="radio"/> or write-in: <u>Dalrimple</u>
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5) Writing in only the first name or initials of a filed write-in candidate constitutes a valid vote, unless there is more than one candidate with the same first name or initials for that office. If there is more than one filed candidate with the same first name or initials for that office, writing in only the first name or initials is not a valid vote.

NOTE: While the examples below show write-in votes written by voters, these examples also apply to a write-in vote recorded by an ExpressVote ballot marking device.

Votes to be counted:

(where Bob Robinson, Ann Dalrymple, and Ted Athey are the only filed write-in candidates with these names and initials)

✓	<p>Representative in Congress District 6 Vote for 1</p> <p><input type="radio"/> Amie Hoerber Republican</p> <p><input type="radio"/> John K. Delaney Democratic</p> <p><input type="radio"/> David L. Howser Libertarian</p> <p><input type="radio"/> George Gluck Green</p> <p><input type="radio"/> or write-in: <u>Ted</u></p>	✓	<p>U.S. Senator Vote for 1</p> <p><input type="radio"/> Kathy Szeliga Republican</p> <p><input type="radio"/> Chris Van Hollen Democratic</p> <p><input type="radio"/> Margaret Flowers Green</p> <p><input checked="" type="radio"/> or write-in: <u>Bob</u></p>	✓	<p>U.S. Senator Vote for 1</p> <p><input type="radio"/> Kathy Szeliga Republican</p> <p><input type="radio"/> Chris Van Hollen Democratic</p> <p><input type="radio"/> Margaret Flowers Green</p> <p><input checked="" type="radio"/> or write-in: <u>B.R.</u></p>	✓	<p>Representative in Congress District 6 Vote for 1</p> <p><input type="radio"/> Amie Hoerber Republican</p> <p><input type="radio"/> John K. Delaney Democratic</p> <p><input type="radio"/> David L. Howser Libertarian</p> <p><input type="radio"/> George Gluck Green</p> <p><input checked="" type="radio"/> or write-in: <u>T. Athey</u></p>
✓	<p>Representative in Congress District 3 Vote for 1</p> <p><input type="radio"/> Mark Plaster Republican</p> <p><input type="radio"/> John Sarbanes Democratic</p> <p><input type="radio"/> Nnabu Eze Green</p> <p><input type="radio"/> or write-in: <u>A.D.</u></p>	✓	<p>U.S. Senator Vote for 1</p> <p><input type="radio"/> Kathy Szeliga Republican</p> <p><input type="radio"/> Chris Van Hollen Democratic</p> <p><input type="radio"/> Margaret Flowers Green</p> <p><input checked="" type="radio"/> or write-in: <u>b. Robinson</u></p>				

Votes NOT to be counted:

(where John Davis, Margaret French and Emily Carter are filed write-in candidates)

✗	<p>Representative in Congress District 6 Vote for 1</p> <p><input type="radio"/> Amie Hoerber Republican</p> <p><input type="radio"/> John K. Delaney Democratic</p> <p><input type="radio"/> David L. Howser Libertarian</p> <p><input type="radio"/> George Gluck Green</p> <p><input checked="" type="radio"/> or write-in: <u>John</u></p>	✗	<p>Representative in Congress District 7 Vote for 1</p> <p><input type="radio"/> Corrogan R. Vaughn Republican</p> <p><input type="radio"/> Elijah Cummings Democratic</p> <p><input type="radio"/> Myles B. Hoenig Green</p> <p><input checked="" type="radio"/> or write-in: <u>E.C.</u></p>	✗	<p>Representative in Congress District 6 Vote for 1</p> <p><input type="radio"/> Amie Hoerber Republican</p> <p><input type="radio"/> John K. Delaney Democratic</p> <p><input type="radio"/> David L. Howser Libertarian</p> <p><input type="radio"/> George Gluck Green</p> <p><input type="radio"/> or write-in: <u>J.D.</u></p>	✗	<p>U.S. Senator Vote for 1</p> <p><input type="radio"/> Kathy Szeliga Republican</p> <p><input type="radio"/> Chris Van Hollen Democratic</p> <p><input type="radio"/> Margaret Flowers Green</p> <p><input checked="" type="radio"/> or write-in: <u>Margaret F.</u></p>
✗	<p>U.S. Senator Vote for 1</p> <p><input type="radio"/> Kathy Szeliga Republican</p> <p><input type="radio"/> Chris Van Hollen Democratic</p> <p><input type="radio"/> Margaret Flowers Green</p> <p><input type="radio"/> or write-in: <u>margaret</u></p>	✗	<p>Representative in Congress District 6 Vote for 1</p> <p><input type="radio"/> Amie Hoerber Republican</p> <p><input type="radio"/> John K. Delaney Democratic</p> <p><input type="radio"/> David L. Howser Libertarian</p> <p><input type="radio"/> George Gluck Green</p> <p><input checked="" type="radio"/> or write-in: <u>John D.</u></p>				

6) Writing in only the last name of the candidate for Governor or the last name of the candidate for Lieutenant Governor is sufficient to cast a write-in vote for the joint office. Writing in only the last name of the candidate for President or the last name of the candidate for Vice President is sufficient to cast a write-in vote for the joint office.

NOTE: While the examples below show write-in votes written by voters, these examples would also apply to a write-in vote recorded by an ExpressVote ballot marking device.

Votes to be counted:

(where Evan McMullin is a filed write-in candidate for President and Nathan Johnson is his filed write-in candidate for Vice-President)

✓

President and Vice President of the United States Vote for 1
<input type="radio"/> Donald J. Trump New York and <b>Michael Pence</b> Indiana Republican
<input type="radio"/> Hillary Clinton New York and <b>Tim Kaine</b> Virginia Democratic
<input type="radio"/> Gary Johnson Utah and <b>Bill Weld</b> Utah Libertarian
<input type="radio"/> Jill Stein Massachusetts and <b>Ajamu Baraka</b> Georgia Green
<input checked="" type="radio"/> or write-in: <i>McMullin / Johnson</i>

✓

President and Vice President of the United States Vote for 1
<input type="radio"/> Donald J. Trump New York and <b>Michael Pence</b> Indiana Republican
<input type="radio"/> Hillary Clinton New York and <b>Tim Kaine</b> Virginia Democratic
<input type="radio"/> Gary Johnson Utah and <b>Bill Weld</b> Utah Libertarian
<input type="radio"/> Jill Stein Massachusetts and <b>Ajamu Baraka</b> Georgia Green
<input type="radio"/> or write-in: <i>McMullin + Johnson</i>

✓

President and Vice President of the United States Vote for 1
<input type="radio"/> Donald J. Trump New York and <b>Michael Pence</b> Indiana Republican
<input type="radio"/> Hillary Clinton New York and <b>Tim Kaine</b> Virginia Democratic
<input type="radio"/> Gary Johnson Utah and <b>Bill Weld</b> Utah Libertarian
<input type="radio"/> Jill Stein Massachusetts and <b>Ajamu Baraka</b> Georgia Green
<input type="radio"/> or write-in: <i>McMullin</i>

✓

President and Vice President of the United States Vote for 1
<input type="radio"/> Donald J. Trump New York and <b>Michael Pence</b> Indiana Republican
<input type="radio"/> Hillary Clinton New York and <b>Tim Kaine</b> Virginia Democratic
<input type="radio"/> Gary Johnson Utah and <b>Bill Weld</b> Utah Libertarian
<input type="radio"/> Jill Stein Massachusetts and <b>Ajamu Baraka</b> Georgia Green
<input checked="" type="radio"/> or write-in: <i>Johnson</i>

7) Writing in the name of the candidate for President or the name of the candidate for Vice President is sufficient to cast a write-in vote for the joint office (where both Evan McMullin and Nathan Johnson are filed candidates).



President and Vice President of the United States	
Vote for 1	
<input type="radio"/>	<b>Donald J. Trump</b> New York and <b>Michael Pence</b> Indiana Republican
<input type="radio"/>	<b>Hillary Clinton</b> New York and <b>Tim Kaine</b> Virginia Democratic
<input type="radio"/>	<b>Gary Johnson</b> Utah and <b>Bill Weld</b> Utah Libertarian
<input type="radio"/>	<b>Jill Stein</b> Massachusetts and <b>Ajamu Baraka</b> Georgia Green
<input checked="" type="radio"/>	or write-in: <i>Evan McMullin</i>



President and Vice President of the United States	
Vote for 1	
<input type="radio"/>	<b>Donald J. Trump</b> New York and <b>Michael Pence</b> Indiana Republican
<input type="radio"/>	<b>Hillary Clinton</b> New York and <b>Tim Kaine</b> Virginia Democratic
<input type="radio"/>	<b>Gary Johnson</b> Utah and <b>Bill Weld</b> Utah Libertarian
<input type="radio"/>	<b>Jill Stein</b> Massachusetts and <b>Ajamu Baraka</b> Georgia Green
<input type="radio"/>	or write-in: <i>Nathan Johnson</i>

# APPENDIX

## Md. Code Regs. 33.08.02.02 - Definition of a Vote-Optical Scan Voting System

A. Automatic Tabulation. If ballots are tabulated electronically, a vote cast on an optical scan voting system is the choice made by a voter by:

- (1) Filling in the oval next to the candidate's name or the question choice;
- (2) Using a ballot marking device to make selections; or
- (3) Writing in the name of a candidate in the designated write-in space and filling in the oval next to the write-in candidate's name

B. Manual Tabulation. If ballots are tabulated manually, the following marks constitute a vote for a candidate or question choice on an optical scan voting system:

- (1) The majority of an oval designating a candidate or question choice is filled in;
- (2) The oval next to the candidate's name or the question choice is circled or underlined;
- (3) The candidate's name or the question choice is circled or underlined;
- (4) The name or question choice is printed on a ballot marked by a ballot marking device;
- (5) The party abbreviation associated with the candidate's name is circled or underlined;
- (6) There is an "X", a check mark, a plus sign, an asterisk, or a star, any portion of which is contained in a single oval, and no portion of which enters into another oval, next to the candidate's name or question choice;
- (7) There is a diagonal, horizontal, or vertical line:
  - (a) A portion of which intersects two points on the oval next to the candidate's name or the question choice;
  - (b) That does not intersect another oval at any two points; and
  - (c) That if it is a horizontal line, does not strike through the candidate's name or the question choice language; or
- (8) There are words of affirmative choice, such as "vote for Smith" or "vote yes" in the area for the specific contest.

C. Manual Tabulation-Write-in Voting.

- (1) The written name of a qualified write-in candidate, or the written name of a candidate whose name is on the ballot in that contest, in the write-in space, whether or not the oval designating the selection of a write-in candidate has been marked, constitutes a valid vote for the candidate.
- (2) If a voter designates a vote for a named candidate on the ballot and also provides for a write-in candidate in the same contest, the vote shall be treated as follows:
  - (a) If the voter designates a vote for a named candidate on the ballot and writes in the name of the same candidate, only one vote shall count for the candidate; or
  - (b) If the voter designates a vote for a named candidate on the ballot and writes in the name of a different person, these actions are considered an overvote, with neither candidate receiving credit for the vote.

D. Manual Tabulation-Other Marks or Words. Where a choice is indicated in accordance with §B or C of this regulation and another choice is similarly marked and contains an "X", a cross-out, or another mark obscuring the filled in area, or contains words of error such as "no", "not this", "ignore this", "don't want", or "wrong", the choice without the additional markings or words constitutes the vote.

Notes Md. Code Regs. 33.08.02.02

Regulations .02 adopted as an emergency provision effective October 4, 2004 (31:20 Md. R. 1483); adopted permanently effective January 6, 2005 (31:26 Md. R. 1868); amended effective 43:4 Md. R. 335, eff.2/29/2016

Md. Code Regs. 33.08.02.02 - Definition of a Vote-Optical Scan Voting Md. Code Regs. 33.08.02.03 - Write-in Voting Generally

A. Any abbreviation, misspelling, or other minor variation in the form of the name of a candidate shall be disregarded in determining the validity of a write-in vote as long as the intended candidate can be determined.

B. Writing in only the last name of a candidate constitutes a valid vote, unless there is more than one filed candidate with the same last name for that office. If there is more than one filed candidate with the same last name for that office, writing in only the last name is not a valid vote.

B-1. Writing in only the first name or initials of a candidate constitutes a valid vote, unless there is more than one filed candidate with the same first name or initials for that office. If there is more than one filed candidate with the same first name or initials for that office, writing in only the first name or initials is not a valid vote.

C. Writing in the name of the candidate for Governor or the name of the candidate for Lieutenant Governor is sufficient to cast a write-in vote for the joint office.

D. Writing in the name of the candidate for President or the name of the candidate for Vice President is sufficient to cast a write-in vote for the joint office.

Notes Md. Code Regs. 33.08.02.03

Regulations .03 adopted as an emergency provision effective October 4, 2004 (31:20 Md. R. 1483); adopted permanently effective January 6, 2005 (31:26 Md. R. 1868)

Regulation .03B-1 amended effective April 19, 2010 (37:8 Md. R. 624)

Md. Code Regs. 33.08.04.05 - Ballot Duplication - Team Method

A. In General. If a ballot inspection team determines that a ballot is unacceptable for machine tabulation, whether the defect existed when the ballot reached the counting center or resulted from processing in the counting center, the ballot shall be duplicated by a ballot duplicating team.

B. Standard for Duplicating. When determining the intent of the voter who cast the original ballot, the ballot duplicating team shall use the standards in COMAR 33.08.02.

C. Disposition of Ballots.

(1) Following duplication, the:

- (a) Original ballot shall be replaced by the duplicate ballot; and
- (b) Duplicate ballot shall be counted with the ballots for that precinct.

(2) Both ballots shall be:

- (a) Given a unique identifying number; and
- (b) Securely attached to each other.

Notes Md. Code Regs. 33.08.04.05

Regulations .05 adopted as an emergency provision effective March 1, 2000 (27:6 Md. R. 636); adopted permanently effective July 10, 2000 (27:13 Md. R. 1213)

Regulation .05B amended effective June 25, 2012 (39:12 Md. R. 746)