**ELECTION OBSERVERS**

**I. Title**

This Title shall cover provisions for election observers during any election and at any voting or ballot-reviewing and ballot-counting location within [state].

**II. Eligibility**

Political parties, candidates, and third-party organizations are each permitted to have observers at every stage of the election process in an effort to maintain the transparency that is necessary for fair and safe voting in [state]. Any individual who is a registered voter in [state] may serve as an observer in any election location in the state.

**III. Provisions**

A. Qualifications of Observers

A letter of appointment by the political party, third-party organization, or candidate serves as the written credential necessary to conduct observation at a voting or ballot-reviewing and ballot-counting location.

The observer must present the letter of appointment to the appropriate election official upon entering the voting or ballot-reviewing and ballot-counting location and be prepared to show identification if requested.

B. Observer Access and Identification

1. Badges: The appropriate election official shall furnish to each election observer a badge containing the words “Official Observer,” the name of the observer, and the primary or election in which such observer shall serve. The observer shall wear his or her badge at all times while he or she is serving as an observer at any voting or ballot-reviewing and ballot-counting location.
2. Observation at a Voting Location: At each location, observers shall have complete access to all activities, save for actual observation of the votes being cast by individuals so as to maintain confidentiality of individual votes. At a minimum, observers must be provided access to the following:

• Opening of election offices and voting locations;

• Procedures for verification of voter identification;

• Closing of election offices and voting location;

• Transport of ballots from the voting location to a receiving site (using a separate vehicle); and/or

• Any other significant voting or processing activities at the voting location, provided that it does not interfere with or impede the election procedures or staff or compromise the secret nature of a voter’s ballot.

1. Observation at a Ballot-Reviewing or Ballot-Counting Location: Observers must be permitted to observe each point where ballots are handled or transferred from one election official to another including, but not limited to, areas where the following activities take place:

• Receiving the ballots at an election office;

• Verifying voter registration information and signatures and inspecting and reviewing the ballots;

• Duplicating defective or other ballots;

• Adjudicating ballots including provisional ballots;

• Receiving electronic media or processing voting results;

• Tabulation of ballots; and/or

• Any other significant tabulation or processing activities at an election office, provided that it does not interfere with or impede the election procedures or staff except that the observation of such activities shall not be considered interference with or the impeding of election procedures.

1. Recording Devices: Observers should also be allowed to take handwritten notes and have recording devices of any kind at each polling and ballot-reviewing or ballot-counting location to record all actions occurring there, save for completion of ballots by individual voters.
2. Cameras: Election officials should welcome observation, and cameras should be stationed in all polling and ballot-reviewing and ballot-counting locations so that the public can watch elections and the canvassing and tabulation of ballots as these events are transpiring.
3. Full Access: Election officials may not station observers so that they cannot fully observe in the same manner as election officials the voting process including such procedures as the opening of absentee ballots and the verification process. The failure of an election official to comply with this requirement will subject the official to sanctions, up to and including suspension and termination.
4. Open to the Public: The testing of voting equipment shall be open to public observation. Post-election audits and recounts shall also be open to public observation.