

- (1) in consultation with the local boards, assess the guidelines before each primary election; and
- (2) revise the guidelines if indicated.

9-404.

(A) **[An] IF AN INDIVIDUAL IS ELIGIBLE UNDER SUBSECTION (B) OF THIS SECTION, THE individual [may vote using a provisional ballot on election day if the individual meets the requirements for a temporary certificate of registration set forth under § 3-601 of this article] SHALL BE ISSUED AND MAY CAST A PROVISIONAL BALLOT:**

- (1) AT A POLLING PLACE ON ELECTION DAY; OR
- (2) AT THE LOCAL BOARD OFFICE IN THE COUNTY WHERE THE INDIVIDUAL RESIDES AFTER THE CLOSE OF REGISTRATION AND BEFORE THE CLOSING OF THE POLLS ON ELECTION DAY.

(B) AN INDIVIDUAL IS ELIGIBLE TO CAST A PROVISIONAL BALLOT IF:

(1) THE INDIVIDUAL DECLARES IN A WRITTEN AFFIRMATION SUBMITTED WITH THE PROVISIONAL BALLOT THAT THE INDIVIDUAL IS A REGISTERED VOTER IN THE STATE AND IS ELIGIBLE TO VOTE IN THAT ELECTION; AND

(2) (I) THE INDIVIDUAL'S NAME DOES NOT APPEAR ON THE PRECINCT REGISTER; ~~OR~~

(II) AN ELECTION OFFICIAL ASSERTS THAT THE INDIVIDUAL IS NOT ELIGIBLE TO VOTE; OR

~~(3)~~ (III) THE INDIVIDUAL DOES NOT HAVE THE NECESSARY IDENTIFICATION.

(C) IN ADDITION TO THE INDIVIDUALS WHO CAST PROVISIONAL BALLOTS UNDER SUBSECTIONS (A) AND (B) OF THIS SECTION, ANY INDIVIDUAL WHO APPEARS TO VOTE DURING A PERIOD COVERED BY A COURT ORDER OR OTHER ORDER EXTENDING THE TIME FOR CLOSING THE POLLS SHALL CAST A PROVISIONAL BALLOT. A PROVISIONAL BALLOT CAST UNDER ~~OF~~ THIS SUBSECTION SHALL BE SEPARATED AND HELD APART FROM OTHER PROVISIONAL BALLOTS CAST BY THOSE NOT AFFECTED BY THE ORDER.

9-405.

**[An individual requesting a provisional ballot] BEFORE AN INDIVIDUAL CASTS A PROVISIONAL BALLOT:**

(1) THE INDIVIDUAL shall complete and sign **[a temporary certificate of registration as provided under § 3-601 of this article] THE PROVISIONAL BALLOT APPLICATION PRESCRIBED BY THE STATE BOARD; AND**

(2) THE ELECTION OFFICIAL ISSUING THE BALLOT SHALL GIVE THE INDIVIDUAL WRITTEN INFORMATION ADVISING THE INDIVIDUAL THAT, AND