

(k) Recording defective ballots. In the presence of the clerk observer team, the county clerk shall mark the number of defective ballots from the official return of votes for each town on the summary sheet for that town.

§ 2602d. Review of official return of votes; Examination of Checklist

(a)(1) The county clerk shall review the official return of votes for each town, record on the summary sheet for each town the number of ballots counted and the number of voters checked off the checklist on the town's return, and if those two numbers are the same, the checklist for that town shall not be examined.

(2) If those two numbers for a town are not the same, the checklist may be examined in accordance with the following provision of this section, if requested by one of the candidates subject to the recount.

(b) The checklist from the first container shall be assigned to a team. Two persons who represent different candidates, each acting independently, shall examine the checklist and determine how many voters voted at the polling place, repeating the process until they agree on a number or until they agree to disagree on a number.

(c) Then the checklist shall be examined by the remaining members of the team, repeating the process until they agree on a number or they agree to disagree on the number.

(d) The results obtained from the two subgroups will be compared and if they do not match, the process shall be repeated until there is agreement among all the members of the team or until team members agree to disagree.

(e) The number finally determined by a majority of team members shall be submitted to the county clerk in the presence of the clerk observer team, together with an indication of the nature and extent of any disagreement.

(f) The county clerk shall note on the summary sheet for the town the number finally determined, together with a note indicating that the number of people appearing as having voted on the checklist was subject to dispute, if one or more team members did not agree with the number submitted.

§ 2602e. Sorting ballots; ballot review; recount of removed ballots by hand

(a) Sorting ballots.

(1) While the checklist is being examined, if applicable under section 2602d of this subchapter, after emptying a container onto his or her table, the county clerk shall separate ballots from the container into a number of batches equal to the number of counting teams, with each batch being of approximately equal size.

(3)(A) If the tabulator refuses a ballot, the vote tabulator team shall announce that occurrence and whether the ballot was counted, and may override that refusal.

(B) If the tabulator continues to refuse the ballot, the vote tabulator team shall announce that occurrence and return it to a counting team for hand counting.

(4) This process shall be used until all ballots from a container have been tabulated by a vote tabulator or otherwise returned to a counting team for hand counting.

(d)(1) This process shall be repeated until all ballots from a town have been fed through a vote tabulator.

(2) If there is more than one container for a town, the tabulator tape shall not be printed until ballots from all containers for that town have been tabulated.

(e)(1) After all ballots from a town have been tabulated by a vote tabulator, the vote tabulator team shall print the tabulator tape containing the unofficial results for that town, and deliver that tabulator tape to the county clerk in the presence of the clerk observer team.

(2) The county clerk shall then record **and announce** the totals from the tabulator tape onto the summary sheet for the town in the same manner that he or she recorded the individual tally sheet totals from the hand-counted ballots.

§ 2602g. [Repealed]

§ 2602h. Completing the tally

(a) The county clerk shall return all ballots to their container, seal the container, record the seal number on the summary sheet, and write "recounted" and specify the date of the recount on the tag.

(b) In the presence of the clerk observer team, the county clerk shall add together the hand count and vote tabulator totals for each town, as recorded on the tally sheets and vote tabulator tape submitted to him or her, record those totals on the summary sheet for that town, and affix his or her seal to that summary sheet. **and announce**

*** (c)(1) The county clerk shall compare the number of ballots recounted for that town with the number of ballots counted at the town as reported on the official return of votes, and with the number of voters who voted at that town according to the checklist examination, as applicable under section 2602d of this subchapter and recorded by the county clerk on the summary sheet in accordance with that section.