



**Tobias Read**  
*Oregon Secretary of State*

# DIRECTIVE OF THE SECRETARY OF STATE

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**NUMBER:** 2026-05  
**DATE:** June 10, 2026  
**SUBJECT:** 2026 Primary Election Hand Count of Ballots

The Secretary of State, in carrying out the duties of the office, shall issue detailed directives necessary to maintain uniformity in the application, operation, and interpretation of Oregon election laws.<sup>1</sup> The information provided here is an official directive of the Secretary of State.

ORS 254.529 requires County Elections Officials to make a determination on whether to conduct a hand count or a risk-limiting audit for each primary, general, and special election. This directive directs County Elections Officials to conduct a hand count of ballots cast at the May 19, 2026, Primary Election. This directive also includes instructions on how to conduct the hand count of ballots cast pursuant to ORS 254.529.

The instructions provide information regarding:

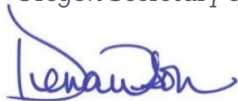
- Hand Count Checklist
- Instructions for Completing Hand Count
- Selected Candidate Contests, Measure Contests, and Precincts or Ballot Count Batches to be hand counted

As defined by OAR 165-007-0290, “precinct” means any precinct with registered voters, and “ballot count batch” means a subset of ballots which can be associated with a subtotal in the vote tally system.

## **APPEAL**

This Directive 2026-05 may be appealed to the Marion County Circuit Court within 60 days of its issuance under ORS 246.910.

**Tobias Read**  
*Oregon Secretary of State*



By:  
**Dena Dawson**  
*Elections Director*

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<sup>1</sup> [ORS 246.110](#); [ORS 246.120](#).

## HAND COUNT CHECKLIST

1. **Observation** – Make provision to allow for attendance by observers during all hand count processes.
2. **Appointment of Counting Boards** – Appoint necessary personnel to conduct the hand count.
3. **Notice of Breaking Seals** – Provide notification to the Elections Division at least 1 business day prior to when seals are to be broken, including any preliminary preparation that requires breaking seals. Notice must indicate date, time and location of hand count.
4. **Tally of Ballots** – Every cast ballot counted by the tally system in the precincts or batches randomly selected must be hand counted, and the voter's intent determined.
5. **Completion of Form SEL 798 Hand Count Tally and Explanation** – An explanation of any difference between the original count and the hand count must be provided.
6. **Returned Results** – A second hand count may be necessary if the results are returned as Not Acceptable. If this is the case, notify the Elections Division to confirm results prior to conducting second hand count.
7. **Hand Count Certification** – Upon completion of hand count process, repackage ballots in container and re-seal, or re-secure in their secured location established by the Security Plan. Certify the results of the hand count to the Elections Division on form SEL 798.

## INSTRUCTIONS FOR COMPLETING HAND COUNT

### Observation

The hand count will be conducted as openly and expeditiously as possible. Affected parties and members of the public may be present to observe the preliminary preparation as well as during the hand count, consistent with ORS 254.482. The County Elections Official determines the number of observers based on space, security, and staff availability. The County Elections Official shall permit only so many observers as will not interfere with an orderly hand count.

Observers:

- must follow any *Observer Rules* provided or posted by the County Elections Official
- shall not interfere with the preliminary preparation or hand count process
- do not have any other role besides observing and do not have the right to address a counting board concerning the board's handling of individual ballots
- may keep written notes of comments on the handling of individual ballots
- must direct comments, questions or any observed procedural irregularity or perceived error with the proceedings in progress to elections supervisory personnel, not to counting boards

If at any time an observer creates a distraction or otherwise impedes the progress of the preliminary preparation or the count, the proceedings may be stopped, and corrective action may be taken by the County Elections Official.

### Appointment of Counting Boards

The County Elections Official shall appoint a bipartisan board to count ballots and determine the voter's intent in a uniform manner in accordance with [ORS 254.529](#), [OAR 165-007-0290](#), and this directive.

The County Elections Official shall appoint as many counting boards as is necessary to ensure the orderly and timely completion of the hand count.

The members of a counting board:

- shall not all be affiliated with the same political party
- shall not have been a candidate for any office voted upon at the election
- shall be compensated at least the minimum wage

**Notice of Breaking Seals or Opening Secured Location**

The County Elections Official shall determine the date, time and place of the hand count and must provide notification to the Elections Division at least **one business day prior** to beginning the hand count.

The hand count:

- may not begin until the election results (abstracts) for the county have been certified to the Secretary of State
- must be started no later than June 15, 2026
- must be completed no later than:
  - o June 18 (for measures)
  - o June 23 (for candidate contests)

The hand count is considered to have begun upon the breaking of the first seal, or opening the secured location, for any precinct or batch selected to be hand counted. Seals may be broken, or the secured location opened, by the County Elections Official, a designated staff member or by a member of the Counting Board.

If preliminary preparation of the ballots is deemed necessary by the County Elections Official and it requires seals to be broken, or the secured location opened, the Elections Division must be notified at least **one business day prior** to breaking any seals or opening of the secured location. The notice shall include the date, time, and place at which such preparation will occur.

When **breaking seals** the following process shall be followed:

- prior to breaking seals, the County Elections Official shall assemble all ballot containers holding ballots to be hand counted and any related material
- each seal shall be examined to ensure they have not been broken or tampered with
- each seal shall be broken in the presence of members of the counting boards and any observers present
- all ballots must be resealed in ballot containers or locked in a secure location at the close of business each day
- upon completion of any preparatory procedures or the hand count all materials must be resealed in ballot containers
- resealing may be done by individual precincts or batch, in groups of precincts or batches contained in one sealable container, or as a county as a whole

When **opening a secured location** the following process shall be followed:

- the location shall be opened in the presence of members of the counting boards and any observers present
- all ballots must be locked in a secured location at the close of business each day
- upon completion of any preparatory procedures or the hand count all materials must be returned to the secured location
- returning the ballots to the secured location may be done by individual precincts or batch, in groups of precincts or batches contained in one container, or as a county as a whole

### **Tally of Ballots**

After breaking seals, ballots cast in precincts or batches not selected for hand counting shall be separated from those that were randomly selected and shall be returned to the ballot containers. Every cast ballot in the precincts or batches randomly selected must be hand counted. The ballots to be hand counted shall be separated into the following stacks.

#### **For candidate contests, stacks will include:**

- a separate stack for each candidate listed on the ballot in the contests
- write-in votes
- overvotes
- undervotes
- potential exception

An exception is defined as any ballot that is marked by the voter in a way that the vote tally system may not have appropriately tallied the vote.

Examples of potential ballot exceptions are described under the *Ballot Inspection Process* and *Write-in Processing* sections of the [Vote by Mail Procedures Manual](#), revised 03/2024.

After the ballots have been separated into the appropriate stacks and inspected:

1. Counting boards divide into teams and count one precinct or batch at a time
  - Each overvote and undervote ballot must be examined to confirm the voter's intent. An overvote occurs when an elector marks more than the allowable choices for a particular office or measure. An undervote occurs when the elector does not mark any choice for a candidate or a measure. Both overvotes and undervotes result in no vote cast for that contest.
  - If the counting board determines that a ballot initially determined to be an undervote or an overvote is, instead, a vote for a candidate or a measure's 'yes' or 'no' total, the ballot shall be set aside to be accounted for as an *Exception*.
  - The counting board may also find write-in votes for candidates on the ballot that may not have been properly assigned to the candidate by the vote tally system, or which may have been counted as undervotes or overvotes. These should also be set aside and accounted for as an *Exception*.
2. Each team shall count each stack of ballots and compare counts
  - If the counts agree, the number shall be reported on the return sheet provided.
  - If the counts do not agree, each stack must be counted again until agreement is reached and the number reported on the return sheet provided.
3. The County Elections Official will compare the vote count reported by the counting board with the original vote tally system count
  - Any difference in the vote count prepared by the counting board and the original vote tally system count must be reviewed by the County Elections Official before the count of a precinct or batch is considered complete.
  - If the hand count results differ from the vote tally system results, the counting board will analyze the ballots to determine if the reason for the difference can be identified.
  - If any candidate or measure's 'yes' or 'no' total gained votes, the stack of votes for that particular response position needs to be reviewed to determine if such a ballot can be identified. If the ballot is identified, it should be set aside and accounted for as an *Exception*.

4. The results of the hand count shall be entered into the form SEL 798 worksheet for the contest.
  - Any difference in the hand count and the vote tally system count must be explained by the Elections Official.

**Completion of Form SEL 798 Hand Count Tally and Explanation**

Form SEL 798 is an Excel spreadsheet that has been programmed to perform calculations to determine if a second hand count must be completed.

A separate SEL 798 must be completed for each candidate contest and measure contest to be hand counted. The following fields must be entered into each tab of the SEL 798 and the form saved for the calculation command to execute:

- Original Results – the results certified in the abstract for each candidate in each candidate contest or each measure contest response, for the individual precinct or batch being reported
- Hand Count Results – the results as determined by the counting board and county elections official review, for the individual precinct or batch being reported
- Difference – the total difference between the certified results and the hand count results, excluding any identified exceptions
- Exceptions – the difference between the certified results and the hand count results that the counting board identified
- Notes and Remarks – explanation of any *Exception*

**Example of how to complete Form SEL 798:**

Red text indicates information entered by County Elections Official. The totals and percentages at the bottom of the form will calculate when the form is saved.

**Hand Count**

Tally and Explanation

**SEL 798**

Rev. 5/26

<b>County Information</b>				
County	County Name			
Elections Official	Elections Official Name			
<b>Hand Count Information (from directive)</b>				
Percentage of Ballots Selected	3%, 5%, or 10% (from the Directive)			
Precincts or Ballot Count Batches Selected	Name or ID of Precinct(s) or Batch(es)			
<b>Results</b>				
Top Two Contest title	Name of 'Top Two' Contest in Directive for County			
Hand Count Number (i.e. First or Second)	First (unless required to conduct a Second hand count)			
Start Date	Date seals were broken			
End Date	Date Hand Count concluded			
<b>Candidate</b>	<b>Original Results (tabulation)</b>	<b>Hand Count Results</b>	<b>Exceptions (explanation separate)</b>	<b>Difference</b>
Name of Candidate 1	100	101	1	0
Name of Candidate 2	100	101	0	1
Write-Ins				
Over Votes (not shown in tabulated results; no impact to total)				
Under Votes (not shown in tabulated results; no impact to total)				
<b>Total</b>	200	202	1	1
<b>0.50% of Original Total</b>	1			
<b>Result of Hand Count</b>	Acceptable			

The indicator of *Acceptable* or *Not Acceptable* will appear after the command is executed to determine if the difference between the certified results and the hand count results less any exceptions, is within the margin of ½ of 1% of the total votes cast for the candidate contest or measure contest.

- A separate SEL 798 must be completed and submitted for each candidate contest and measure contest hand counted.
  - o For batches or precincts with no exceptions, multiple batches or precincts may be on one form for each candidate contest or measure contest.
- Only one signed certification is required to submitted with hand count results.

### **Returned Results – Acceptable**

If the results at the bottom of the SEL 798 indicate the results of the hand count are *Acceptable*, the SEL 798(s) should be certified to the Elections Division for each candidate contest and measure contest hand counted.

- No later than 5:00 pm on June 18, for measure contests and June 23, for candidate contests.
- Submit SEL 798 form(s) to [county.support@sos.oregon.gov](mailto:county.support@sos.oregon.gov)

### **Returned Results – Not Acceptable**

If the results at the bottom of the SEL 798 indicate the results of the hand count are *Not Acceptable*, that means that the difference between the certified results and the hand count results (less any exceptions) exceeds  $\frac{1}{2}$  of 1% of the total votes cast for the candidate contest or measure contest, and that the same ballots must be hand counted a second time.

- If the form indicates *Not Acceptable*, contact the Elections Division to confirm if a second hand count must be conducted and confirm any identified exceptions were accounted for in the formula.

If, after the second hand count, the returned results remain *Not Acceptable*, ORS 254.529 requires a countywide hand count of all ballots for all contests tallied by the vote tally system.

- Contact the Elections Division prior to proceeding with a complete hand count.

### **Hand Count Certification**

The hand count determinations are not considered final until they have been certified to the Secretary of State by the County Elections Official on form SEL 798.

After all counties have certified the results of the hand count and filed form SEL 798, the Elections Division will compile the results and make them available at [www.oregonvotes.gov](http://www.oregonvotes.gov).

**CONTESTS AND PRECINCTS OR BATCHES SELECTED FOR THE HAND COUNT**

<b>County</b>	<b>Top Two Contest</b>	<b>Statewide Contest</b>	<b>Statewide Measure Contest</b>	<b>Percentage of Batches or Precincts</b>	<b>Precincts or Batches Randomly Selected</b>
Baker	County Commissioner Position 2	Judge of the Court of Appeals, Position 13	120	3%	Pine Valley 22
Benton	Commissioner of the Bureau of Labor and Industries	Judge of the Court of Appeals, Position 9	120	3%	A0300, A0198, A0124, A0311, A0296, A0207, A0261, A0307, A0244, A0104, A0145
Clackamas	Clackamas County Commissioner, Position 5	Judge of the Court of Appeals, Position 1	120	3%	VBM-0393, VBM-0750, VBM-0251, VBM-0387, VBM-0235, VBM-0990, VBM-0076, VBM-0350, VBM-0622, VBM-0910, VBM-0726, VBM-0052, VBM-0878, VBM-0706, VBM-0380, VBM-0549, VBM-0740, VBM-0605, VBM-0480, VBM-0685, VBM-0833, VBM-0186, VBM-0911, VBM-0988, VBM-0172, VBM-0211, VBM-0408, VBM-1043, VBM-0062, VBM-0064, VBM-0989, VBM-0209
Clatsop	Commissioner of the Bureau of Labor and Industries	Judge of the Court of Appeals, Position 13	120	3%	A0061, A0020, A0110, A0067, A0135
Columbia	Columbia County Commissioner, Position 2	Judge of the Court of Appeals, Position 13	120	3%	A0010, A0008
Coos	Coos County Commissioner, Position 2	Judge of the Court of Appeals, Position 13	120	3%	VBM-0064, VBM-0032, VBM-0005
Crook	Crook County Commissioner, Position 2	Judge of the Court of Appeals, Position 12	120	3%	23, 73, 3, 93
Curry	Commissioner of the Bureau of Labor and Industries	Judge of the Court of Appeals, Position 1	120	3%	VBM-0018, VBM-0046

Deschutes	Deschutes County Commissioner, Position 4	Commissioner of the Bureau of Labor and Industries	120	3%	AB-037, AB-311, AB-147, AB-099, AB-227, AB-204, AB-119, AB-255, AB-074, AB-122
Douglas	Douglas County Commissioner, Position 1	Judge of the Court of Appeals, Position 13	120	3%	127, 77, 27, 81, 3, 114, 115, 176
Gilliam	County Commissioner, Position 1	Judge of the Court of Appeals, Position 1	120	3%	PRECINCT 7
Grant	County Commissioner #1	Judge of the Supreme Court, Position 4	120	3%	Union
Harney	County Commissioner, Position 2	Judge of the Court of Appeals, Position 1	120	3%	AB-024, AB-058
Hood River	Commissioner of the Bureau of Labor and Industries	Judge of the Court of Appeals, Position 1	120	3%	VBM-0030, VBM-0015
Jackson	Commissioner of the Bureau of Labor and Industries	Judge of the Court of Appeals, Position 12	120	3%	ED-041, ED-127, ED-028, ED-146, ED-118, ED-061, ED-513, ED-372, ED-003, ED-425, ED-124, ED-212, ED-145, ED-472, ED-270, ED-484, ED-438
Jefferson	Jefferson County Commissioner Position #1	Judge of the Court of Appeals, Position 13	120	3%	WARM SPRINGS (14), HAYSTACK (01)
Josephine	County Clerk & Recorder	Judge of the Court of Appeals, Position 12	120	3%	EV-045, EV-075, EV-028
Klamath	Commissioner, Position 2	Judge of the Court of Appeals, Position 13	120	3%	ED-059, ED-002, ED-021

Lake	Commissioner, Position 2	Commissioner of the Bureau of Labor and Industries	120	3%	PRECINCT 10
Lane	Commissioner of the Bureau of Labor and Industries	Judge of the Court of Appeals, Position 13	120	3%	ED-022, ED-614, ED-556, ED-297, ED-670, ED-037, ED-249, ED-094, ED-162, ED-181, ED-505, ED-662, ED-027, ED-478, ED-120, ED-580, ED-299, ED-001, ED-110, ED-064, ED-095
Lincoln	Lincoln County Commissioner, Position 3	Judge of the Court of Appeals, Position 1	120	5%	03 SEAVIEW, 08 SOUTH BEACH
Linn	Commissioner of the Bureau of Labor and Industries	Judge of the Court of Appeals, Position 1	120	5%	187, 56, 59, 146, 107, 153, 174, 181, 88, 144, 202, 151
Malheur	Commissioner of the Bureau of Labor and Industries	Judge of the Court of Appeals, Position 13	120	3%	13
Marion	Commissioner of the Bureau of Labor and Industries	Judge of the Supreme Court, Position 4	120	3%	402, 321, 320, 837
Morrow	Morrow County Commissioner, Position 3	Judge of the Court of Appeals, Position 9	120	3%	04 IONE
Multnomah	Commissioner of the Bureau of Labor and Industries	Judge of the Court of Appeals, Position 9	120	3%	AB-0497, AB-0157, AB-0380, AB-0321, AB-0460, AB-0232, AB-0290, AB-0489, AB-0419, AB-0088, AB-0513, AB-0492, AB-0156, AB-0525, AB-0257, AB-0240, AB-0476
Polk	Polk County Commissioner, Position 2	Judge of the Court of Appeals, Position 13	120	3%	A177, A094, A182, A172, A151, A082
Sherman	Commissioner of the Bureau of Labor and Industries	Judge of the Court of Appeals, Position 1	120	3%	Moro

Tillamook	Tillamook County Commissioner, Position 3	Judge of the Court of Appeals, Position 13	120	3%	A0052, A0057, A0066, A0018, A0008, A0034, A0026
Umatilla	Commissioner of the Bureau of Labor and Industries	Judge of the Court of Appeals, Position 12	120	3%	Z0035, A027
Union	Commissioner, Pos #1	Judge of the Court of Appeals, Position 1	120	3%	07-Cove Rural
Wallowa	County Commissioner #3	Judge of the Supreme Court, Position 4	120	3%	ENTERPRISE #3
Wasco	Commissioner of the Bureau of Labor and Industries	Judge of the Court of Appeals, Position 13	120	3%	AB-083, AB-059, AB-076, AB-015
Washington	Commissioner of the Bureau of Labor and Industries	Judge of the Court of Appeals, Position 12	120	3%	AB-137, AB-230, AB-224, AB-163, AB-241, AB-399, AB-247, AB-077, AB-154, AB-257, AB-222, AB-026, AB-339, AB-316, AB-450
Wheeler	Commissioner of the Bureau of Labor and Industries	Judge of the Court of Appeals, Position 9	120	3%	SPR
Yamhill	Yamhill County Commissioner, Position 3	Judge of the Court of Appeals, Position 13	120	3%	275, 167, 159, 233, 270, 274, 143, 103, 303, 234