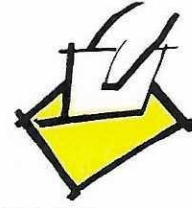




DEMOCRATIC PARTY OF PUERTO RICO
PARTIDO DEMÓCRATA DE PUERTO RICO



PUERTO RICO STATE COMMISSION ON ELECTIONS
Government of Puerto Rico

RULES FOR THE PUERTO RICO DEMOCRATIC PRESIDENTIAL PRIMARY PROCESS

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TITLE I GENERAL PROVISIONS

Section 1.1 TITLE

These Rules shall be known as the "Rules for the Puerto Rico Democratic Presidential Primary Process."

Section 1.2 LEGAL BASIS

These Rules are adopted and approved in accordance with the provisions of Act No. 6 of September 24, 1979, as amended, known as the "Compulsory Presidential Primary Act," hereinafter "Presidential Primary Act"; Act No. 78-2011, as amended, known as the Puerto Rico Election Code for the 21st Century, hereinafter "Election Code"; Joint Resolution 20-2020; and the "Puerto Rico Delegate Selection Plan for the 2020 Democratic National Convention", hereinafter "Plan". Additionally, the following federal laws on absentee voting apply: "Uniformed and Overseas Citizens Absentee Voting Act", Public Law 99-410, as amended, hereinafter "UOCAVA"; "Military and Overseas Voter Empowerment Act", Public Law 11184 Subtitle H - Military Voting Sections 575-589, hereinafter "MOVE"; and "Help America Vote Act", Pub. Law 107-252, hereinafter "HAVA".

Section 1.3 DEFINITIONS

The definitions set forth in Article 2.003 of the Election Code and Article 2 of the Presidential Primary Act, as applicable, are hereby incorporated into these Rules.

For the purposes of these Rules, the following terms shall have the meanings stated below:

1) Tally Sheet- The document(s) containing the results of the canvass of votes on primary day, per polling station and electoral district, which shall be filled out in their entirety. This sheet shall contain a copy for each member of the corresponding board.

2) General Tally Sheet- The electoral document(s) where the President and the Electoral Representative write down the results of the general canvass of votes.

3) Incident Log- The electoral document(s) in which the polling opening and election ending process, as well as the results and other related incidents, shall be recorded. There shall be incident logs for the polling station boards, polling center boards and local boards, which shall be filled out in their entirety. This document shall include a copy for each member of the corresponding boards.

4) Presidential Candidate - Any person who, having fulfilled the guidelines, rules, regulations and requirements of the Democratic Party of the United States of America, the provisions of the Presidential Primary Act, and these Rules, aspires to obtain the Democratic Party's nomination as candidate for President of the United States of America.

5) Election Code- Act 78-2011, as amended, known as the "Puerto Rico Election Code for the 21st Century."

6) Democratic National Committee- The governing body of the Democratic Party of America, also known as the "DNC".

7) Commission- The agency of the Government of Puerto Rico known as the Puerto Rico State Commission on Elections (CEE, Spanish acronym), as created by the Election Code.

8) Democratic National Convention - National assembly or meeting held by the Democratic Party to nominate the person that will be its candidate for President of the United States of America in the presidential elections following the convention.

9) Delegate- A person who has been duly selected pursuant to the Presidential Primary Act and the Plan to attend the Democratic National Convention pledged to vote in the first vote for a particular presidential candidate.

10) Congressional District- Geographic area known as a senatorial district that, for electoral purposes, the Constitutional Board for Revision of Senatorial and Representative Electoral Districts has established for Puerto Rico.

11) Voter- Person who meets legal requirements, appears in the General Voter Registry by the registration deadline, and complies with the provisions of these Rules.

12) Assistive Technology Devices (AT)- Personal and specialized devices belonging to a voter with disabilities that allows them to carry out voting processes independently and privately, such as interacting with the electronic canvass machine, marking the ballot or other.

13) Polling Center Board- The electoral entity at the polling center that directs and supervises the processes provided for in these Rules, as well as the safety protocol adopted for the Presidential Primary.

14) Polling Station Board- The electoral entity at the polling station in charge of managing the voting process.

15) State Board- The state electoral entity responsible for planning, organizing, structuring, directing and supervising the Presidential Primary composed of the President and the Electoral Representative.

16) Local Board- The municipal or electoral district entity responsible for supervising and implementing the Presidential Primary within its jurisdiction.

17) Observers- Person appointed by and representing a presidential candidate to observe the voting and canvass processes.

18) Ballot- Document designed by the State Board and printed by the Commission for the voter to mark their vote.

19) Presidential Preference Ballot - Ballot designed and used for the voter to state his or her preference as to the presidential candidate.

20) Delegate Selection Ballot- Ballot designed and used for the voter to select a delegate group pledged to a presidential candidate in his or her congressional district.

21) Challenged Ballot- Ballot that is the subject to the challenge process provided in the Election Code and these Rules.

22) Democratic Party- The Democratic Party of the United States of America that nominates and participates in the election of candidates for the offices of President and Vice-President of the United States of America.

23) Democratic Party of Puerto Rico- The committee or entity recognized as the affiliate of the Democratic Party of the United States of America in Puerto Rico.

24) Electoral District- Geographic area in Puerto Rico for election-related purposes, which shall be composed of one municipality or part thereof.

25) President- The President of the Puerto Rico State Commission on Elections, as said office was created by the Election Code.

26) Presidential Primary- The process whereby voters affiliated with the Democratic Party cast their vote to state their preference with regard to the candidates for the Party's nomination for President of the United States of America and to select the delegate group pledged to a presidential candidate.

27) Challenge- The procedure whereby a polling station official or voter challenges, on Presidential Primary day, the validity of a vote on any of the grounds set forth in the Election Code and these Rules.

28) Electoral Representative- The person appointed by the chairperson of the Democratic Party of Puerto Rico, to represent the Party, and address any election-related matter in connection with the Presidential Primary process.

29) Voter Identification Card- A card bearing the photograph of the voter and other election-related information, which shall be issued upon the voter's registration, as provided in the Election Code.

Section 1.4 DATE OF THE PRESIDENTIAL PRIMARY

The Presidential Primary of the Democratic Party shall be held on July 12, 2020.

Section 1.5 VOTING LOCATION

Every voter interested in voting in the Presidential Primaries shall do so in the congressional district in which they are registered.

Section 1.6 VOTERS WHO MAY VOTE IN THE PRIMARY

Any voter who is qualified to vote in Puerto Rico in the general elections in accordance with the Election Code and the Presidential Primary Act, is affiliated with the Democratic Party prior to voting, and has attained the age of eighteen (18) by the date of the next general election, shall be entitled to vote in the Presidential Primary.

Section 1.7 ELECTORAL DOMICILE

Every voter shall vote in the congressional district where they have established their domicile by the deadline for registering in the General Voter Registry. Said registration deadline shall be July 20, 2020. These Rules shall be governed by the definition of the term electoral domicile set forth in Article 2.003 of the Election Code, which provides the following:

“Domicile - Residence around which the personal and family activities of any person mainly take place, and where said person has, through positive acts, manifested his or her intention to remain.”

TITLE II

PROCEDURES PRIOR TO THE PRESIDENTIAL PRIMARY

Section 2.1 FILING OF REORGANIZATION PLAN OR ITS EQUIVALENT

The Democratic Party of Puerto Rico shall adopt and submit to the President, through the Office of the Secretary of the Commission, a delegate selection plan or its equivalent as provided

in the Presidential Primary Act, not later than December 1st of the year preceding the holding of the Presidential Primary.

Any rule to which the Democratic Party of Puerto Rico agrees with the Democratic Party, including the delegate selection plan that is incompatible with the Presidential Primary Act shall prevail over it, except as to the date of the presidential primary, which shall prevail over any regulation, rule or plan of any affiliated political party.

Section 2.2 AFFILIATION CERTIFICATE

The Democratic Party of Puerto Rico shall, within the term provided in Section 2.1 of these Rules, submit to the President evidence certifying that it was acknowledged as an affiliate in Puerto Rico of the Democratic Party. Once this requirement and the registration process provided by the Presidential Primary Act have been met, the Democratic Party of Puerto Rico shall not be required to register subsequently as such, provided, that it maintains its condition of affiliate of the Democratic Party.

Section 2.3 NAME AND INSIGNIA

The Democratic Party of Puerto Rico shall, not later than December 1st of the year preceding the election of the President of the United States of America, register its name and insignia with the President. Said registration shall be done in writing and signed by the chairperson of the Democratic Party of Puerto Rico. The name and insignia so filed shall be the official emblems of the Democratic Party of Puerto Rico and shall be printed on the upper margin of all documents related to the Presidential Primary. The provisions of Article 7.009 of the Election Code shall govern all that pertains to the adoption, change, determination, or alteration of any name and insignia of the Democratic Party of Puerto Rico.

Section 2.4 ELECTORAL REPRESENTATIVES

The chair of the Democratic Party of Puerto Rico shall be entitled to appoint an electoral representative and an alternate electoral representative to conduct the electoral affairs of the party before the President. Said representatives shall be selected as provided in the Rules of the Democratic Party of Puerto Rico and shall be persons of recognized moral probity, qualified voters, who have resided in Puerto Rico for four (4) years prior to their appointment and are knowledgeable in electoral affairs.

The alternate representative shall perform the duties of the electoral representative in the event of absence, disability, resignation, death, separation from office, or when due to any other reason a vacancy occurs in said position, and until the electoral representative returns or a new appointment is made.

Section 2.5 OBSERVERS

Each presidential candidate shall be entitled to appoint an observer to the State Board and to every local board, polling center board and polling station board. The presidential candidates or their authorized representatives in Puerto Rico shall issue the appointment forms.

Section 2.6 PRESIDENTIAL CANDIDATES

The Secretary of State of Puerto Rico shall determine and prepare a list with the names of the candidates running for Democratic presidential nomination and notify each one of them by certified mail with return receipt requested that they have been included in the aforementioned list not later than January 5, 2020.

The name of each of the candidates on the list shall appear on the ballot as a presidential candidate, unless not later than January 15, 2020, said person certifies in writing to the Secretary of State that he or she is not, and has no intention to be, a presidential candidate. Not later than January 20, 2020, the Secretary of State shall notify the Chairman of the Democratic National

Committee, the Chairman of the Democratic Party of Puerto Rico, and the President of the names of the persons included on the ballot as presidential candidates as long as they do not resign or withdraw from the presidential nomination race on or before February 8, 2020.

Section 2.7 NOTIFICATION OF DELEGATES

Not later than December 15 of the year preceding the Presidential Primary, the Democratic Party of Puerto Rico shall submit to the President a certification of the authority of the Democratic National Committee stating the number of delegates and alternate delegates to the 2020 Democratic National Convention which the Democratic Party of Puerto Rico affiliates are entitled to elect.

Section 2.8 CANDIDACY FILING

The Plan approved by the National Democratic Committee shall govern the delegate nomination process for the Presidential Primary.

Section 2.9 NOTIFICATION OF CANDIDATES FOR DISTRICT DELEGATES

The President shall send to the appropriate presidential candidate or candidate's representative, via email, return receipt requested, a list of the names and addresses of the individuals interested in becoming a congressional district delegate pledged to such presidential candidate. This notification shall be sent within two (2) days after the deadline to submit the request to become a candidate for congressional district delegate.

The presidential candidate or his or her representative to whom this information has been submitted shall inform the President of the names of the persons who are approved to be candidates for delegate for each of the congressional districts. This notification shall be sent via email, with receipt confirmation not later than two (2) days from receipt of the notification from the

President. The presidential candidate shall approve a list of names that does not exceed the number of delegates to be selected in each congressional district.

If no answer or rejection of a specific person by the presidential candidate is received, it shall be deemed that the candidate accepts the list submitted. In these cases, the President shall select by draw the names of the delegates that shall appear on the ballot from among those who applied for becoming a congressional district delegate pledged to said presidential candidate, pursuant to the Plan.

Section 2.10- RESPONSIBILITIES OF THE PRESIDENT AND ELECTORAL REPRESENTATIVE

The President and Electoral Representative shall be responsible for:

1. Regulating, administering, and inspecting all that pertains to the holding of the Presidential Primary.
2. Preparing, producing, and distributing all of the forms, ballots, and documents necessary for the holding of the Presidential Primary.
3. Enforcing the Rules of the Democratic Party and the Plan.
4. Determining the number and selecting the polling centers for the holding of the Presidential Primary.
5. Assigning personnel, material, and equipment necessary for the holding of the Presidential Primary.
6. Directing the general canvass or recount processes, as the case may be.

Section 2.11 DELEGATION OF DUTIES

When the President is required to attend to other election-related matters provided by law, or for any other justified reason, is unable to discharge, in whole or in part, the duties and obligations entrusted to him or her under the Presidential Primary Act and these Rules, he or she

shall be substituted by the person appointed therefor by a simple majority of the Executive Committee of the Democratic Party of Puerto Rico. The procedures, requirements, rules, and provisions of the Presidential Primary Act and these Rules shall be observed in any case. Any action, determination or decision made or implemented by the President prior to being unable to continue to enforce the provisions of the Presidential Primary Act and these Rules, shall be valid and binding on the person substituting him or her for said purposes.

Section 2.12 LOCAL BOARDS

In each municipality and in the electoral districts in which San Juan, Guaynabo, Bayamon, Ponce, Juana Díaz and Carolina are divided there shall be a local board which shall be composed of one (1) president and one (1) vice-president appointed by the Electoral Representative.

Section 2.13 POLLING CENTER BOARDS

In each municipality and in the electoral districts in which San Juan, Guaynabo, Bayamon, Ponce, Juana Díaz and Carolina are divided there shall be a polling center board which shall be composed of one (1) coordinator and one (1) sub-coordinator appointed by the Electoral Representative or by his or her authorized representative.

Section 2.14 POLLING STATION BOARDS

In each of the polling centers there shall be a polling station board composed by three officials: one (1) president, one (1) vice-president and one (1) secretary appointed by the Electoral Representative or by his or her authorized representative.

The members of the polling station board, as well as observers, while carrying out duties germane to their appointments, shall not wear the uniforms of the United States Armed Forces, or of any security or law enforcement body or entity of the Government of Puerto Rico or of any municipality of Puerto Rico.

Any vacancy in the polling station boards that occurs on the election date shall be filled by the president of the appropriate local board.

The members of the polling station board shall be entrusted with maintaining order during the procedures. They shall also be responsible for deciding any dispute that may arise during the voting and canvass processes, and discharging any other duty required under the Election Code.

The presidential candidates' observers shall be responsible for ensuring the purity of the process and may participate in the canvass.

Every member of a polling station board must take an oath prior to begin discharging his or her duties.

TITLE III INCOME AND EXPENSES

Section 3.1- INDIVIDUAL CONTRIBUTION LIMITS

No natural or juridical person may, directly or indirectly, make contributions in Puerto Rico to an affiliated political party, candidate for pledged, unpledged, or independent delegate or alternate delegate, or to a group thereof, for a political committee or other organization that promotes or advocates for election of any delegate or alternate delegate candidates in excess of the amounts established under Section 441 (a) of the "*Federal Election Campaign Act (FECA)*", 11 CFR 110.1 a 110.4.

Section 3.2 USE OF PUBLIC FUNDS

The following provisions of Article 30 of the Presidential Primary Act shall apply:

All affiliated political parties, as defined under Article 2(n) of this title, may avail themselves of the benefits of public funds administered by the Puerto Rico State Commission on Elections for the holding of a presidential primary, or an assembly that substitutes for same with the authorization of the National Party, and which has as an essential requirement the maximum participation of the electors affiliated to the affiliated political party. If there has been an economic subsidy for the holding of the presidential primaries or assemblies, the affiliated political party so benefited shall be bound to render through its electoral representative and the President of

the central committee of said party, the lists of electors who participated in said electoral event duly certified by sworn statement. The use of public funds for any internal reorganization process is hereby prohibited.

In all internal reorganization processes, all matters pertaining to the qualification of candidates, the terms for the filing of candidacies, and the process that culminates with the holding of same, shall be carried out according to the provisions set forth by the internal rules of the affiliated political party.

The Supreme Court of Puerto Rico upheld the constitutionality of the Presidential Primary Act. In *P.I.P. v. C.E.E.*, 120 DPR 580 (1988), the Court held that the use of public funds for presidential primaries has a public purpose that does not violate Article II, Section 19, or Sections 1 and 7 of said Article II of the Constitution of Puerto Rico.

TITLE IV

HOLDING OF THE PRESIDENTIAL PRIMARY

Section 4.1 VOTING SYSTEM

The Presidential Primary shall consist of a two-ballot voting in which voters shall state on one ballot their preference for one of the Democratic Party presidential candidates and on another ballot, voters shall select a group of delegates per congressional district pledged to a particular presidential candidate, whose names shall appear below the picture of the corresponding candidate for president. The preference for a presidential candidate stated on a ballot shall have no effect in the election of congressional district delegates, which shall be made on a separate ballot.

The Presidential Primary shall be conducted through the open polling system. The voting shall be held in accordance with the applicable provisions of the Election Code to ensure at all times voters' right to equal, direct, free, and secret vote. Voters shall be required to show their voter identification card in order to vote.

A voters list shall be used to identify voters and in which each voter shall sign next to their name. The signature on the voting list shall represent the intention of the voter to be affiliated with the Democratic Party and its affiliate in Puerto Rico.

Section 4.2 NOTICE TO VOTERS

The Commission shall issue and publish a General Call convoking and announcing the holding of the Presidential Primary within not less than thirty (30) days in advance of the primary election date.

Section 4.3 VOTING HOURS

On Primary day, voters shall attend the designated polling stations. Polling stations shall open at 9:00 a.m. to receive voters and shall remain open until 3:00 p.m. The voting, however, shall continue uninterruptedly until all voters holding a closed-line card or who are inside the polling station at the time of closing, cast their votes.

Section 4.4 DELIVERY OF ELECTION MATERIAL

The President and the Electoral Representative shall make the necessary arrangements to ensure that days before the holding of the Presidential Primary Election, the election material to be used is delivered at the Puerto Rico Police stations or any other place designated therefor in each municipality or electoral district.

Section 4.5 CONSTITUTION OF LOCAL BOARDS, POLLING CENTER BOARDS AND POLLING STATION BOARDS

At 7:00 a.m., the local board and coordinator of the polling center board shall meet at the Puerto Rico Police station or any other place designated therefor in each municipality or electoral district. The coordinator of the polling center board shall furnish his appointment to the president of the corresponding local board and proceed to receive, with acknowledgment of receipt, the election material. Once the election material is received, the coordinator of the polling center

board shall go to the assigned polling center, deliver the election material and fill out the incident log.

Meanwhile, the sub-coordinator of the polling center board shall be at the polling center at 7:00 a.m. to greet the polling officials and verify their appointments.

The coordinator and sub-coordinator will ensure compliance with the safety protocol established for the Presidential Primary. Both will assist the polling station board in complying with said protocol.

Section 4.6 VERIFICATION OF MATERIAL RECEIVED

The polling center board shall deliver the election bag to the polling station officials who shall proceed to open the election bags, count the number of ballots received and record this information in the incident log of the polling station. Then, they will place their initials on the upper left-hand corner on the back of the ballots.

Section 4.7 SUBSTITUTIONS AND DUTIES OF THE POLLING STATION BOARD

The polling station officers and observers may be substituted at any time on the Presidential Primary day prior to the start of the count. In such cases the required oath may be administered by the president of the local board or by the coordinator of the polling center.

In addition to any other functions and duties as the Democratic Party by rules prescribe, polling station board officers shall:

1. Supervise, receive, distribute, and return to the local board the election material of the polling station.
2. Prepare, inspect, and supervise polling stations.
3. Offer orientation to voters on the election day.
4. Administer oaths to the presidential candidates' observers working on the Presidential Primary day who have not been sworn by the polling center or local board.
5. Maintain order at the polling center and the polling station assigned.

6. Solve any complaints or disputes that may arise in the polling station by means of unanimous agreements. If no unanimity is reached, said complaints or disputes shall be referred to the polling center board or to the local board for resolution.

7. Ensure that voters included in the list of excluded voters are excluded from the voters list by writing the word "Excluded" on the space provided for the voter's signature. Voters identified as excluded voters shall not vote at the polling station.

8. Fill out the polling station's incident log and tally sheets. The president of each polling station board shall be responsible for filling out the tally sheets in conjunction with the secretary.

Section 4.8 OPENING OF POLLING STATIONS

At 9:00 a.m., the members present of the polling station board shall declare the polling station open. Voters shall be served in the order they arrive. Each voter shall be located and identified in the voters list provided by the Commission through an examination of their personal circumstances and voter identification card.

Section 4.9 VOTING PROCESS

At 9:00 a.m. of the Presidential Primary day, the polling station board shall declare the polling station open.

Voters shall stand in line in the order they arrive. The members of the Puerto Rico Police and the Municipal Police who are on duty on the primary day, the duly-identified Commission employees, and the members of the local board shall vote with priority in the polling stations where their names appear as voters.

Every voter who attends the polling station to exercise his or her the right to vote shall follow the following procedure:

1. The vice-president shall be in charge of the lamp to verify whether or not a voter has voted before. If an ink marking is found, the voter shall be informed that he or she cannot vote.

If no ink marking is found, the voter shall show his or her voter identification card and the secretary shall verify it against the voter's identity.

2. The secretary shall verify that the voter appears on the polling station voting list and not on the list of excluded voters. If the voter does not appear in the polling station list nor on the list of excluded voters, this voter shall be instructed of his or her right to be provisionally added to the voting list and allowed to vote in a special process in said polling station.

3. If from the above verification, the polling station secretary validates that the voter is entitled to vote in the polling station, the voter shall sign in the space provided next to his or her name on the voters list. If the voter cannot or is unable to sign, he or she shall make a mark and the secretary shall sign his or her initials next to the mark.

4. Then, the voter shall ink his or her finger. The voter shall receive his or her identification card back and be handed out a marker to mark the ballots.

5. Once the preceding step is completed, the president of the polling station shall proceed to hand out the ballots to the voter instructing him or her not to fold the ballots.

6. The voter shall enter the voting partition booth alone and cast his or her vote making the corresponding markings. Except as otherwise provided by law or regulations for persons with physical disabilities, only one person shall be allowed inside the voting partition booth. Voters may remain inside the voting partition booth for as long as they need in order to cast their vote.

7. Once the voter has voted, he or she shall return the marker, and in the presence of the polling station officials, place the ballots face down in the electronic canvass machine. The electronic canvass machine will warn voters if a ballot is blank or has any ill-polled conditions. The voter may correct this situation by pressing the CORRECT gray button of the electronic canvass machine to retrieve the ballot and vote again returning to the voting partition booth. In contrast, a voter can confirm that he or she wants the ballot to be considered voted as is by pressing the yellow VOTE button on the electronic canvass machine. In such case the electronic canvass machine will not return the ballot and will count it as voted. However, when the electronic

canvass machine issues a warning concerning a ballot and the voter takes more than 15 seconds to indicate his or her determination regarding the condition of the ballot, the electronic canvass machine will automatically return the ballot without counting. In this case, the voter must re-enter the ballot and press the VOTE or CORRECT button.

8. A voter who has received the ballots will not be allowed to leave the polling station until he or she has voted and inserted the ballots in the electronic canvass machine.

9. Every voter who has cast his or her vote shall exit the polling station immediately, after the vice-president has verified with a lamp that a voter's finger has been inked. If an ink marking is not found, the voter shall be required to ink his or her finger.

Section 4.10 PROVISIONAL VOTING

The polling station board will allow provisional voting only for voters who demand their right to vote and do not appear on the voting lists, due to alleged administrative errors by the Commission, nor on the list of excluded voters. The polling station officials will ensure that, once the provisionally added voter has exercised their right to vote, the ballots are placed in an envelope designated for those purposes and that envelope is deposited in the ballot box provided by the Commission. The provisionally added voter ballots shall **NOT** be inserted in the electronic canvass machine.

Section 4.11 VOTERS WITH DISABILITIES

Any voter who is unable to mark the ballots or complete any other action in the voting process due to any disability shall have the right to choose a person for assistance. Such person may accompany the voter at the time of exercising their right to vote and mark the ballot as instructed by the voter. The voter must expressly consent to such action. The person chosen by the voter may be a polling official assigned to the polling station where the voter cast his or her vote. The voter may also use an AT. A polling official may not limit the use of an AT, provided it is compatible with the electronic canvass machine.

The Commission will provide a special Braille template for blind voters wishing to exercise their right to vote independently. The Commission will also provide a magnifying glass for low-vision voters who require it.

Section 4.12 ASSISTANCE FOR INSERTING THE BALLOTS

Any voter shall have the right to be assisted by another person when inserting their ballots in the electronic canvass machine. The voter must expressly consent to such action. The person chosen by the voter may be a polling official assigned to the polling station where the voter cast his or her vote.

Section 4.13 BALLOT SPOILED BY VOTER

If any voter spoils a ballot or makes a wrong selection, they shall return the ballot to the president of the polling station board who shall provide them with another ballot. Only one (1) additional ballot may be provided to the same voter who has spoiled a ballot. The president of the polling station board will render useless every spoiled ballot by crossing it with a horizontal line from one end to another over the timelines at the top of the ballot. The following phrase shall be written under the line: "PAPELETA DAÑADA POR EL ELECTOR, SE LE ENTREGÓ OTRA" (SPOILED BALLOT BY THE VOTER, ANOTHER WAS PROVIDED).

Section 4.14 MACHINE MUTILATED BALLOTS

If an electronic canvass machine mechanically mutilates an uncounted ballot, the president of the polling station board will provide the voter with another ballot. In this case, the spoiled ballot law provision does not apply, which limits to one (1) additional ballot per voter. The president of the polling station board shall render useless every mutilated ballot by crossing it with a horizontal line from one end to the other over the timelines at the top of the ballot. The following phrase shall be written under the line: "PAPELETA MUTILADA POR LA MÁQUINA, SE LE ENTREGÓ OTRA" (MUTILATED BALLOT BY THE MACHINE, ANOTHER WAS PROVIDED").

Section 4.15 UNCOUNTED BALLOT

In cases where the voter returns the ballot without inserting it in the electronic canvass machine or the machine rejects it and the voter does not request another ballot, it will be identified as "PAPELETA NO CONTADA" (UNCOUNTED BALLOT). The uncoun ted ballots shall be deposited in a special envelope inside the election bag without rendering them useless and shall be adjudicated or voided during the General Canvass.

Section 4.16 INCONSEQUENTIAL MARKS AND SPOTS ON BALLOTS

Small spots that appear in various places on the ballot and which often seem like imperfections of paper or printing will not be accepted as valid marks. Any mark less than four square millimeters (4mm²) whether inside or outside the brand recognition areas shall be considered inconsequential.

Section 4.17 CLOSING OF POLLING STATIONS

Polling stations will remain open until 3:00 p.m. and shall close at that time. Voting, however, shall continue uninterruptedly until all voters holding a closed-line voting card or who were inside the polling station before closing time have cast their vote.

Section 4.18 CLOSED-LINE SYSTEM

If it is impossible to fit all voters who have yet to cast their vote inside the polling station, voters shall be placed in a closed line following the procedure below:

1. Voters shall be placed in a line or queue to be formed beginning at the door of the polling station and extending towards a direction that, in the judgment of the polling station officials, does not interfere with the free flow of traffic at the polling station. No person may join or approach the line after 3:00 p. m., which is the closing time thereof.

2. The members of the Puerto Rico Police, the Municipal Police, the polling station boards and polling center boards assigned to each polling center shall ensure compliance with this Section.

3. Before joining the line at the polling station, voters shall approach the polling station board to furnish their name and ascertain that they are included in the voter list of said polling station. Upon ascertaining said fact, the polling station board shall provide the voters with a card bearing the initials of the polling station board members which shall signify the order of arrival of voters; upon collecting said card, voters shall immediately join their place in line.

4. Polling station officials shall call voters off the line in the same order they were assigned thereto. When a number is called, the voter shall get off the line and enter the polling station to cast his or her vote. If a voter is not present when his or her number is called, the voter shall lose the right to vote.

Section 4.19 VOTING OF POLLING STATION BOARD AND POLLING CENTER BOARD OFFICIALS

Once the voting ends at the polling station, and only then, may the officials assigned to the polling station and polling center of the jurisdiction entitled to vote therein and who hold and present their voter identification card to the members of the polling station board, vote in said polling station. If the names of said officials do not appear in the voters list of the polling station and polling center where they are serving, they shall add their names, voter identification number, and address to the list and sign in the space provided on the list where they added their names and proceed to inking their finger.

Section 4.20 PROHIBITION TO POLLING OFFICIALS

Once the polling station has closed, no member of the polling station board may leave until all work is completed and the result of the electronic canvass has been announced. This

provision applies to polling officials of the early vote, except that the result of electronic canvass will not be printed, transmitted, or announced.

Section 4.21 CLOSING THE ELECTION ON THE ELECTRONIC CANVASS MACHINE

The president of the polling station board shall proceed to closing the election on the electronic canvass machine, once they have finished assisting all voters entitled to vote. This includes closed-line voters, voters who objected to the inking, and polling officials. In addition, the president of the polling station board shall make sure that there are no ballots in the special emergency compartment of the ballot box. If any, these ballots will be inserted in the electronic canvass machine. The machine will not accept any other ballot after the election is closed.

Section 4.22 TRANSMISSION OF THE RESULTS FROM THE POLLING STATION

The president of the polling station board shall proceed to transmit the result of the polling station to the Commission from the polling station. The electronic canvass machine shall be programmed to make at least two (2) additional automatic transmission attempts in the event of a failure of the former.

Section 4.23 GENERAL CANVASS AT THE POLLING STATION

The canvass at the polling station shall be conducted as follows:

1. Count the voters who cast their vote according to the voter list and write down the number in the tally sheet.
2. Count and void any remaining ballots, write down the number in the tally sheet, and place them in a plastic bag and inside the election material bag.
3. Count the ballots spoiled by voters, write down the number in the tally sheet, and place them inside the appropriate envelope.
4. Count the envelopes of the challenged ballots, write down the number in the tally sheet, and place them inside the election material bag.

The president of the polling station board shall print at least three (3) copies of the tally sheet: one (1) for the local board, one (1) to place in the envelope that is deposited in the election material bag that returns to the Commission, and one (1) for the president of the polling station board. Additional copies may be provided to persons who served as observers of the process. The tally sheet that returns to the Commission, will include in the same paper on an ongoing basis, the zero-tally sheet that was printed before the opening of the polling station, but was not detached. The president of the polling station board shall sign all polling station tally sheets.

Section 4.24 OPENING OF THE ELECTRONIC CANVASS MACHINE BALLOT BOX COMPARTMENT

The president of the polling station will remove the ballots from the main ballot box compartment and place them in a plastic bag in the election material bag. Ballots in the main compartment shall not be classified by type, nor counted or rendered useless. The secondary compartment must not contain ballots.

SECTION 4.25 FINAL WORKS AFTER THE CLOSING OF THE POLLING STATION

The president of the polling station board will turn off the machine and remove the memory card from the machine that is located on the right side and identified as "poll worker". The president of the polling station board shall deposit the memory card in an envelope provided for this purpose and hand it over to the coordinator of the polling center board, who in turn will send it in a timely manner to the local board, in conjunction with the election material bag.

The polling station board officials will make sure that any material that has to be returned is inside the election material bag prior to closing and sealing it. Before closing the bag, the number of the seal used to close it will be written on the polling station incident log. In addition, they shall ensure to complete all required documents in accordance with these Rules.

Section 4.26 ALTERNATE TRANSMISSION OF RESULTS

If the verification of the results transmission from the polling station confirms that the data was not successfully transmitted to the Commission, the local board using the polling station's memory card will transmit the results by using an alternate transmission system available at the permanent registration board office.

The alternate transmission system shall consist of an electronic equipment capable of reading the memory card holding the results of a specific polling station and transmitting them to the Commission's results receipt system in the same way as the electronic canvass machine transmit them from polling stations.

Once the transmission result of the polling station is completed, the local board will verify the condition of the data transmission with the information system. The local board shall authorize the departure of the coordinator of the polling center board once the results transmission is successfully confirmed.

Section 4.27 RETURN OF THE LOCAL BOARD ELECTORAL MATERIAL

The local boards will sign and distribute the tally sheets, as well as organize the envelopes received containing the memory cards of the polling station boards. These envelopes will be placed in order inside the election material bag in a plastic bag next to the local board documents envelope. The election material bag will be sealed with the provided seal to be transported to the Commission in a duly authorized vehicle.

Section 4.28 GROUNDS OR REASONS FOR CHALLENGE

If a member of the polling station board or a presidential candidate observer has grounds to believe that a voter is voting unlawfully or has voted in another polling station, they may challenge said voter's ballots; however, this shall not prevent the voter from casting his or her vote. A voter may also challenge another voter.

The grounds for challenging votes are:

1. The person is not who says he or she is.
2. The person has voted in another polling station.
3. The person is registered in more than one polling station.
4. An Exclusion Order has been issued against the person.
5. That the voter's right to vote is pending adjudication in said congressional district.
6. The person is not a citizen of the United States of America or Puerto Rico.
7. The person is not of legal age to vote.

Section 4.29 ARREST OF A VOTER DUE TO UNLAWFUL VOTING

On the day of the presidential primary election, any president of a polling station board who challenges the vote of a person in a polling station, or any voter of an electoral district or municipality who were inside or outside of a polling station and who is certain that a person has voted unlawfully in the Presidential Primary held in said electoral district or municipality, may request any law enforcement officer to arrest said person and bring him or her before a judge to answer for a sworn complaint as prescribed by law.

The presidents of the polling station boards are hereby empowered to administer oaths in connection with any complaints made by a person challenging another person who is attempting to vote unlawfully.

No president of a polling station board shall leave the polling station at any time, except in case of an illness or an emergency. Any complaint that cannot be filed with the Puerto Rico Police or Municipal Police within the limits of the polling station shall be postpone until the end of the voting process.

Section 4.30 SPECIAL VOTING PROCEDURES

At the Presidential Primary, special voting methods shall be used for absentee voting, advance voting, and inmate voting, in accordance with the applicable provisions of federal laws UOCAVA, MOVE, and HAVA, the Election Code, and these Rules.

TITLE V
PROCEDURES FOLLOWING THE PRESIDENTIAL PRIMARY ELECTION

Section 5.1 GENERAL CANVASS

Within fifteen (15) days after the holding of the Presidential Primary, i.e. on or before July 27, 2020, the President and the Electoral Representative shall conduct the general canvass in accordance with the provisions of the Presidential Primary Act and the Election Code. The President shall certify the results of the Presidential Primary to the Secretary of State, the Chair of the Democratic National Committee, and the Chair of the Democratic Party of Puerto Rico, and all of the presidential candidates who appeared on the ballot, including the persons who have been elected as district-level delegates according to the Plan or rules and regulations of the Democratic Party.

Section 5.2 RECOUNT

Vote recount shall be conducted in accordance with Article 10.010 of the Election Code, as adjusted or modified to the particularities of the Presidential Primary and these Rules.

TITLE XIV
FINAL PROVISIONS

Section 6.1 VIOLATIONS OF THESE RULES AND THE ELECTION CODE

The offenses and prohibitions provided for in the Election Code are hereby incorporated as applicable, necessary, and pertinent, in accordance with Article 27 of the Presidential Primary Act.

Section 6.2 RULES OF THE DEMOCRATIC PARTY OF PUERTO RICO

The Democratic Party of Puerto Rico shall submit its Rules for the Presidential Primary Election or its Delegate Selection Plan to the Office of the Secretary of the Commission not later than on December 1st of the year preceding the holding of the presidential primary election.

Section 6.3 AMENDMENTS TO THESE RULES

These Rules may be amended upon consultation with the President and the Electoral Representative whenever it is deemed convenient for a more effective implementation of the Presidential Primary Act, the Puerto Rico Election Code, Joint Resolution 20-2020, the Plan, and these Rules.

Section 6.4 SEVERABILITY

If any section, clause, paragraph, or part of these Rules were held to be unconstitutional by a Court with competent jurisdiction, the holding to such effect shall not affect or impair the remaining provisions of these Rules.

Section 6.5 TERMS, VARIATIONS

The terms established in these Rules may vary upon consultation with the President and the Electoral Representative where warranted and for just cause, except as provided in the Presidential Primary Act, the Election Code, and the Plan.

Section 6.6 LANGUAGE

These Rules shall be translated into English and, in the event of discrepancies between the English and the Spanish version, the latter shall prevail.

Section 6.7 REPEAL

The Rules for the National Political Parties Presidential Primary Process, approved on April 15, 2016, are hereby repealed.

Section 6.8 EFFECTIVENESS

These Rules shall take effect upon notice and publication thereof in both official languages of Puerto Rico on the webpage of the Commission and the Democratic Party of Puerto Rico. This

publication shall be made in one of the official languages not later than two (2) days from the date of approval.

In San Juan, Puerto Rico, as amended, on June 4, 2020.

BE IT ENTERED AND NOTIFIED.



JUAN E. DÁVILA-RIVERA
President
State Commission on Elections

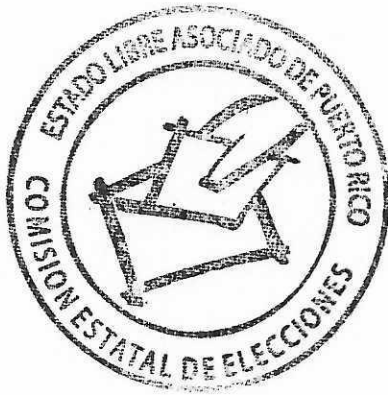


HÉCTOR JOAQUÍN SÁNCHEZ
Electoral Representative
Democratic Party of Puerto Rico

I HEREBY CERTIFY:

That these "Rules for the Puerto Rico Democratic Presidential Primary Process" were adopted on February 4, 2020, and amended on February 10, 2020, May 27, 2020 and June 4, 2020 by the President of the State Commission on Elections and the Electoral Representative of the Democratic Party of Puerto Rico and, in witness whereof, I hereby sign and seal the present document.

In San Juan, Puerto Rico, on June 4, 2020.



A handwritten signature in blue ink, appearing to read "Angel L. Rosa-Barrios".

ANGEL L. ROSA-BARRIOS
Secretary
State Commission on Elections