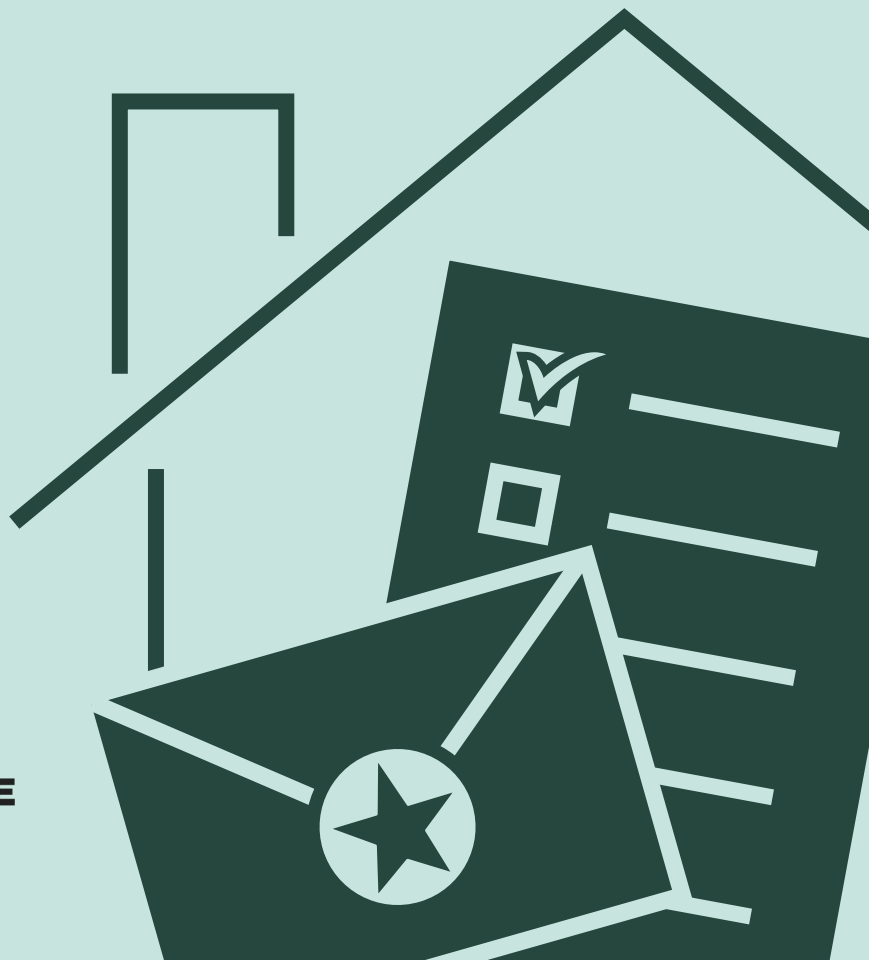


July, 2020

Vote By Mail for Secure Elections in 2020 — and Beyond

A Step-by-Step Guide for Minnesota

In-depth materials and guidelines for local election administrators, secretaries of states, legislators, and advocates to help Minnesota handle more mailed-out ballots.



Sightline
INSTITUTE

VOTE at HOME

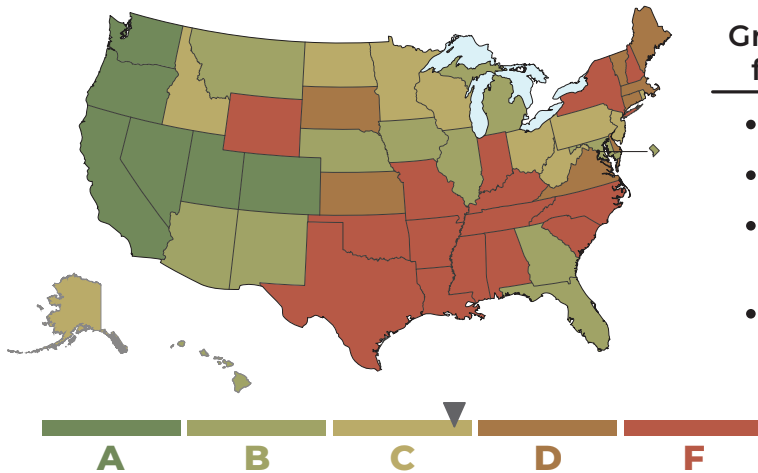
www.Sightline.org/SecureElections2020

Voting in Minnesota



Minnesota has more than 3.4 million registered voters in its 87 counties, ranging from 2,015 in Traverse County to 795,000 in Hennepin County. In the 2018 election, 11 percent of Minnesotans voted absentee. This ranged from 5 percent in Redwood County to 77 percent in Lake of the Woods County.

About one-quarter of Minnesota's registered voters cast ballots in the state's presidential primary on March 3, with 11 percent doing so by mail. In April, Secretary of State Steve Simon introduced a bill proposing one-time changes to Minnesota's 2020 elections, including mailing ballots to all registered voters in advance of the primary and general elections. Republican state legislators struck the provision for mailing ballots, reducing the scope of the bill to only providing election officials additional funding to purchase protective equipment, hire more staff, and cover increased postage costs. Secretary Simon is considering mailing absentee ballot applications to all registered voters, and some counties have already announced plans to do so. Governor Tim Walz has the power to mandate all-mail voting.



Grades based on 15 factors covering

- Ease of access
- Ballot security
- Election infrastructure
- Administrative efficiency

Minnesota's grade for Vote By Mail preparedness



Ways in which Minnesota is already prepared



- Provides a postage-prepaid return envelope for mailed ballots.
- Allows any voter to request an absentee ballot.
- Is a member of the Electronic Registration Information Center (ERIC).
- Allows counties to start processing envelopes sufficiently early.
- Allows voters to request an absentee ballot online.

Who We Are

Sightline is a nonpartisan nonprofit think tank with a 25-year history. We are based in the Pacific Northwest, where many states already conduct all-mail elections. We are grateful for feedback and research from many policy experts, elections officials, and leaders committed to safe, secure democracy, particularly the National Conference of State Legislators and the [National Vote at Home Institute](#).

The Moment

American election officials face an urgent challenge to secure the 2020 elections. As poll workers and voters grapple with the coronavirus pandemic, many jurisdictions are already unable to find enough workers to run their usual polling places, and many Americans are seeking to cast their ballot from home, rather than risk contagion in a crowded polling place in November.

About This Resource

We hope that Minnesota election officials, advocates, and legislators will find this resource useful as they work to handle more Vote By Mail ballots in 2020 and beyond.

Local election officials and **secretaries of state** will find in-depth information including practical nuts-and-bolts advice, materials and guidelines from election administrators with experience in conducting all-mail elections, and information about vendors and costs.

Legislators will find tried-and-tested policies, along with sample language from states that have successfully implemented those policies. Even if Minnesota lawmakers don't act in time for November 2020, the experience of hastily trying to secure elections this year may create a greater political appetite for reforms to strengthen democracy in Minnesota beyond 2020.

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For Local Election Officials

1. Coordinate with USPS®.

To ensure that the United States Postal Service (USPS) is able to process ballots in a timely manner, election administrators can [contact their local USPS](#) election mail coordinator to discuss the design, timing and volume of election materials.¹ USPS can review all materials to ensure that the design, wording, and colors meet their guidelines, and sign off on the printer's proofs. Election administrators can also discuss the date, time, and location for delivery of ballots to the post office to ensure that the post office is prepared. For example, before each election, King County, Washington, election administrators send a letter to USPS alerting them to the number, type, and timing of ballots they expect to deliver.²

USPS may also be able to help election administrators access the National Change of Address Linkage (NCOA) to update voters' addresses. Minnesota is already a member of the Electronic Registration Information Center (ERIC), which uses NCOA data to help Minnesota keep voter lists up to date. However, because voters may have moved since Minnesota's last update, local officials can access NCOA for their voters' latest address information. Having the most up-to-date addresses will ensure that each ballot reaches the right voter, reducing the costs of re-mailing ballots.

Resources

- To find a local point of contact at USPS: [Election/Political Mail Coordinators](#).³
- [USPS Election Mail Kit](#).⁴
- [USPS Election Mail guidelines](#).⁵
- To report problems to USPS: [electionmail.org](#).⁶
- Center for Tech and Civic Life's 2020 [webinar](#) on [best practices for tracking and reporting](#), and the [slides](#).⁷
- Cybersecurity and Infrastructure Security Agency's (CISA) guidance on [Managing an Increase in Outbound Ballots](#)⁸, pp. 67-70.
- [Vote at Home Policy and Research Guide](#), p. 19.⁹

¹ <https://about.usps.com/gov-services/election-mail/political-mail-map.htm>

² <https://aqua.kingcounty.gov/elections/docs/vbm/VBM-information.zip> (see "Ballot mailing" folder, "Example of USPS Notification Letter.pdf")

³ <https://about.usps.com/gov-services/election-mail/political-mail-map.htm>

⁴ <https://about.usps.com/kits/kit600.pdf>

⁵ <https://about.usps.com/gov-services/election-mail>

⁶ <https://electionmail.org>

⁷ <https://www.techandcivicle.org/vote-at-home>

⁸ <https://www.in.gov/sos/elections/files/COVID-19%20Election%20GUIDANCE%20ONLY.pdf#page=56>

⁹ <https://www.voteathome.org/wp-content/uploads/2019/03/VAH-Policy-and-Research-Guide.pdf#page=19>

Example Guidance Language

- Oregon [Vote by Mail Procedures Manual](#), pp. 26-30.¹⁰
- Municipality of Anchorage [Vote by Mail Project](#).¹¹
- Ohio Secretary of State [Election Official Manual](#), pp. 5-22.¹²

2. Design ballots and envelopes that are easy to use.

Well-designed envelopes, ballots, forms, and instructions help voters fill out their ballots and return them without mistakes, decreasing processing time and minimizing the chance that ballots will be flagged, thrown out, or not counted. In contrast, poorly designed instructions or ballots may cause voters to fill out their ballot incorrectly or incompletely so that their vote is not counted.¹³

Ensure that election materials are easy so that voters who may be voting by mail for the first time don't make mistakes. For example, those who are new to mailing their ballots may not know that they need to sign the outside of their envelope, so putting their name under the signature line and providing simple and clear instructions to sign there can help prompt them and reduce the number of ballots that need extra processing time. (Also, pre-filling the absentee ballot request form can help voters complete it correctly (see Recommendation 9).)

Color-coded envelopes can help USPS sort the mail quickly and accurately and including space for voters' contact information can help election officials reach voters promptly in the event of a missing signature or discrepancy.

Another important way to assist voters is to design and distribute voter education booklets to help guide them through the process. (For example, when Anchorage, Alaska, moved to all-mail elections in 2018, in addition to a robust [community education campaign](#) and a [voter information flyer](#), the city extended an elections call center's hours in the month leading up to the election.) To reach all voters, make all voter materials and the elections website available in multiple languages. The Brennan Center for Justice estimates that the cost for voter education materials is between [\\$0.50 and \\$0.88 per person](#).

¹⁰ https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=26

¹¹ https://www.muni.org/departments/assembly/clerk/elections/documents/vote%20by%20mail%20project%20final%20report%20mas%201026%20annual%20report_030819.pdf#page=5

¹² https://www.ohiosos.gov/globalassets/elections/directives/2019/dir2019-11_eom.pdf#page=197

¹³ https://www.washingtonpost.com/video/opinions/dont-let-mail-in-voting-be-thwarted-by-badly-designed-ballots/2020/05/18/1cce7c56-5312-44a8-afa9-fb813970f854_video.html

Resources

- The Center for Civic Design's¹⁴ [design guidelines for election officials](#), based on solid research and best practices (includes resources on designing envelopes and forms, such as vote at home [envelopes and information](#), a field guide to [designing vote at home envelopes and ballots](#), Vote By Mail [envelope design](#), [writing ballot instructions voters can understand](#), and [creating forms that help voters take action](#).¹⁵ Also see its guidelines for [designing voter education booklets and flyers](#), [creating accessible online information](#), and [providing materials in multiple languages](#).¹⁶
- Center for Tech and Civic Life's 2020 [webinar](#) on [best practices for envelope design](#), and the [slides](#).¹⁷
- USPS guidance on [designing election mail](#).¹⁸
- Center for Tech and Civic Life's 2020 [webinar](#) on [best practices for preparing supplementary materials](#), and the [slides](#).¹⁹
- CISA's [Voter Education Guidance](#).²⁰

Example Legislative Language

Revised Code of Washington [29A.40.091](#). Envelopes, declaration, and instructions—Voter's oath—Overseas and service voters—Return of ballots—County auditor's name.²¹

Ballots and envelopes must have the election date printed on them. Return envelopes must have space for the voter's telephone number so that the elections office can contact the voter if their signature does not match the one on file.

Revised Code of Washington [29A.36](#). Ballots and other voting forms.²²

See code for detailed guidance on formatting, contracts with vendors, sample ballots, and instructions.

¹⁴ Jurisdictions in Arizona, California, Colorado, Connecticut, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Minnesota, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Utah, Vermont, Virginia, Washington, West Virginia, and Wisconsin have worked with the Center for Civic Design, and one in four voters have used their designs.

¹⁵ <https://civicdesign.org/fieldguides>

¹⁶ [Ibid.](#)

¹⁷ <https://www.techandcivicle.org/vote-at-home>

¹⁸ <https://about.usps.com/election-mail/design-election-mail.htm>

¹⁹ <https://vimeo.com/393307242> and <https://www.techandcivicle.org/wp-content/uploads/2020/01/PDF-VAH-Webinar-2-Preparing-helpful-supplementary-materials.pdf>

²⁰ https://www.cisa.gov/sites/default/files/publications/election_education_outreach_absentee_508.pdf

²¹ <http://lawfilesexternal.wa.gov/biennium/2019-20/Pdf/Bills/Session%20Laws/House/1520-S.SL.pdf>

²² <https://app.leg.wa.gov/RCW/default.aspx?cite=29A.36>

Example Guidance Language

- Washington State [Ballot Format Checklist](#) 2019.²³
- Washington Administrative Code [434-230](#). Ballots.²⁴
- Washington Administrative Code [434-230-010](#). Sample Ballots.²⁵
- Colorado [Elections Division Policy and Procedure Manual](#), p. 26.²⁶
- Oregon [Vote by Mail Procedures Manual](#), p. 23.²⁷

3. Provide secure drop boxes.

In states that mail out all ballots, most voters return them to secure drop boxes, rather than via USPS. To accommodate this, counties should provide enough drop boxes for all voters and make them easily accessible. Each county should have at least one box available 24/7; more populous counties should aim to have one drop box per 10,000 voters. Drop boxes are especially important because Minnesota requires receipt of ballots up to Election Day. Voters who wish to submit their ballot after the mail cutoff date can take it to a drop box (see Recommendation 14).

Many jurisdictions site some drop boxes inside government buildings. However, boxes available 24/7 are more frequently used than those inside buildings only open during business hours. Outside drop boxes need to be in well-lit areas monitored by security cameras. Boxes should also be secure, with only election officials allowed to access ballots.

In 2018 Oregon and Washington,²⁸ two states that mail out all ballots, had one drop box per 8,800²⁹ and 10,000³⁰ voters, respectively. King County, Washington, strategically sited its drop boxes to ensure that 95 percent of voters' addresses were within [three miles of a box](#). (However, election officials should be prepared for voters to drop off ballots in precincts and jurisdictions other than their own.) Election administrators should set up drop boxes approximately one month before elections, publicize locations on their website, and share them with local news outlets.

²³ <https://www.sos.wa.gov/assets/elections/administrators/2019-ballot-format-checklist.pdf>

²⁴ <https://apps.leg.wa.gov/wac/default.aspx?cite=434-230>

²⁵ <https://apps.leg.wa.gov/wac/default.aspx?cite=434-230-010&pdf=true>

²⁶ <https://www.sos.state.co.us/pubs/elections/policyManual/ElectionsPolicyManual.pdf#page=26>

²⁷ https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=23

²⁸ <https://www.sos.wa.gov/assets/elections/ballot%20drop%20boxes%202019%20general%20election.pdf> and <https://www.sos.wa.gov/elections/general-election-2019.aspx>

²⁹ In 2018 Oregon had 311 drop boxes, with 165 of those boxes available 24/7.

<https://www.voteathome.org/wp-content/uploads/2019/02/FAQ-Best-Practices.pdf>

³⁰ In 2018 Washington had 471 drop boxes, with 323 of those boxes available 24/7.

<https://www.sos.wa.gov/assets/elections/ballot%20drop%20boxes%202019%20general%20election.pdf> and <https://www.sos.wa.gov/elections/general-election-2019.aspx>

Cost/Savings

- Drop boxes in King County, Washington, cost \$5,235 each, and the installation of 37 drop boxes cost around \$20,000.³¹
- In Pierce County, Washington, the purchase and installation of each drop box costs between \$7,000 and \$10,000.
- Other counties have paid between \$2,100 and \$3,500 to purchase and install drop boxes. Operational costs per box appear to be anywhere between \$300 to \$4,000 per box, per election season.³²

Resources

- Bipartisan Policy Center's [Logical Elections Policy](#), p. 28.³³
- [Mailed-out Ballot Return Choices](#), National Vote At Home Institute, 2018.³⁴
- Washington Office of the Secretary of State and Pierce and Lewis Counties' ballot drop boxes [webinar](#).³⁵
- King County [Ballot Drop Box resources](#) (details vendors, ballot collection procedures, and tier system, which is based on expected ballot volume).³⁶
- [Laserfab Vote Armor](#) (producer of heavy-duty drop boxes used in many states, including Washington and Colorado).³⁷

Example Legislative Language

Revised Code of Washington [29A.40.170](#). Ballot drop boxes.³⁸

Details required drop box security measures and requirement of at least one drop box per 15,000 voters.

Example Guidance Language

- Washington Secretary of State Clearinghouse Elections Notice on [Ballot Drop Boxes in All Communities](#).³⁹
- Washington Administrative Code [434-250-100](#). Ballot deposit sites.⁴⁰

³¹ <https://kingcounty.gov/~media/depts/elections/about-us/reports/bdol-expansion-plan.ashx?la=en>

³² <https://wsac.org/wp-content/uploads/2019/12/WSAC-et-al-v-State-of-Washington.pdf>

³³ https://bipartisanpolicy.org/wp-content/uploads/2020/01/Bipartison_Elections-Task-Force_R01_crops.pdf#page=28

³⁴ <https://www.voteathome.org/wp-content/uploads/2018/12/Optimizing-ballot-return-choices.pdf>

³⁵ <https://www.youtube.com/watch?v=pBRYsy9LlCJ&feature=youtu.be>

³⁶ <https://aqua.kingcounty.gov/elections/docs/vbm/VBM-information.zip> (see "Ballot drop boxes" folder)

³⁷ <https://votearmor.laserfabusa.com>

³⁸ <https://app.leg.wa.gov/RCW/default.aspx?cite=29A.40.170>

³⁹ <https://www.sos.wa.gov/assets/elections/auditorsctp/17-01%20ballot%20drop%20boxes%20in%20all%20communities.pdf>

⁴⁰ <https://apps.leg.wa.gov/wac/default.aspx?cite=434-250-100>

- Oregon [Vote by Mail Procedures Manual](#), pp. 10-15.⁴¹

4. Provide Election Day vote centers for in-person voting.

Counties that mail out all or most ballots should still provide in-person voting locations for those who prefer to vote in person, need additional assistance, or do not have a reliable mailing address. Each county should have at least one in-person vote center (it could be the county elections office), and more populous counties should aim to have one center per 30,000 voters. These locations will need an electronic poll book and the ability to print ballots on demand.

Even states that conduct elections completely by mail still offer in-person options. California mandates one vote center per 1,000 voters. In Oregon, voters can cast their ballots in person at any county elections office. And though Colorado still opens vote centers on Election Day, the state was able to reduce the number of poll workers from 16,000 to fewer than 4,000⁴² after implementing Vote By Mail.⁴³ The shift decreased labor cost per vote from \$4.71 to \$1.96.⁴⁴

According to the US Government Accountability Office (GAO), costs for polling sites can range from no added cost (if using an existing agency facility) to \$300 per day to rent a location.⁴⁵ Employee costs to staff a vote center can range from \$100 to \$235 per day.⁴⁶

Resources

- [Mailed-out Ballot Return Choices](#), National Vote at Home Institute, 2018.⁴⁷
- King County, Washington, [guidance on vote centers](#).⁴⁸

⁴¹ https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=10

⁴² <https://www.voteathome.org/wp-content/uploads/2019/03/VAH-Policy-and-Research-Guide.pdf>

⁴³ <https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2016/03/colorado-voting-reforms-early-results>

⁴⁴ [Ibid.](#)

⁴⁵ <https://www.gao.gov/assets/680/678131.pdf#page=47>

⁴⁶ [Ibid.](#)

⁴⁷ <https://www.voteathome.org/wp-content/uploads/2018/12/Optimizing-ballot-return-choices.pdf>

⁴⁸ <https://aqua.kingcounty.gov/elections/docs/vbm/VBM-information.zip> (see “Vote centers” folder)

Example Legislative Language

Revised Code of Washington [29A.40.160](#). Voting centers.⁴⁹

Each county must open a vote center beginning 18 days before the election, and the center must be accessible for voters with disabilities.

Example Guidance Language

- Washington Administrative Code [434-250-105](#). Voting Centers.⁵⁰
- Colorado Secretary of State [Elections Division Policy and Procedure Manual](#), p. 35.⁵¹
- Oregon [Vote by Mail Procedures Manual](#), pp. 10-15.⁵²

5. Consider using a professional printer and ballot sorter.

Many election administrators use professional printers and ballot sorters, rather than printing ballots, stuffing envelopes, and sorting them in-house. This can save money and increase staff efficiency. It might also mitigate problems voters have experienced during their primaries, such as in Georgia,⁵³ where voters requested ballots but did not receive them, or in New York,⁵⁴ where ballots did not include a return envelope. Both states were relying on overworked workers who did not have much experience in printing, stuffing, and mailing ballot envelopes, rather than hiring a professional service that has printed, stuffed, and mailed ballot envelopes many times and has quality control practices in place.

According to the Brennan Center, printing costs per ballot ranges from [\\$0.21 to \\$0.35 cents per ballot](#). Volume efficiencies in moving to a Vote By Mail system result in lower per-voter printing costs. In Colorado, total printing costs declined from [\\$6.86 to \\$3.04 per voter](#) after implementing Vote By Mail.

Resources

- [K&H Integrated Print Solutions](#) for secure ballot and envelope printing.⁵⁵
- [Runbeck Election Services](#) for election products and services.⁵⁶

⁴⁹ <https://app.leg.wa.gov/RCW/default.aspx?cite=29A.40.160>

⁵⁰ <https://apps.leg.wa.gov/wac/default.aspx?cite=434-250-105>

⁵¹ <https://www.sos.state.co.us/pubs/elections/policyManual/ElectionsPolicyManual.pdf#page=35>

⁵² https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=10

⁵³ <https://www.11alive.com/article/news/politics/elections/absentee-ballot/85-4bde08c8-97db-4736-b1de-45a03c29c330>

⁵⁴ <https://www.nytimes.com/2020/06/19/us/politics/nyc-vote-by-mail.html>

⁵⁵ Many counties in the Pacific Northwest use this vendor. <http://www.khprint.com>

⁵⁶ Runbeck has the capacity to serve 10 percent of American voters. <https://runbeck.net>

- Relia-Vote™ automated mail ballot solutions from [BlueCrest](#).⁵⁷
- [Ryder Graphics](#) for ballot printing and mailing.⁵⁸
- [Reprographics](#) for ballot printing and mailing.⁵⁹
- [Phoenix Graphics](#) for ballot printing and mailing.⁶⁰
- [Tritek](#) for ballot sorting and signature verification services.⁶¹

Example Guidance Language

- Colorado Secretary of State [Elections Division Policy and Procedure Manual](#), p. 26.⁶²
- Oregon [Vote by Mail Procedures Manual](#), p. 23.⁶³

6. Count ballots at a secure centralized facility.

Counting ballots in a secure centralized facility enhances election security, transparency, and efficiency. Election administrators in King County, Washington, count ballots in guarded facilities with continuous security camera monitoring in addition to using their ballot tracking system (see Recommendation 8). Having security surveillance equipment in ballot processing areas and streaming the footage online allows voters to see for themselves how secure and transparent a jurisdiction's vote-counting procedures are. As with all election procedures, prepare for Election Day by rehearsing processes and timing various stages.

To the extent possible according to Minnesota law, counties that don't have an appropriate facility for secure and centralized ballot processing could coordinate with counties that do.

Resources

- King County Elections [FAQ](#) and [security and accountability information](#).⁶⁴
- CISA's [Inbound Ballot Process Recommendations](#).⁶⁵

⁵⁷ BlueCrest serves 30 counties. <https://www.bluecrestinc.com/solutions/vote-by-mail-relia-vote>

⁵⁸ Many Oregon counties use this vendor. <http://rydergraphics.net>

⁵⁹ Many Oregon counties use this vendor. <http://reproprinting.com>

⁶⁰ Some jurisdictions on the East Coast use this vendor.

<https://www.phoenix-graphics.com/absentee-mail>

⁶¹ <https://tritektech.com>

⁶² <https://www.sos.state.co.us/pubs/elections/policyManual/ElectionsPolicyManual.pdf#page=26>

⁶³ https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=23

⁶⁴ <https://kingcounty.gov/depts/elections/about-us/security-and-accountability/frequently-asked-questions.aspx> and <https://www.kingcounty.gov/depts/elections/about-us/security-and-accountability.aspx>

⁶⁵ <https://www.in.gov/sos/elections/files/COVID-19%20Election%20GUIDANCE%20ONLY.pdf#page=43>

Example Guidance Language

- Washington Administrative Code [434-261-045](#). Secure Storage.⁶⁶
- Oregon [Vote by Mail Procedures Manual](#), p. 8.⁶⁷

7. Invest in high-speed centralized equipment.

High-speed equipment can check unique barcodes on envelopes, sort envelopes, compare signatures against digital files, and tabulate ballots. For the 23 counties in Minnesota with 25,000 or more registered voters,⁶⁸ investing in centralized equipment will allow officials to efficiently process a high volume of absentee ballots and result in reduced labor costs for every election for years to come. High-speed equipment allows election administrators to count ballots and finalize results faster, and as voting populations increase, high-speed equipment will be able to handle the increased number of ballots.

Machines themselves may cost in the range of \$50,000 to \$100,000,⁶⁹ but counties usually purchase an installation and maintenance contract with a new machine, and the total costs can be steep. For example, in 2017 King County, Washington, purchased new scanning equipment for an average of about \$130,000 per scanner. In 2015 Solano County, California, spent \$482,388 on a machine and five years of maintenance.⁷⁰

In Minnesota, 13 counties have high-speed centralized tabulators.⁷¹ Seven counties have more than 25,000 registered voters and no centralized equipment of any speed. These counties might consider investing in such equipment this year. As an alternative, counties that are not able to handle the volume of mailed ballots could contact the counties that do have high-speed scanners and make arrangements to coordinate use of the equipment.

Resources

- National Conference of State Legislatures' [Elections Technology Toolkit | Voting Machines and Beyond](#).⁷²
- CISA's [Inbound Ballot Recommendations](#), p. 3.⁷³

⁶⁶ <https://apps.leg.wa.gov/wac/default.aspx?cite=434-261-045>

⁶⁷ https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=8

⁶⁸ Anoka, Beltrami, Blue Earth, Carver, Chisago, Clay, Crow Wing, Dakota, Douglas, Goodhue, Hennepin, Itasca, Olmsted, Otter Tail, Ramsey, Rice, St. Louis, Scott, Sherburne, Stearns, Washington, Winona, Wright

⁶⁹ <https://www.brennancenter.org/our-work/research-reports/estimated-costs-covid-19-election-resiliency-measures>

⁷⁰ <https://www.solano.courts.ca.gov/materials/GrandJury/2016/Final%20ROV%20Report%20-Judge%2005182016.pdf>

⁷¹ Aitkin, Anoka, Blue Earth, Crow Wing, Dakota, Hennepin, Marshall, Olmsted, Ramsey, St. Louis, Scott, Sherburne, Washington

⁷² <https://www.ncsl.org/research/elections-and-campaigns/elections-technology-toolkit.aspx>

⁷³ https://www.cisa.gov/sites/default/files/publications/inbound-ballot_process_final_508.pdf#page=3

For Minnesota's Secretary of State

Clerks could independently implement each of these recommendations, but a coordinated statewide effort would be more effective.

8. Use a comprehensive system to track ballots.

Comprehensive ballot tracking improves the security of absentee ballots and boosts voter confidence in mailed-out ballots. The service, offered by companies like Ballot Scout⁷⁴ and BallotTrax,⁷⁵ uses intelligent barcodes to track every ballot and envelope, minimizing the risk of stolen ballots or ones that have been tampered with. It also increases transparency and accountability because voters can easily track when their ballot is in transit, received by election officials, and counted.

Ten states⁷⁶ require tracking for absentee ballots, and 30 others⁷⁷ have some form of ballot tracking, though not required by statute. These tracking services may not be comprehensive, however. For example, in many states, voters can look up whether their ballot has been mailed to them but may not be able to find out if it has been accepted. In contrast, Ballot Scout and BallotTrax's comprehensive services can text voters with updates on every step in their ballot's journey—when it's mailed, when it arrives at their residence, when it's in transit, and when it's been accepted. Tracking services give voters a much higher degree of confidence in the system. Such confidence could be especially important this year, when many voters will be voting absentee for the first time and questions are swirling about the security of mailed ballots.

By implementing a comprehensive ballot tracking system, Minnesota can avoid problems such as those Wisconsin experienced in its April 2020 primary. If Wisconsin election officials had had comprehensive secure ballot tracking in place, they would have seen that thousands of mailed-out ballots had gotten stuck in mail processing centers. Getting this information would have given officials the opportunity to contact USPS and address the problem. Instead, thousands of voters were denied the ability to safely vote at home even though they had requested their ballot in time.

Ballot tracking is cost effective. For many states, depending on the number of voters and other implementation details, comprehensive ballot-tracking may cost around \$50,000 per

⁷⁴ <https://www.democracy.works/ballot-scout>

⁷⁵ <https://ballottrax.com>

⁷⁶ California, Colorado, Delaware, Florida, Iowa, Maryland, New Hampshire, New Jersey, New Mexico, and Virginia require ballot tracking.

⁷⁷ Alabama, Alaska, Arizona, Arkansas, Georgia, Idaho, Illinois, Iowa, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, Montana, Nebraska, Nevada, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Utah, Vermont, Washington, West Virginia, and Wisconsin have some form of ballot tracking, though it is not required.

<https://tracker.votingrightslab.org/issues/AbsenteeVoting>

year. It would be most effective for the secretary of state to enact statewide tracking, but if they do not, then local officials could step in. City or county administrators can sign up for local service, likely at a cost of a few thousand dollars per year.⁷⁸

Example Legislative Language

California Election Code § 3017 (c). Vote by Mail Application and Voting Procedures.⁷⁹

The elections official shall establish procedures to track and confirm the receipt of voted Vote By Mail ballots and to make this information available by means of online access using the county's elections division website.

Florida Statutes § 101.62(1)(c). Request for vote-by-mail ballots.⁸⁰

Upon receiving a request for a Vote By Mail ballot from an absent voter, the supervisor of elections shall notify the voter of the free access system designated by the department for determining the status of their Vote By Mail ballot.

New Hampshire Revised Statutes § 657:26. Absentee Voter Website.⁸¹

The secretary of state shall make available a public website by which an absentee voter, in every state election, may determine whether the voter's absentee ballot request has been received by the clerk, whether the absentee ballot has been sent pursuant to such request, whether the envelope purporting to contain the absentee ballot has been received by the clerk, and whether the absentee ballot was challenged and rejected by the moderator on Election Day, including the reason for the challenge.

Resources

- Center for Tech and Civic Life's 2020 [webinar](#) on [best practices for tracking and reporting](#), and the [slides](#).⁸²
- USPS's [Green Tag 191](#) and ballot-specific [Service Type Identifiers \(STIDs\)](#), which uses Intelligent Mail® barcodes (IMb®), help process Vote By Mail ballots.⁸³

⁷⁸ Pasco County, Texas, pays \$4,000 per year for Ballot Scout, and Milwaukie, Wisconsin, could pay \$7,500 per year. <https://www.fastcompany.com/90501588/track-your-ballot-like-a-package-how-technology-will-smooth-the-way-for-novembers-mail-in-ballot-surge>

⁷⁹ https://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=ELEC&division=3.&title=&part=&chapter=1.&article=

⁸⁰ http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0101/Sections/0101.62.html

⁸¹ <http://www.gencourt.state.nh.us/rsa/html/lxiii/657/657-mrg.htm>

⁸² <https://www.techandcivillife.org/vote-at-home>

⁸³ <https://about.usps.com/gov-services/election-mail> and https://about.usps.com/postal-bulletin/2018/pb22498/html/cover_006.htm

- Denver's [Ballot Trace](#) lets voters opt in to receiving text messages when their ballot is mailed to them, when it is received by the elections office, and when it has been approved for tabulation.
- [Ballot Scout](#), a web-based ballot-tracking tool that works with USPS.⁸⁴
- [BallotTrax](#) for tracking ballots.⁸⁵

Example Guidance Language

- Oregon [Vote by Mail Procedures Manual](#), p. 26.⁸⁶

9. Mail absentee application forms to all registered voters.

Mailing absentee application forms to every registered voter in Minnesota will increase absentee voting, reducing crowds on Election Day and helping to slow the spread of COVID-19. Several counties in Wisconsin mailed out absentee ballot applications in advance of the April 2020 primary to great success: voter turnout was 67 percent⁸⁷ (a high turnout for a primary), and 90 percent of the ballots cast were absentee, leaving polling places less crowded for the few who voted in person.⁸⁸

As in Wisconsin, Minnesota's local officials could individually choose to mail application forms to voters in their jurisdiction, but the mailing would be more effective as a coordinated statewide effort.

In addition to boosting absentee voting rates, mailing application forms can provide two benefits: the signed form would provide election administrators with a signature to use when verifying the ballot (see Recommendation 13), and it would help clerks update voter addresses so that more ballots will reach voters in November. To allow enough time for undeliverables to get back to the elections office and for clerks to follow up and find voters' current mailing address, aim to mail application forms at least two months before the election. To get a higher level of uptake, pre-fill the forms with information on file, such as the voter's name and address. Then voters can simply review and update the information as needed, and then sign and return the form. Use plain language to help voters fill out the form correctly, which will save clerks time (see Recommendation 2).

⁸⁴ <https://www.democracy.works/ballot-scout>

⁸⁵ Counties in California, Oregon, and Washington use BallotTrax. <https://ballottrax.com>

⁸⁶ https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=26

⁸⁷ <http://www.wfbvillage.org/DocumentCenter/View/1091/April-2020---Election-Results>

⁸⁸ <https://www.motherjones.com/politics/2020/04/whitefish-bay-coronavirus>

Minnesota law allows the secretary of state (or individual clerks) to choose whether to send applications to voters. The county would have to pay to print and mail the application forms, which should cost less than \$2.00 per voter,⁸⁹ and for the labor of processing the forms. Because Minnesota requires voters to fill out an absentee ballot application for every election, election officials would need to pay to mail and process forms again in August and November. To save local officials' substantial cost of mailing and processing absentee application forms for each election, Minnesota legislature could allow a “single sign-up” option so that voters who want to continue voting by mail can do so without repeated paperwork (see Recommendation 12).

Resources

- CISA’s guidance on [Helping Voters to Request a Mail-in Ballot](#).⁹⁰

10. Give voters sufficient opportunity to cure signature problems.

If a voter forgets to sign their ballot return envelope or if their signature doesn’t match the one(s) on file, they deserve the chance to correct the error and have their vote count. Nineteen states⁹¹ have laws requiring clerks to notify voters if there is a problem with their signature and then give voters an opportunity to cure. Laudably, Minnesota gives voters a chance to cure. But unfortunately, voters only have a cure option if the ballot is received 5 days before Election Day, which is not sufficient. To prevent absentee voters from being unintentionally disenfranchised due to a problem with the signature on their envelope, the Minnesota legislature could extend the cure deadline to at least three business days after Election Day, as recommended by the National Vote At Home Institute.⁹²

⁸⁹ <https://www.brennancenter.org/our-work/research-reports/estimated-costs-covid-19-election-resiliency-measures>

⁹⁰ <https://www.in.gov/sos/elections/files/COVID-19%20Election%20GUIDANCE%20ONLY.pdf#page=70>

⁹¹ Alabama, California, Colorado, Florida, Georgia, Hawaii, Illinois, Iowa, Massachusetts, Michigan, Minnesota, Montana, Nevada, Ohio, Oregon, Rhode Island, Utah, Washington, and Wisconsin allow voters to cure signatures on ballot return envelopes. See <https://www.ncsl.org/research/elections-and-campaigns/vopp-table-15-states-that-permit-voters-to-correct-signature-discrepancies.aspx>

⁹² <https://www.voteathome.org/wp-content/uploads/2020/05/NVAHI-50-State-Policy-Analysis.pdf>

Example Legislative Language

Arizona Revised Statutes [16-550](#). Receipt of voter's ballot; cure period.⁹³

Arizona allows signatures to be corrected until the fifth business day after the election for elections that include federal offices and until the third business day for all other elections. Election officials must make reasonable efforts to contact the voter.

California Elections Code § [3019\(c\)-\(e\)](#). Vote by Mail Application and Voting Procedures.⁹⁴

Election officials must notify voters at least eight days prior to certification if signatures need verification. Voters can verify signatures until 5 p.m. two days prior to election certification. Voters can mail, email, fax, or hand-deliver verification. If the signatures match, then the voter's signature is updated for future elections.

Hawaii Revised Statutes § [11-106](#). Deficient return identification envelopes.⁹⁵

Election clerks must notify voters by mail, email, or telephone. Voters have five business days after Election Day to cure the deficiency.

Ohio Revised Code [3509.06](#) (E). Counting absent voters' ballots.⁹⁶

Voters may correct signatures or other identifying information until the seventh day after Election Day. Voters must be notified by mail and may provide information by mail or in person.

Oregon Revised Statutes [254.431](#). Special procedure for ballots challenged due to failure to sign return envelope or nonmatching signature; public record limitation.⁹⁷

Voters can correct signatures up to 14 days after Election Day. The filing officer may disclose the name and address of electors whose ballots were challenged eight days after the election.

Example Guidance Language

- Arizona Secretary of State [2019 Election Procedures Manual](#), p. 82.⁹⁸
- Washington Secretary of State Clearinghouse Elections Notice on [Unsigned Ballots and Mismatched Signatures](#).⁹⁹

⁹³ <https://www.azleg.gov/viewdocument/?docName=https://www.azleg.gov/ars/16/00550.htm>

⁹⁴ https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=ELEC§ionNum=3019

⁹⁵ https://www.capitol.hawaii.gov/hrscurrent/Vol01_Ch0001-0042F/HRS0011/HRS_0011-0106.htm

⁹⁶ <http://codes.ohio.gov/orc/3509.06>

⁹⁷ https://www.oregonlegislature.gov/bills_laws/ors/ors254.html

⁹⁸ https://azsos.gov/sites/default/files/2019_ELECTIONS_PROCEDURES_MANUAL_APPROVED.pdf#page=82

⁹⁹ <https://www.sos.wa.gov/elections/auditorsctp/clearinghouse/2012/1205.pdf>

- Washington Administrative Code [434-261-050](#). Unsigned ballot declaration or mismatched signatures.¹⁰⁰
- Colorado Secretary of State Elections Division Policy and Procedure Manual, p. 52.101
- King County, Washington, training on signature problems and examples of letters to send to voters notifying them of signature problems and offering an opportunity to cure.¹⁰²

¹⁰⁰ <https://apps.leg.wa.gov/wac/default.aspx?cite=434-261-050>

¹⁰¹ <https://www.sos.state.co.us/pubs/elections/policyManual/ElectionsPolicyManual.pdf#page=52>

¹⁰² <https://aqua.kingcounty.gov/elections/docs/vbm/VBM-information.zip> (see “Ballot processing” folder, “EnvelopeReviewFont Test in ppt” for a training on possible signature problems, and “English_DoubleSigned,” “English_Unsigned w Bid,” “English_SDNM w bid,” “English_WSM w bid,” “English_NSOF w bid,” and “English_POA w bid” for examples of letters)

For Lawmakers

11. Account for voters with nontraditional addresses.

Native American voters living on tribal lands often have mailing addresses that don't adhere to USPS standards, making it difficult for them to register to vote and receive ballots in the mail. They may have many family members living at the same address, and some states may not allow them all to receive a ballot, in an attempt to protect against fraudulent ballot requests. Or these voters may use a USPS box to receive mail but live far from the nearest post office or election center, making it more difficult to receive and return their ballot in a timely fashion.¹⁰³ Eligible voters experiencing homelessness or housing insecurity also may not have a home address. Minnesota should make sure these voters can receive a ballot and vote securely.

Minnesota should allow multiple eligible voters to use the same mailing address. Living with others to save housing costs should not diminish any American's right to vote. Minnesota can allow Native Americans to [designate a building on the Nation's land to receive their ballot](#). Especially in areas where people live far from a post office, election administrators can temporarily install drop boxes or vote centers on tribal lands to ensure that voters have viable options for returning their ballots.

Minnesota can allow homeless community members to receive their ballots at a [shelter, park, motor home](#), or other identifiable location. As an alternative, homeless voters can list the county elections office as their mailing address and get their ballot in person there. They can then return their ballot to the elections office or a secure drop box.

Example Legislative Language

Colorado Revised Statutes [1-2-102](#). Rules for determining residence.¹⁰⁴

For voter registration residence, voters can identify a physical location in the county that they return to regularly, such as a shelter, services provider, park, campground, vacant lot, or business. If that location does not have an address, voters must also provide a mailing address.

¹⁰³ <https://www.theguardian.com/commentisfree/2020/may/22/mail-in-voting-native-americans-election>

¹⁰⁴ https://www.sos.state.co.us/pubs/info_center/laws/Title1/Title1Article2.html

Oregon Revised Statutes [247.038](#). Registration of person who is homeless or resides in identifiable location.¹⁰⁵

Individuals who are homeless or reside in shelters, vehicles, marinas, or other identifiable locations cannot be denied the opportunity to register to vote. Residence addresses can be descriptions of the person’s physical location or the office of the county clerk.

Revised Code of Washington [29A.08.112](#). Voters without traditional residential addresses.¹⁰⁶

Voter registration accepts nontraditional addresses, defined as narrative descriptions of the voter’s physical location. No person can be disqualified for lacking a traditional address. Voters must provide a mailing address. Tribes may designate a government building to serve as a mailing address for residents.

Example Guidance Language

- Oregon [Vote by Mail Procedures Manual](#) and Oregon secretary of state [website](#).¹⁰⁷
- Colorado secretary of state [Foreclosure and Homeless Voters FAQs](#) and [Election Rules](#).¹⁰⁸
- Washington Secretary of State Clearinghouse Elections Notice on [Voters without Traditional Addresses](#).¹⁰⁹

12. Give voters a “single sign-up” option.

Twelve states plus DC give voters a “single sign-up” option whereby they can apply once to vote absentee and permanently continue to receive ballots in the mail unless they are removed from the permanent absentee voter list. These states include the five that conduct all-mail elections, plus Arizona, California, Michigan, Montana, Nevada, New Jersey, and Pennsylvania and DC. Another six states,¹¹⁰ maintain a permanent absentee voter list for certain voters (usually those who are elderly and/or disabled).¹¹¹

However, 32 states, including Minnesota, require all voters to apply for an absentee ballot before every election or every two years. But nearly [half or even two-thirds of absentee](#)

¹⁰⁵ https://www.oregonlegislature.gov/bills_laws/ors/ors247.html

¹⁰⁶ <https://apps.leg.wa.gov/rcw/default.aspx?cite=29A.08.112>

¹⁰⁷ https://sos.oregon.gov/elections/Documents/vbm_manual.pdf#page=19 and <https://sos.oregon.gov/voting/Pages/homeless-confidential.aspx>

¹⁰⁸ <https://www.sos.state.co.us/pubs/elections/FAQs/foreclosureHomelessFAQ.html> and https://www.sos.state.co.us/pubs/rule_making/CurrentRules/8CCR1505-1/Rule2.pdf#page=3

¹⁰⁹ https://www.sos.wa.gov/_assets/elections/auditorsctp/19-04%20voters%20without%20traditional%20addresses.pdf

¹¹⁰ Kansas, Massachusetts, Missouri, New York, West Virginia, and Wisconsin.

¹¹¹ <https://www.ncsl.org/research/elections-and-campaigns/absentee-and-early-voting.aspx>

[ballot applicants](#) also applied to vote absentee in the last major election cycle. If these voters want to keep getting their ballot in the mail, they have to fill out paperwork again and again. This is not only a burden for the voter but also a drain on election officials who must process and enter application data every year. Giving voters the option to sign up for a permanent absentee ballot could minimize paperwork, cut costs, and save time.

The potential savings are significant. According to a [US GAO report](#), in the 2008 presidential election, Contra Costa County, California, spent \$1.37 per ballot to process permanent absentee ballots, versus \$10.64 per ballot to process each nonpermanent absentee ballot. Much of the nearly eightfold administrative cost increase came from handling individual ballot requests.

In Minnesota's March 3rd primary, 3.4 percent of registered voters requested absentee ballots and 11.2 percent of ballots cast were absentee. Although most or all of those voters may wish to vote absentee again in November, they will all have to reapply to do so. If the Minnesota legislature acts quickly, it could create a "single sign-up" option in 2020 and authorize election officials to send a postcard to any voter who already requested an absentee ballot this year, asking if they want to opt in to continue receiving ballots by mail. This change would save clerks and voters' time and resources during this busy year.

Example Legislative Language

Arizona Revised Statutes [16-544](#). Permanent early voting list; civil penalty; violation; classification.¹¹²

Voters can request permanent absentee ballots to in-state addresses in writing or through an online portal. Notices are sent before elections to allow voters to change their address or opt out of absentee voting. If the notice is undeliverable, the voter is removed from the permanent absentee list.

California Elections Code [3206](#). Permanent Vote by Mail Application and Procedures.¹¹³

In counties that do not offer all-mail elections, voters may request to be on the permanent Vote By Mail list. Voters can apply online. Permanent status ends if the voter does not vote in four consecutive statewide general elections.

¹¹² <https://www.azleg.gov/ars/16/00544.htm>

¹¹³ http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=ELEC§ionNum=3206

Montana Code Annotated [13-13-212](#). Application for absentee ballot—special provisions—absentee ballot list for subsequent elections.¹¹⁴

Voters can request permanent absentee ballots. They will be mailed ballots for subsequent elections as long as they have not filed a change of address with USPS. If they have already done so, they are sent a form to request an address update.

New Jersey Statutes Annotated [19:63-3\(a\)\(1\)](#) Procedure for user of mail-in ballot.¹¹⁵

Voters may choose to receive mail-in ballots for all future elections. Voters can request in writing if they wish to no longer receive mail-in ballots.

Nevada Revised Statutes § [293.3165\(1\)](#) Specialized procedure to request absent ballot for all elections at which registered voter is eligible to vote; requirements for issuing, voting and returning such absent ballot.¹¹⁶

Nevada allows all voters to receive absentee ballots for all future elections. If after the request submitted the ballot is undeliverable or the voter has had their registration cancelled under [NRS 293.530](#), the elections office may not mail the absentee ballot.¹¹⁷

Example Guidance Language

- Arizona Secretary of State [2019 Elections Procedures Manual](#), p. 49.¹¹⁸

13. Use the voter's signature to validate the ballot.

The overwhelming majority of states (41 states and DC) use a voter's signature to validate their identity. Minnesota is one of only a handful that requires voters to get a notary or witness to sign their ballot.¹¹⁹ This is an ineffective barrier to fraud, since a would-be fraudster could probably find at least one accomplice. Or a voter's unwitting neighbor might happily serve as a witness but not ask to see their birth certificate to verify their identity. Fraud could even be linked to voter coercion as voters are forced to involve

¹¹⁴ https://leg.mt.gov/bills/mca/title_0130/chapter_0130/part_0020/section_0120/0130-0130-0020-0120.html

¹¹⁵ https://nj.gov/state/dos-statutes-elections-19-60-63.shtml#le_19_63_3

¹¹⁶ <https://www.leg.state.nv.us/nrs/nrs-293.html#NRS293Sec3165>

¹¹⁷ <https://www.leg.state.nv.us/nrs/nrs-293.html#NRS293Sec530>

¹¹⁸ https://azsos.gov/sites/default/files/2019_ELECTIONS_PROCEDURES_MANUAL_APPROVED.pdf#page=63

¹¹⁹ Six states (Alaska, Louisiana, Minnesota, South Carolina, Virginia, and Wisconsin) require one witness, and two states (Alabama and North Carolina) require two witnesses. Three states (Mississippi, Missouri, and Oklahoma) require a notary. A lawsuit challenging the witness requirement in South Carolina recently survived preliminary injunction. <https://www.democracymocket.com/wp-content/uploads/sites/41/2020/05/SC-Opinion.pdf>

someone else in completing their ballot. The practice is also a dangerous requirement during the time of coronavirus because it requires voters to have contact with a witness.

Requiring voters to sign their own ballot and matching their signature against one or more signatures on record, such as the DMV or voter registration application, is simpler for voters and very effective against fraud. The more reference signatures available, the better the system works. The resources below can help you implement best practices to train signature verifiers. Note that requiring an “exact match” level of scrutiny is not a best practice and could be struck down in court, as it was in a lawsuit in Georgia.¹²⁰

Voters’ signatures change over time, so if the state doesn't have a recent signature on file, ask the voter to update it. The King County, Washington, elections administrator sends voters a Signature Update Form. And in preparation for moving to an all-mail election, Hawaii sent a postcard to all registered voters asking for an updated signature for reference.¹²¹

Example Legislative Language

Idaho Statutes [10-34-1004](#). Marking and folding of absentee ballot—affidavit.¹²²

Voters shall sign an affidavit on the return envelope. Such an affidavit need not be notarized.

Indiana Code [3-11-10-1](#). Voter’s affidavit; voting procedure; transmission of ballot; and [3-11-10-1.2](#) Proof of identification not required.¹²³

Voters must sign and date the affidavit on the envelope but are not required to provide identification.

Oregon Revised Statutes § [254.470 \(6\), \(8\), \(9\)](#). Procedures for conducting election by mail; rules.¹²⁴

Voters must sign the return envelope.

Wyoming Statutes [22-9-111](#). Affidavit to be printed on inner envelope; attestation.¹²⁵

Voters must sign and date the affidavit on the envelope.

¹²⁰ <https://www.npr.org/2018/11/03/663937578/judge-rules-against-georgia-election-law-calling-it-a-severe-burden-for-voters>

¹²¹ <https://elections.hawaii.gov/main/sign-sealed-and-counted-securing-your-vote>

¹²² <https://legislature.idaho.gov/statutesrules/idstat/title34/t34ch10/sect34-1004>

¹²³ <http://iga.in.gov/legislative/laws/2019/ic/titles/003#3-11-10-1> and <http://iga.in.gov/legislative/laws/2019/ic/titles/003#3-11-10-1.2>

¹²⁴ https://www.oregonlegislature.gov/bills_laws/ors/ors254.html

¹²⁵ <https://wyoleg.gov/statutes/compress/title22.pdf#page=72>

Resources

- Colorado secretary of state’s [Signature Verification Guide](#).¹²⁶
- King County, Washington, elections administrator’s [Signature Verification Training](#) presentation (includes examples of signatures and common problems with signatures).¹²⁷
- King County, Washington, [Signature Update Form](#).¹²⁸
- Hawaii’s Office of Elections [Signature Card](#).¹²⁹
- Oregon Secretary of State Elections Division [webinar](#) on signature verification.¹³⁰
- US Election Assistance Commission’s [Signature Verification and Cure Process](#).¹³¹
- [Tour](#) of King County (Washington) Elections ballot processing area.¹³²
- Oregon [Signature Stamp Attestation](#) form.¹³³
- CISA’s [Ballot Verification](#) and [Signature Verification and Cure Process](#).¹³⁴

14. Allow counties to accept ballots postmarked on Election Day.

In 2018 approximately 1.17 percent of mailed-out ballots in Minnesota were rejected. Of those, 47.03 percent were rejected due to late receipt. That is more than 7,000 Minnesota voters whose votes weren’t counted because they arrived too late. It’s likely that more Minnesotans will want to use absentee ballots in 2020, and a similar rejection rate for ballots received after Election Day could disenfranchise even more voters.

Thirteen states¹³⁵ accept ballots postmarked by Election Day and received within a certain period afterwards (usually around 10 days). This gives absentee voters the same freedom as in-person voters to mark their ballot and submit it on Election Day. It also avoids confusion because voters don’t have to guess how many days it could take USPS to deliver their ballot. Allowing clerks to count ballots postmarked on Election Day and received

¹²⁶ <https://www.sos.state.co.us/pubs/elections/docs/SignatureVerificationGuide.pdf>

¹²⁷ <https://aqua.kingcounty.gov/elections/docs/vbm/VBM-information.zip> (see “Ballot processing” folder, “Signature Verification training Updated.pptx”)

¹²⁸ <https://aqua.kingcounty.gov/elections/docs/vbm/VBM-information.zip> (see “Ballot processing” folder, “Signature-update-letter-April-May 2016-English.pdf”)

¹²⁹ <https://elections.hawaii.gov/main/sign-sealed-and-counted-securing-your-vote>

¹³⁰ <https://www.youtube.com/watch?v=UKiYGONnNT0&feature=youtu.be>

¹³¹ https://www.eac.gov/sites/default/files/electionofficials/vbm/Signature_Verification_Cure_Process.pdf

¹³² <https://kingcounty.gov/depts/elections/education-and-outreach/take-a-tour.aspx>

¹³³ <https://sos.oregon.gov/elections/Documents/SEL540.pdf>

¹³⁴ <https://www.in.gov/sos/elections/files/COVID-19%20Election%20GUIDANCE%20ONLY.pdf#page=48> and <https://www.in.gov/sos/elections/files/COVID-19%20Election%20GUIDANCE%20ONLY.pdf#page=63>

¹³⁵ Alabama, Alaska, California, DC, Illinois, Kansas, Maryland, New Jersey, New York, North Carolina, Texas, Washington, and West Virginia accept ballots postmarked on Election Day.

<https://www.ncsl.org/research/elections-and-campaigns/vopp-table-11-receipt-and-postmark-deadlines-for-absentee-ballots.aspx>

within 10 days increases voter engagement and makes elections more representative of the people.

Since Minnesota does not accept ballots received after Election Day, make this very clear to voters. In the ballot materials, instruct voters not to put their ballot in the mail any later than the Wednesday before Election Day. Run PSAs a few days before that Wednesday to remind voters of the practical cutoff date and that they may take their ballot to a secure drop box or a vote center up until the polls close on Election Day (see Recommendations 3 and 4).

Example Legislative Language

Alaska Statutes § [15.20.081\(e\)](#). Absentee voting in general; applying for absentee ballot by mail or electronic transmission.¹³⁶

Ballots must be postmarked by Election Day and received by the close of business on the 10th day after the election.

Illinois Compiled Statutes [10 § 5/19-8\(c\)](#). Time and place of counting ballots¹³⁷ and [10 § 5/18A-15](#). Validating and counting provisional ballots.¹³⁸

Ballots must be postmarked by Election Day. Ballots received after Election Day without the postmark shall be accepted if the certification date is on or before Election Day. Ballots must be received within 14 days after the election.

Kansas Statute [25-1132](#). Advance voting; delivery of ballots; where; deadline for receiving ballots.¹³⁹

Absentee ballots can be received after polls close as long as they were postmarked before or on Election Day and are received within three days after the election. This second standard is not recommended, as USPS first-class standard has changed from one to three days but is now two to five days.

Nevada Revised Statutes § [293.317\(1\)\(b\), \(2\)](#). Procedure for timely returning absent ballot; treatment of absent ballot when postmark cannot be determined¹⁴⁰ and NRS [293.333\(2\)](#) Procedure for depositing absent ballots in ballot box; period for counting of absent ballots.¹⁴¹

¹³⁶ <http://www.akleg.gov/basis/statutes.asp#15.20.081>

¹³⁷ <http://ilga.gov/legislation/ilcs/documents/001000050K19-8.htm>

¹³⁸ <http://ilga.gov/legislation/ilcs/documents/001000050K18A-15.htm>

¹³⁹ http://www.kslegislature.org/li/b2019_20/statute/025_000_0000_chapter/025_011_0000_article/025_011_0032_section/025_011_0032_k

¹⁴⁰ <https://www.leg.state.nv.us/nrs/nrs-293.html#NRS293Sec317>

¹⁴¹ <https://www.leg.state.nv.us/nrs/nrs-293.html#NRS293Sec333>

Ballots must be postmarked on or before the date of the election and received within seven days after the election. If a postmark is illegible but the ballot is received within three days of the election, it is considered valid.

North Carolina General Statutes [163-231](#). Voting absentee ballots and transmitting them to the county board of elections.¹⁴²

Absentee ballots can be received after polls close as long as they were postmarked before or on Election Day and are received by three days after Election Day. This second standard is not recommended, as USPS first-class standard has changed from one to three days to two to five days.

Example Guidance Language

- Alaska Administrative Code [25.560](#). Timeliness of absentee by-mail ballot.¹⁴³

15. Allow voters to request replacement ballots online.

Occasionally, voters might lose, destroy, spoil, or never receive their ballot in the mail. These voters need to be able to quickly, conveniently, and securely request a replacement. To best accommodate voters, especially during the pandemic, county clerks can give voters the option to request a replacement ballot not only in person but also in writing, over the phone, or online.

To ensure security, election officials should only send replacement ballots once they confirm that the voter has not already voted. Unique barcodes on each ballot will ensure that only one ballot per voter is counted (see Recommendation 8). Each voter will only be able to vote once; if an election official receives two ballots with the same unique barcode, only the first one received will be counted.

Printing and mailing ballots costs between \$1.26 and \$2.35. Minnesota can reduce the need for replacement ballots by keeping voter records up to date and making it easy for voters to update their address online (see Recommendations 1 and 18).

¹⁴² https://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByChapter/Chapter_163.html

¹⁴³ <http://www.akleg.gov/basis/aac.asp#6.25.560>

Example Legislative Language

Oregon Revised Statutes § [254.470 \(7\)](#). Procedures for conducting election by mail; rules.¹⁴⁴

Voters may obtain replacement ballots if the ballot is destroyed, lost, spoiled, or not received. Replacement ballots need not be mailed if within five days of Election Day. Instead, they will be available at the office of the county clerk.

Revised Codes of Washington [29A.40.070](#). Date ballots mailed—Replacement ballots.¹⁴⁵

Registered voters may obtain replacement ballots if the ballot is destroyed, lost, spoiled or not received. The voter may request a replacement by telephone, mail, or email, online, or in person.

Example Guidance Language

- Oregon [Vote by Mail Procedures Manual](#), p. 51.¹⁴⁶
- Alaska Division of Elections instructions for [online ballot delivery](#).¹⁴⁷
- Office of the Minnesota Secretary of State [2016 Absentee Voting Administration Guide](#), p. 30.¹⁴⁸

16. Allow early in-person voting options.

Twenty-six states allow voters to vote in person in the days and weeks leading up to Election Day, ranging from 7 days in DC to 40 days in Illinois. Minnesota does not allow early voting before Election Day. The National Vote at Home Institute recommends a minimum of 10 days of early voting,¹⁴⁹ and ideally Minnesota could allow more than 3 weeks of early voting to give voters the option to vote in person while mitigating coronavirus-related public health risks of in-person voting by spreading the crowds out over weeks instead of pushing all voters to the polls on Election Day.

Early voting also allows voters more options of when to vote. Many people have work schedules that make it difficult to vote on a Tuesday. Allowing the option of voting on any day of the week or month leading up to Election Day will help enfranchise more voters.

¹⁴⁴ https://www.oregonlegislature.gov/bills_laws/ors/ors254.html

¹⁴⁵ <https://app.leg.wa.gov/RCW/default.aspx?cite=29A.40.070>

¹⁴⁶ https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=51

¹⁴⁷ <http://www.elections.alaska.gov/Core/votingbyonline.php>

¹⁴⁸ <http://www.co.wadena.mn.us/DocumentCenter/View/904/absentee-voting-administration-guide#page=30>

¹⁴⁹ <https://www.voteathome.org/wp-content/uploads/2020/05/NVAHI-50-State-Policy-Analysis.pdf>

Example Legislative Language

Delaware Code [Title 15 Chapter 54](#). Early Voting.¹⁵⁰

Requires early-voting locations to be open at least 10 days prior to Election Day, including Saturday and Sunday. Requires early voting locations to be publicly announced 30 days before each election. Requires each early voting location to be open at least eight hours per day between 7:00 a.m. and 7:00 p.m.

17. Allow community organizations to collect and deliver sealed ballots.

Twenty states¹⁵¹ allow anyone to deliver another voter's sealed and signed ballot. By allowing community organizations to help deliver sealed and signed ballots, Minnesota can increase voter turnout and help further enfranchise voters who face barriers to voting. This policy can help voters who lack access to a vehicle or who do not have access to consistent mail service.¹⁵²

Ballot tracking and robust signature verification can prevent would-be ballot harvesters from collecting blank ballots and completing them. Fraudsters can't access voters' signature files, and voters who haven't received their ballots will notice if the tracking system reports their ballot as delivered and returned. Working with get-out-the-vote organizers who collect ballots from rural reservations and transport them to election offices is often the only way Native Americans can vote.¹⁵³

Example Legislative Language:

Oregon Revised Statutes [254.470 \(6\)\(d\)](#). Procedures for conducting election by mail.¹⁵⁴

Allows anyone to deliver a completed and sealed ballot as long as they do so within two days of receiving the ballot from the voter.

¹⁵⁰ <https://delcode.delaware.gov/title15/c054/index.shtml>

¹⁵¹ California, Colorado, Delaware, Florida, Hawaii, Idaho, Illinois, Kansas, Maine, Montana, Nebraska, New York, North Dakota, Oregon, Rhode Island, South Dakota, Vermont, Washington, Wisconsin, and Wyoming.

¹⁵² <https://www.azcentral.com/story/news/politics/elections/2020/01/27/arizona-ballot-harvesting-law-discriminates-minority-voters-ninth-circuit/4589610002>

¹⁵³ <https://www.narf.org/montana-bipa/>

¹⁵⁴ <https://www.oregonlaws.org/ors/254.470>

18. Automatically register voters and update their address.

Seventeen states and DC¹⁵⁵ automatically register eligible voters who prove their identity to a government agency such as the DMV.

Here's how it works: if citizens interact with a state agency like the DMV, the agency sends their information to the secretary of state, who adds them to the voter rolls or updates their address. Minnesota's secretary of state then sends these citizens a postcard letting them know of the change so they can opt out if they don't want to be registered to vote or request to have their voter registration returned to their previous address if they didn't have a change of address.

This is more efficient and accurate than Minnesota's "opt-in" process, which requires voters to fill out change-of-address forms. By streamlining and updating their data across agencies, states with automatic voter registration have cleaner and more up-to-date voter lists, meaning that mailed ballots are more likely to reach voters. Citizens may always choose whether they want to be registered to vote, but "opt-out" systems result in higher voter participation.

Clean and up-to-date voter lists ensure that more mailed-out ballots reach voters. Using an "opt-out" approach, Colorado reduced its "undeliverable ballot" numbers from 9 percent to [3 percent](#).¹⁵⁶

Resources

- Oregon [Vote by Mail Procedures Manual](#), p. 16.¹⁵⁷
- Brennan Center for Justice [study](#) on the impact of automatic voter registration.¹⁵⁸

¹⁵⁵ Alaska, California, Colorado, Connecticut, DC, Illinois, Maine, Maryland, Massachusetts, New Jersey, New Mexico, Nevada, Oregon, Rhode Island, Vermont, Virginia, Washington, and West Virginia.

¹⁵⁶ <https://www.ncsl.org/research/elections-and-campaigns/automatic-voter-registration.aspx>

¹⁵⁷ <https://www.voteathome.org/wp-content/uploads/2019/02/FAQ-Best-Practices.pdf#page=9>

¹⁵⁸ https://sos.oregon.gov/elections/documents/vbm_manual.pdf#page=16

¹⁵⁸ https://www.brennancenter.org/sites/default/files/publications/2019_04_AVR_Report_Final_0.pdf

Example Legislative Language

Illinois Compiled Statutes [10 § 5/1A-16.1](#). Automatic voter registration; Secretary of State.¹⁵⁹

Most DMV interactions can serve as a dual-purpose application for voter registration, address changes, or name changes. No further identification is needed, but the secretary of state will verify voter registration eligibility. Voters can opt out of registration during a DMV interaction. Other agencies are also implementing automatic voter registration.

Maryland Election Law Code Annotated § [3-203](#). Electronic Voter Registration System.¹⁶⁰

Most transactions at the DMV, health benefit exchange, local departments of social services, and the mobility certification office will automatically transmit voter registration applications or updates unless the voter opts out.

Michigan State Constitution [§ 4 \(1\)\(d\)](#). Place and manner of elections; and Michigan Election Law [168.493a](#). Automatic voter registration; qualifications; option to opt-out; information added to qualified voter file; erroneous registration not a violation.¹⁶¹

Michigan constitutionally guarantees the right to be automatically registered to vote at the DMV. Most DMV interactions will lead to automatic voter registration or registration address updates unless the voter opts out or is not a citizen.

Oregon Revised Statutes [247.017](#). Transfer of voter registration materials to Secretary of State from Department of Transportation; opt-out of voter registration; rules.¹⁶²

The DMV provides the secretary of state with voter information, including the electronic signature of every citizen that qualifies to vote. County clerks then notify citizens to allow them to opt out or to register a political party affiliation.

Example Guidance Language

- Georgia and Colorado launched automatic voter registration [without state legislation](#).¹⁶³ Georgia initiated automatic voter registration by adding a voter registration section to the Department of Driver Services' (DDS's) [Form for License/ID/Permit](#) in 2016.¹⁶⁴ DDS forwards new voter registration and information for updating purposes to the secretary of state.

¹⁵⁹ <http://www.ilga.gov/legislation/ilcs/documents/001000050K1A-16.1.htm>

¹⁶⁰ <https://codes.findlaw.com/md/election-law/md-code-elec-law-sect-3-203.html>

¹⁶¹ [http://www.legislature.mi.gov/\(S\(2hthlf15z4s0fhn5famvyrgo\)\)/mileg.aspx?page=getObject&objectName=mcl-168-493a](http://www.legislature.mi.gov/(S(2hthlf15z4s0fhn5famvyrgo))/mileg.aspx?page=getObject&objectName=mcl-168-493a)

¹⁶² https://www.oregonlegislature.gov/bills_laws/ors/ors247.html

¹⁶³ <https://www.ajc.com/news/state--regional-govt--politics/automatic-registration-leads-surge-new-georgia-voters/97PMHrv8anIB66TfKdIUtk>

¹⁶⁴ https://dds.georgia.gov/sites/dds.georgia.gov/files/related_files/document/MAIL%20IN%20RENEWAL%20PACKET%20-%20February%202019%20UPD.pdf

- In 2017 Colorado administratively rolled out automatic voter registration at DMV locations. Colorado's automatic voter registration and updates are part of the Driver License or ID Card Renewal and Change of Address [forms](#).¹⁶⁵ Further, as of 2019, per Colorado Revised Statutes [1-2-502.5](#), the Department of Health Care Policy and Financing is required to transmit voter registration information to the secretary of state.¹⁶⁶

¹⁶⁵ <https://www.colorado.gov/pacific/dmv/forms-licenses>

¹⁶⁶ <https://casetext.com/statute/colorado-revised-statutes/title-1-elections/general-primary-recall-and-congressional-vacancy-elections/article-2-qualifications-and-registration-of-electors/part-5-mail-registration-and-registration-at-voter-registration-agencies/section-1-2-5025-transfer-of-voter-registration-information-to-secretary-of-state>