

Onondaga County Board of Elections

Meeting Agenda

January 31, 2024

10:00 AM

Type of Meeting: Decision Making

Commissioners: Dustin Czarny and Michele Sardo

Invitees: Candice Clemens, Julie Cook, Sydney Szczesniak, Michelle Edinger

- I. Call to order: DUSTIN CZARNY AT 10:24 AM
- II. Roll call: DUSTIN CZARNY
MICHELE SARDO, CANDICE CLEMENS MICHELLE EDINGER
- III. Approval of Agenda: YES 2 / NO 0
- IV. New Business
 - a) Appointment of President and Secretary: YES 2 / NO 0
(Odd years- Dem President, Even years-Rep-President)
 - b) Commissioners' appointment of Deputy Commissioners
DUSTIN CZARNY APPOINTS JULIE COOK
MICHELE SARDO APPOINTS CANDICE CLEMENS
 - c) Approval of adopting an open meeting policy: YES 2 / NO 0
 - d) Approval of written policies regarding conducting elections
 1. Absentee Ballot Distribution: YES 2 / NO 0
 2. Affidavit Spreadsheet: YES 2 / NO 0
 3. Hand Count Guidelines: YES 2 / NO 0
 4. Petitions and Certificates of Nomination: YES 2 / NO 0
 5. Objections and Specifications: YES 2 / NO 0
 6. Write Ins: YES 2 / NO 0
 7. Early Mail Ballot & Absentee Canvass, Prevention of double Voting and Premature Release of Results: YES 2 / NO 0

e) Approval of internal staff policies

1. Tardiness and Attendance: YES 2 / NO 0
2. Request for Time Off: YES 2 / NO 0

f) Approval of Inspector Pay Rates 2024: YES 2 / NO 0

g) Approval of School District Cost 2024

1. Ballot Program and Machine Pre-Lat: YES 2 / NO 0
2. Ballot Printing: YES 2 / NO 0

h) KnowInk

1. 2024 Invoice – Poll Print/Battery Backup: YES 2 / NO 0
2. 2024 Invoice – PollSync: YES 2 / NO 0

i) EZ Vote

1. Asset Management: YES 2 / NO 0

j) Warehouse

1. Audio Program – Premium Monthly Subscription: YES 2 / NO 0

V. Adjournment: DUSTIN CZARNY AT 10:40 AM / MICHELE SARDO SECOND

PAY RATES 2024

1/12/24

TRAINING CLASS \$15.00/hr.

Beginning in 2021, Election work will be paid hourly.

Poll Site Managers will receive the stipends (\$45/\$75) shown below.

INSPECTOR

EARLY VOTING

PRIMARY /GENERAL

REGULAR

\$150

\$255

\$165*

POLL SITE MANAGER

\$150 + \$45 = \$195

\$255 + \$75 = \$330

\$165 + \$45 = \$210*

*Presidential Primary Early Voting hours will be an 11 hour shift instead of the usual 10.

Please Note:

Per Election law, we have 30 days for us to complete, approve and mail out payments for poll workers after an election. If you do not receive your check within 45 days after working an election, please contact us.

Sign in when Poll Pads are set up and Sign out at the close of polls. If you leave your poll site you must SIGN OUT, and then SIGN IN when you return. This is how we verify your work hours.

If you arrive LATE or LEAVE early while working elections you will be prorated.

Notify us immediately of any mailing address changes so your check is sent out correctly to you through the USPS.

W-2'S Will be mailed out from comptrollers to any inspector who made OVER \$600 within the year. Please keep track of your own earnings and what you can work.

Your checks will show a break down according to your position and shows a year to date amount made per calendar year:

Example:

<u>Description</u>	<u>Hours and Earnings</u>			<u>Year to Date</u>
	<u>Rate</u>	<u>Hours</u>	<u>Earnings</u>	
Election Pay **	\$15.00	17	\$255.00	<u>Earnings</u>
** (Election day and Early voting hours are combined hours)				*hours for year (class's too!!) Amount made current year
Poll Site Mgr (Early Voting and/or Election Day)	\$45/\$75	1 (Unit)		

If you work as a PSM Under Election pay you will see the additional pay:

All Election workers are titled by Legislator as Voting System Specialist regardless of positioned worked.



COUNTY OF ONONDAGA

Office of the Board of Elections

1000 ERIE BLVD WEST

SYRACUSE, NY 13204

DUSTIN M. CZARNY
COMMISSIONER

PHONE: 315-435-3312 • FAX: 315-435-8451

www.ongov.net/elections

MICHELE L. SARDO
COMMISSIONER

2024 School District Election Costs

Ballot programming and Machine Pre-Lat with ClearBallot Systems
= \$75.00 per hour

Ballot printing = \$.25 per ballot

Please email all requests, ballot information and questions to:

electionrequest@ongov.net

Onondaga County Board of Elections

Handwritten signature of Dustin M. Czarny in black ink.

Dustin M. Czarny

Handwritten signature of Michele L. Sardo in black ink.

Michele L. Sardo

Commissioners of Elections

ONONDAGA COUNTY BOARD OF ELECTIONS

AGREEMENT OF ABSENTEE BALLOT DISTRIBUTION

COMMISSIONERS DUSTIN M. CZARNY and MICHELE L. SARDO

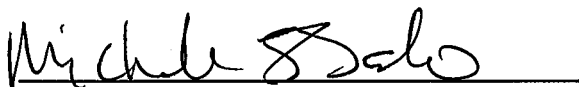
Wednesday, January, 31, 2024

It is the policy of the Onondaga County Board of Elections that:

- All absentee ballots are mailed if time is allowed.
- Any person or agent designated on an absentee application to pick up absentee ballots for another individual will be granted five (5) absentee ballots per day. If a person or agent wishes to drop off more than five (5) such applications at a time, there will be a one (1) business day hold on the issuing of the ballots to allow for the BOE to process the applications as well as notify the recipient by mail and phone that a ballot is being issued in their name.
- Absentee applications/ballots will not be given out together more than one (1) week before a Primary or General Election



Dustin M. Czarny
Commissioner (D)
Onondaga County Board of Elections



Michele L. Sardo
Commissioner (R)
Onondaga County Board of Elections

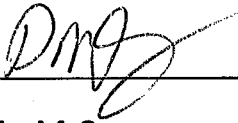
ONONDAGA COUNTY BOARD OF ELECTIONS

DUSTIN M CZARNY and MICHELE L SARDO

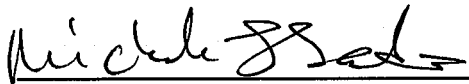
Wednesday, January 31, 2024

Affidavit Spreadsheet

1. The Board of Elections will document every affidavit, good or no good, on the excel spreadsheet created
2. If any candidate wishes to see the names and parties of said affidavit voters, they will receive the spreadsheet in its entirety and the candidate can filter those voters pertaining to their district



Dustin M Czarny
Commissioner (D)
Onondaga County Board of Elections



Michele L SarDO
Commissioner (R)
Onondaga County Board of Elections

Onondaga County Board of Elections

Petitions and Certificates of Nomination

Petitions and certificates of nomination are used to designate/nominate candidates.

Designating petitions are used for:

- Congress
- State Senate
- State Assembly
- County Offices
- City Offices
- Party Positions
- Villages run by the Board of Elections
- Some Town Offices (varies by party/by town – see list below)
 1. Democrat petitions – Lysander, Manlius, Salina and Spafford
 2. Republican petitions - ALL towns EXCEPT Otisco & Spafford
 3. Conservative petitions – Camillus, Cicero, Clay, Dewitt, Elbridge, Geddes, Lysander, Manlius, Pompey, Salina and Van Buren
 4. Working Families petitions – ALL towns

ANY TOWN NOT COVERED ABOVE NOMINATES CANDIDATES BY CAUCUS

Caucuses may not be held before the first day to sign a designating petition. The chairman of the party calling the caucus must publish in a local newspaper within the town at least one (1) week and not more than two (2) weeks prior to the caucus or by posting in ten (10) public places in the town at least ten (10) days prior. In addition the chairman must file a notice with the town clerk and the County Board of Elections at least ten (10) days prior to the caucus. These notices of caucus are posted in the counter area for the public to see them as well as on our website.

Independent Nominating Petitions are used by candidates seeking an independent line and are for all offices including town offices.

The number of signatures needed to qualify on any type of petition is determined by New York State Election Law.

A designating petition for the designation of candidates for an office to be filled must be signed by 5% of the active enrolled voters of the political party in the political unit unless the statutory numbers are less. See New York State Election Law §6-136.

An independent nominating petition for the nomination of candidates for an office to be filled by the voters of a political unit must be signed by voters numbering 5% of the total number of votes cast for governor at the last gubernatorial election in such unit, excluding blank and void votes unless the statutory numbers are less. See New York State Election Law §6-142.

Petitions and certificates are filed with the Board of Elections during time frames established by election law. (Check political calendar for each year)

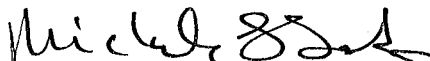
PLEASE NOTE: Any petition, certificate of nomination, acceptance, declination, authorization, disqualification, certificates of substitution, objections, and specifications shall be deemed timely filed and accepted for filing if sent by mail or overnight delivery service, in an envelope postmarked or showing receipt by the overnight delivery service prior to midnight of the last day of filing, and received no later than two business days after the last day to file such certificates, petitions, objections or specifications shall be a fatal defect per NYS Election Law 1-106

When petitions are turned in, they will be time stamped immediately and a copy of the cover sheet with the time stamp showing will be given to the person delivering or if delivered by mail, a copy returned via first class mail to the candidate or agent on file. The petitions will be logged in and a list will be posted on the Onondaga County Board of Elections website and Facebook page each night. As soon as practicable petitions for public office will be reviewed by a bi-partisan team to determine the number of submitted signatures by counting the number of signatures indicated in the witness statement on each page as part or prima facie review. Any petition with less than the required signature amounts will be rejected as invalid. Party offices can be reviewed at the request of either commissioner.

All materials received during this process are secured in a room located within the Board of Elections with a double key bipartisan



Dustin M. Czarny
Commissioner (D)
Onondaga County Board of Elections



Michele Sardo
Commissioner (R)
Onondaga County Board of Elections

Onondaga County Board of Elections

Objections and Specifications

General Objections

Any voter qualified to vote for a particular office may file a **General Objection** within **3 days** after the document is filed and the Board of Elections. Also, any party member living in the political subdivision may file a general objection to a party position petition. A general objection must contain the name, address, and office of the candidate being objected to. The general objection must also contain the name and residence of the objector.

The Objector then has **6 days** to file **specific objections** to the document listing item by item what they believe should be ruled invalid.

Specific Objections

6 days starts from the time of filing the General Objections by postmark if delivered by mail or timestamp if delivered in person. Specific Objections must be filed at the Onondaga County Board of Elections. ***The Objector must provide proof of service of the Specific Objections by overnight mail or proof of personal service to the aggrieved party. Service must occur before or on the date of filing. Proof of service can accompany the specifications or be received by the end of two business days following the filing of specifications whichever is later.*** The only forms of overnight mail accepted are USPS Priority Express NEXT DAY-Gold Standard or NEXT-DAY services from DHL Express, FedEx Overnight, and UPS Next Day sufficient.

Specific Objections should be formatted so all objections on single petition page be made on a single objection page. A separate appendix of codes can be provided as well. See the example on our website.

Any person filing general objections to any designating, independent nominating, or opportunity to ballot petitions filed with the Onondaga County Board of Elections who thereafter files specifications of their objections to any such petition with such board shall do so in accordance with the provisions of Section 6-154 of the Election Law. All such specifications shall substantially comply with the following requirements:

- 1.) The volume number, page number, and line number of any signature objected to on any petition shall be set forth in detail. In addition, any portion of any petition or any signature line or witness statement objected to shall be specifically identified and reasons given for any such objection.
- 2.) All objections relating to a single petition page in both the individual signature and witness page shall be grouped together on a single separate page of the specifications (see example on our website).
- 3.) Symbols and/or abbreviations may be used to set forth objections, provided that a sheet explaining the meaning of such symbols and/or abbreviations is attached to the specifications.
- 4.) The total number of signatures objected to shall be set forth.

Any notice and/or determinations relating to a petition for which specifications of objections have been filed shall be transmitted by the Board of Elections to the objector filing the specifications, provided that any such objector may designate an attorney or agent to receive any such notice and/or determination on their behalf. Any such designation shall be in writing and include the name, address, and telephone number of any such attorney or agent.

PLEASE NOTE: Any petition, certificate of nomination, acceptance, declination, authorization, disqualification, certificates of substitution, objections, and specifications shall be deemed timely filed and accepted for filing if sent by mail or overnight delivery service, in an envelope postmarked or showing receipt by the overnight delivery service prior to midnight of the last day of filing, and received no later than two business days after the last day to file such certificates, petitions, objections or specifications shall be a fatal defect per NYS Election Law 1-106

All objection documents will be recorded in the logbook. ***At the end of each day the objections received will be posted on the OCBOE website and Facebook page.***

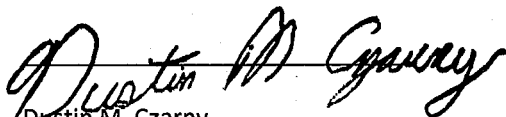
Hearings and rulings

The Specific Objections are reviewed by a bipartisan team and their findings are reported to the Commissioners. The Commissioners notify the objector and the aggrieved party of their findings. The Commissioners will set a hearing date and all parties involved will be notified by Overnight Mail or if the candidate or objector consents via electronic correspondence. After the staff does our initial research on the specifications, we will give notice to the objector and objected to candidate(s) of the date or dates when the board will hold a hearing on the specific objections and the Board of Election's preliminary ruling.

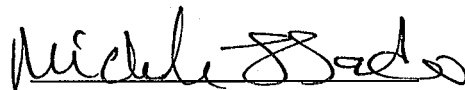
At the hearing, either side may present evidence as to why or why not a signature should be validated or invalidated. A secretary will be present to make record of the proceedings. ***Commissioners will not rule on cases of fraud including but not limited to matching or illegible signatures leaving those determinations for court proceedings. Alterations to the witness statement above the signature line can only be cured through a court proceeding unless affidavits are filed at time of filing petitions. Cures for wrong town/city in either the witness statement or signature lines must be received within 3 days of receiving specific objections. Those cures must show that a valid postal code was used; addresses with a completely incorrect town or postal code cannot be cured.***

At the conclusion of the hearing, the Commissioners will make a final determination. It takes a unanimous decision of the Commissioners to invalidate a document. The parties involved will be notified forthwith by US Mail and electronic correspondence if provided. The ruling of the Commissioners will be noted in the logbook.

It is the policy of the Board of Elections that when we are in receipt of specifications to objections, we will only provide copies for the candidate and objector involved. Any other parties must request these documents through F.O.I.L.



Dustin M. Czarny
Commissioner (D)
Onondaga County Board of Elections



Michele Sardo
Commissioner (R)
Onondaga County Board of Elections

Revised: January 25, 2024

**Onondaga County Board of Elections
Guidelines and Instructions for Hand Count**

Bi-partisan teams will be present at each of the 10 tables.

Commissioners will deliver one election district to each counting table throughout the day.

There will be different folders of ballots in each election district box; Early Voting (Red Folder), Election Day (Grey Folder), Absentee and Affidavit (Green Folder).

An empty red objection folder, and an empty grey voter intent folder will also be provided with each election district box.

Three tally sheets are provided: Early Voting, Election Day, and Absentee/Affidavit.

Complete the following steps for Election Day, Early Voting and all absentee/affidavit ballots.

Step 1:

Take an overall count of ballots and record on the top of the tally sheet.

Step 2:

Show the front and back of each ballot to the observers.

Place ballot in the proper sorting tray depending on the vote cast for that contest.

Step 3:

Take a final count of each sorting tray and record the number on the tally sheet.

After all trays are counted and recorded, rubber band each individual pile. Place all ballots back into the box with the corresponding folders on top.

Once steps 1-3 are completed for election day, early voting ballots and absentee/affidavit ballots, the Red Objection folders, Grey Voter intent folders and all tally sheets are brought to the Commissioner's desk for rulings.

Objections and Voter Intent.

Ballots where voters marked outside the voting oval or ballots that show an intentional mark are set aside for Commissioner Ruling on voter intent. **Place inside the Grey Voter Intent Folder.**

If a ballot is objected to at time of showing, record the objection on the back of the ballot in red pen along with the campaign objecting. **Place the ballot inside the Red Objection Folder**

Example of what is to be written on the back of the ballot:

Last name of candidate

Objector Name

Reason for objection

Objections must be made at time of showing the ballot!

Only Commissioners are allowed to rule and add to the tally sheets on objected ballots!

Guidelines for determining votes cast.

Stray marks, food stains, etc. will NOT invalidate the ballot.

If the mark starts in the voting oval and extends beyond the oval, it will be **counted**.

Pens that bleed through the ballot will be **counted**.

Any color ink or pencil will be **counted**.

Commissioners

The Commissioners will rule on each objection and record on each ballot whether it was added to the tally. Commissioners will alter the tally sheet after ruling on objections.

The Commissioners will rule on each voter intent ballot giving the parties opportunity to object. Commissioners will alter the tally sheet after ruling on the voter intent and place the ballots back in the folder, unless objected to. If they are objected to the Commissioners will write in red ink on the back of the ballot the objection, the name of the campaign, and whether it was counted in the tallies.

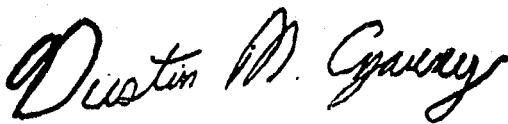
If both commissioners rule that a ballot is valid it will be part of the tally. If both commissioners rule against validity it will not count in the tally.

If there is a presumed validity of the ballot/vote, a Commissioner's split would indicate that we should count the ballot.

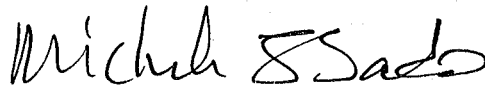
Commissioners will note any changes in the hand count spreadsheet along with votes cast for distribution at the end of each night.

The Commissioners will then place all ballots in their proper bin, with the exception of the objection folder which will be labelled by Election District and reserved for court review.

The Commissioners will then give the table another Election District for hand count.



Dustin M. Czarny
Commissioner (D)
Onondaga County Board of Elections



Michele Sarido
Commissioner (R)
Onondaga County Board of Elections

ONONDAGA COUNTY BOARD OF ELECTIONS

PROCEDURE FOR EARLY CANVASS OF ABSENTEE AND MAIL BALLOT;
PREVENTION OF DOUBLE VOTING AND PREMATURE RELEASE OF RESULTS

COMMISSIONERS DUSTIN M. CZARNY and MICHELE L. SARDO

January 31, 2024

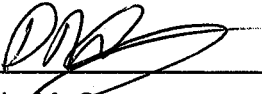
The Onondaga County Board of Elections shall follow the attached guidance from the New York State Board of Elections in relation to the early canvass of absentee and mail ballot.

In the effort to prevent double voting, our office shall conduct the following procedures:

- Before the Board of canvassers opens the ballot envelope, they will compare the voter's name to a list of ballots received and handled through the cure process. If the voter's name does not appear on this list, the ballot will not be opened until it is handled through the cure process and properly tracked.
- Before the Board of canvassers opens the ballot envelope, they will compare the voter's name to a list of voters who have been issued and returned a second ballot.
- During early voting, voter history will be uploaded to our voter registration system on a daily basis at the close of each poll. Any subsequent ballot received during and after early voting, will be reviewed against in person history to be sure the voter has not cast a vote.

In the effort to prevent premature release of results, our office will be tabulating absentee and early mail ballots using the currently certified Clear Count 2.4 system. This system gives the ability to suppress results prior to election night.

Onondaga County utilizes clean memory sticks for each day of early voting at each of the County's early voting sites. While ClearBallot ClearCast Go voting systems has the printing ability of the results tape suppressed, the ability to view and print results on the screen of the machine after closing polls is still available. To lessen the chance of premature release of results, the polls will not be closed on the machines at the early voting site. The memory sticks containing the results of that day's early voting will be brought back to the Onondaga County Board of Elections where a bipartisan team will load them into a machine and close the polls.



Dustin M. Czarny

Commissioner (D)

Onondaga County Board of Elections



Michele L. Sardo

Commissioner (R)

Onondaga County Board of Elections

Peter S. Kosinski
Co-Chair



Douglas A. Kellner
Co-Chair

Anthony J. Casale
Commissioner

40 NORTH PEARL STREET, SUITE 5
ALBANY, N.Y. 12207-2109

Andrew J. Spano
Commissioner

Raymond J. Riley, III
Co-Executive Director

Phone: 518/474-8100 Fax: 518/486-4068
<http://www.elections.ny.gov>

Kristen Zebrowski Stavisky
Co-Executive Director

GUIDANCE FOR EARLY MAIL VOTING

I. Introduction

On September 20, 2023, Governor Hochul signed Chapter 481 of the Laws of 2023, Establishing the New York Early Mail Voter Act. This newly enacted legislation, which takes effect on January 1, 2024 and applies to all elections moving forward, establishes an additional method of voting early via mail.

Many of these procedures will be similar to your current Absentee or Special ballot processes. As such, the information below should help walk you through an already familiar set of operational steps, while noting differences between, to ensure your compliance with the new statutory requirements. While we endeavor to provide comprehensive guidance, do not hesitate to reach out with any questions you may have.

The following guidance covers applications, applicable contests, ballots, envelopes, canvassing procedures, and village elections.

II. Applications (Paper and Electronic) – §8-700

Any registered voter may apply by a duly signed instrument to the county board of elections (or in the City of New York) where they are registered for any election in which the voter is eligible. Voters must apply and applicants must be registered at the address on the application.

Voters may apply using one (1) of the following three (3) methods:

1. Via application promulgated by the New York State Board of Elections (NYSBOE), a copy of which can be found attached to this guidance as Appendix A.
 - a. Except for providing a reason, the rules for determining validity of an application should be consistent with existing Absentee guidance.
 - b. Voters may apply for all elections in a calendar year on one application.

- c. When a voter requests an Early Mail ballot application be sent to them via mail, the board shall provide a postage paid return envelope.
 - d. When a voter indicates they are picking up an application in person, the board shall offer a postage paid return envelope.
2. Via letter submitted to the board of elections requesting a ballot.
 - a. The letter must be signed and must contain enough information to be substantially compliant with the aforementioned application.
 3. Via the electronic Early Mail ballot transmittal system.

Applications submitted other than in person must be received not later than the tenth (10th) day before the election. Applications delivered in person for ballots being delivered in person must be received no later than the day before the election.

Applications for Early Mail ballots should be provided to voters in any instance where Absentee ballot applications are provided.

III. Review of Applications – §8-702

Applicants must be registered voters at the address listed on the application and must be eligible to vote in the elections requested on the application.

If the board determines an applicant is not registered in the county (or within New York City) at the address listed, or not eligible to vote in all of the elections on the application, the board shall immediately notify the applicant of the rejection with the reason. If the reason is that the voter's address on the application is not the same as their registration address, the voter shall be provided information on how to change their address.

IV. Tracking System – §8-712

As with Absentee voting, the State Board is directed to establish an electronic tracking system for both applications and ballots for Early Mail voting. The form and substance of this system shall follow the existing system(s) set up for Absentee tracking. Counties may develop and implement their own Early Mail tracking system with the approval of the State Board.

V. Ballots

Early Mail ballots must be labeled "Early Mail Ballots." However, since neither the Absentee nor Early Mail Ballot statutes limit the language (§7-122), you may consolidate ballot types for Early Mail Ballots, Absentee and Special ballots, where possible. Such consolidated ballots may say "Absentee / Special / Early Mail Ballots" on them as appropriate.

Timeliness: Early Mail Ballots follow the same timeliness restrictions as Absentee Ballots with regard to deadlines for postmarks and receipt.

Restrictions on Machine Voting: Any voter who is issued an Early Mail ballot, and who subsequently attempts to vote in person, must only be allowed to vote via affidavit ballot. Voter registration lists shall indicate that an Early Mail ballot was issued.

VI. Envelopes – §8-704; §7-119

In a manner similar to that employed for Absentee voters, sending voting materials to Early Mail Ballot voters requires three (3) envelopes to be used: the inner affirmation (security/oath) envelope, the postage paid return envelope addressed to the board of elections, and the outer envelope in which the board mails those envelopes to the voter, along with their ballot.

Please see Appendix B for examples of what Early Mail envelopes should look like.

VII. Canvassing

Early Mail Ballots are canvassed under 9-209 in a manner similar to that of Absentee, Military and Special Ballots. They should be canvassed under the same guidance previously given by the State Board for the canvass of such ballots. The same timeliness restrictions around postmarks and deadline for receipt by the board, along with the cure provisions provided for under § 9-209(3), should be employed.

VIII. Communication to Voters

Election Law is updated in several sections to include providing information to voters regarding Early Mail Voting. Listed below are the areas that require you to add Early Mail voting information. Unless otherwise specified, adding the term Early Mail will fulfill your requirement. Required areas include:

- a) Information Notices under §4-117(1), indicating that any registered voter may vote early by mail and providing information on how to apply for an Early Mail Ballot;
- b) Publication of list of polling places for registration under §4-119(1);
- c) Notices of general, village, and special elections under §4-201(3)¹; and
- d) Approval Notices under §5-210(9), indicating that any registered voter may vote early by mail and providing information on how to apply for an Early Mail Ballot.

IX. Village Elections – §15-119

Early Mail Voting also applies to village elections, and any eligible voter is entitled to apply for and receive an Early Mail Ballot.

Applications should be submitted to the Village Clerk for elections conducted by the village clerk under Article 15. As with Absentee Ballot applications for village elections, applications by mail must be received no earlier than four (4) months and not later than seven (7) days before the election. All ballots requested to be mailed by mailed application, shall be sent not later than six (6) days before the election. In-person applications shall be accepted until the day before the election.

Canvassing of Early Mail Ballots for village elections mirror Absentee Ballot rules for village elections.

¹ This section applies to New York City only.

APPENDIX A

New York State Early Mail Ballot

Application

Please print clearly. See detailed instructions.

To receive an early mail ballot: **In-Person** - Application must be personally delivered to your county board of elections not later than the day before the election. **By Mail** - Application must be received by your county board of elections not later than the 10th day before the election.

The ballot itself must either be personally delivered to the board of elections in your county no later than the close of polls on election day, or postmarked by a governmental postal service not later than the day of the election and received no later than 7 days after the election.

BOARD USE ONLY: Town/City/Ward/Dist: _____ Registration No: _____ Party: _____ <input type="checkbox"/> voted in office
--

1. early mail ballot(s) requested for the following election(s) : <input type="checkbox"/> Primary Election only <input type="checkbox"/> General Election only <input type="checkbox"/> Special Election only <input type="checkbox"/> All elections this year

2. last name or surname	first name	middle initial	suffix
--------------------------------	------------	----------------	--------

3. date of birth MM/DD/YYYY	county where you live	phone number (optional)	email (optional)
------------------------------------	-----------------------	-------------------------	------------------

4. address where you are registered:	apt	city	state	zip code
NY				

5. Delivery of Primary Election Ballot (check one) <input type="checkbox"/> Deliver to me in person at the board of elections
<input type="checkbox"/> I authorize (give name): _____ to pick up my ballot at the board of elections.
<input type="checkbox"/> Mail ballot to me at: (mailing address)
street no. street name apt. city state zip code

6. Delivery of General (or Special) Election Ballot (check one) <input type="checkbox"/> Deliver to me in person at the board of elections
<input type="checkbox"/> I authorize (give name): _____ to pick up my ballot at the board of elections.
<input type="checkbox"/> Mail ballot to me at: (mailing address)
street no. street name apt. city state zip code

Applicant Must Sign Below

7. I certify that I am a qualified and a registered (and for primary, enrolled) voter- and that the information in this application is true and correct and that this application will be accepted for all purposes as the equivalent of an affidavit and, if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn /
Sign Here: <u> X </u> _____ Date <u> / / </u> <small>MM/DD/YYYY</small>

If applicant is unable to sign because of illness, physical disability or inability to read, the following statement must be executed: By my mark, duly witnessed hereunder, I hereby state that I am unable to sign my application for an early mail ballot without assistance because I am unable to write by reason of illness or physical disability or because I am unable to read. I have made, or have received assistance in making, my mark in lieu of my signature. (No power of attorney or preprinted name stamps allowed. See detailed instructions.)

Date / / Name of Voter: _____ Mark: _____
MM/DD/YYYY

I, the undersigned, hereby certify that the above named voter affixed their mark to this application in my presence and I know him or her to be the person who affixed his or her mark to said application and understand that this statement will be accepted for all purposes as the equivalent of an affidavit and if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn.

(address of witness to mark)

(signature of witness to mark)

Instructions:

Who may apply for an early mail ballot?

Each person must apply for themselves. It is a felony to make a false statement in an application for an early mail ballot, to attempt to cast an illegal ballot, or to help anyone to cast an illegal ballot.

Information for military and overseas voters:

If you are applying for an early mail ballot because you or your family are in the military or because you currently reside overseas, do not use this application. You are entitled to special legal provisions if you apply using the Federal Postcard Application (FPCA). For more information about military/overseas voting, contact your local board of elections or refer to the Military and Federal Voting sections at: <http://www.elections.ny.gov/Voting.html>

Where and when to return your application:

Applications for an early mail ballot that will be delivered in-person at the county board of elections to the voter or an agent of the voter must be received not later than the day before the election. Applications for a ballot to be delivered by mail to the voter must be received at the county board of elections no later than 10 days before the election. If the address of your county board of elections is not provided on this form, contact information for your local election office can be found on the New York State Board of Elections' website, under "County Boards of Election" directory at: <http://www.elections.ny.gov/CountyBoards.html>

Options available to you if you have an illness or disability:

You may sign the early mail ballot application yourself, or you may make your mark and have your mark witnessed in the spaces provided on the bottom of the application. Please note that a power of attorney or printed name stamp is not allowed for any voting purpose.

When your ballot will be sent:

Your early mail ballot materials will be sent to you beginning 46 days before federal, state, county, city or town elections in which you are eligible to vote. If you applied after this date, your ballot will be sent immediately after your completed and signed application is received and processed by your local board of elections. If you prefer, you may designate someone to pick up your ballot for you, by completing the required information in section 6 and/or section 7, as appropriate. Contact your local county board of elections if you have not received your ballot.

APPENDIX B

Board of Elections use only

OFFICIAL EARLY MAIL BALLOT FOR GENERAL (OR PRIMARY OR SPECIAL) ELECTION _____, 20 _____
Name of voter _____
Residence (street and number if any) _____
City/or town of _____ (village, if any) _____
County of _____
Assembly district _____
Legislative district (as applicable) _____
Ward (as applicable) _____
Election district _____
Party enrollment (in case of primary election) _____
Inspector (D) _____ Inspector (R) _____

Instructions to voter:

1. First mark your ballot, then fold it and place it in this envelope, and then seal this envelope.
2. Sign and date the statement on the reverse side of this envelope. Your signature will be compared to the signature on file with the board of elections to verify your identity.
3. Place this envelope in the return envelope.
4. Your ballot can be returned to any Early Voting or Election Day poll site in your county, or to your local Board of Elections by 9:00 pm on Election Day, if delivered in person, or be postmarked by Election Day and received not later than seven days following the election.

Ballot envelope

If you are also returning a completed application, do not place it in this envelope. Instead, place it in the return envelope along with this sealed envelope.

*Do not put anything except your ballot in this envelope.
You must sign, date and seal this envelope.*

Statement of Voter

I do declare that I am a citizen of the United States, that I am duly registered in the election district shown on the reverse side of this envelope and I am qualified to vote in such district; that I have not qualified nor do I intend to vote elsewhere, that I have not committed any act nor am I under any impediment which denies me the right to vote.

I hereby declare that the foregoing is a true statement to the best of my knowledge and belief, and I understand that if I make any material false statement in the foregoing statement of early mail voter, I shall be guilty of a misdemeanor.

Signature or mark of voter

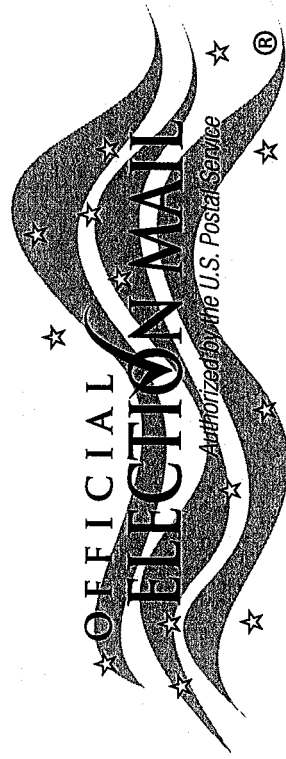
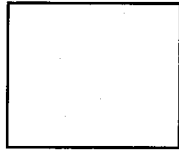
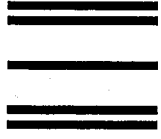
X

Date (MM/DD/YYYY)

Signature and address of witness

(Required only if voter does not sign his or her own name.)

County Name Board of Elections
4321 City Avenue
City, NY 99999-1234



County Name Elections Office
4321 City Avenue
City, NY 99999-1234

Return envelope



Information: 111-222-3333

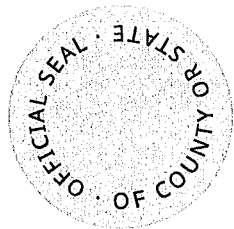


www.countyname.gov/elections

Did you...

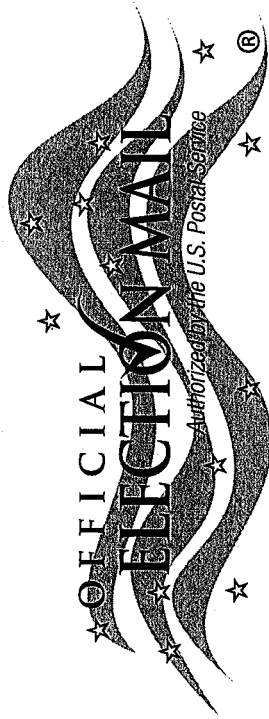
- Sign and date the Statement of Voter?
- Put your marked ballot in the ballot envelope?
- Put your sealed ballot envelope in this return envelope?

Your ballot can be returned to any Early Voting or Election Day poll site in your county, or to your local Board of Elections by 9:00 pm on Election Day, if delivered in person, or be postmarked by Election Day and received not later than seven days following the election.



County Name Board of Elections
4321 City Avenue
City, NY 99999-1234

RETURN SERVICE REQUESTED



Election Material - Please Expedite

Mr John Voter
12345 Main Street
Anytown NY 99999-1234

Official ballot

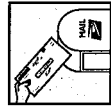


Information: 111-222-3333



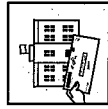
www.countyname.gov/elections

How to return your ballot



Return by Mail

Mail your ballot so it is postmarked by Election Day and returned not later than 7 days following the election.



Drop Off

Your ballot can be returned to any Early Voting or Election Day poll site in your county, or to your local Board of Elections by 9:00 pm on Election Day.

www.yourcounty.gov/wheretovote



**Board of
Elections**

Canvassing Guidance for County Boards

Prepared by:
New York State Board of Elections
40 North Pearl Street – Suite 5
Albany, New York 12207
(518) 474-6220
<https://www.elections.ny.gov>

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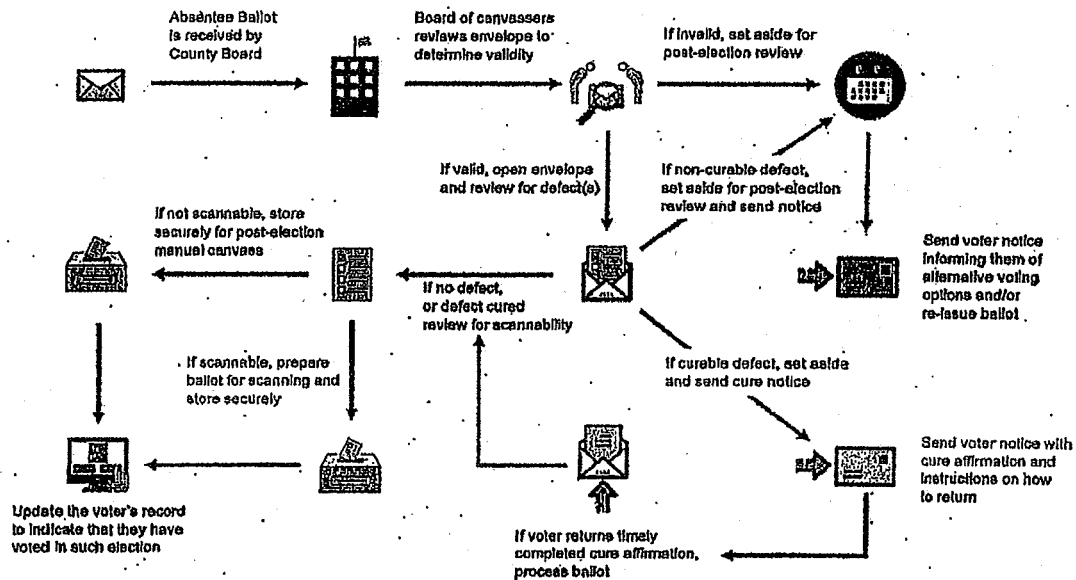
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General Provisions

Overview

The new law changes the way that absentee ballots are handled by County Boards of Elections upon their receipt. Whereas under previous law, absentee ballots were kept sealed and not canvassed until after Election Day, the new law now requires that absentees be reviewed and prepared for scanning prior to Election Day on a rolling basis. With regard to the scanning of absentee ballots itself, it should be made clear that this is not to be done on a rolling basis. Rather, it is only to take place at two times prior to Election Day – on the day before the first day of Early Voting and after the close of polls on the last day of Early Voting. At no point should any absentee ballots be manually canvassed prior to Election Day.

The diagram below provides a very basic overview of the process to be followed for handling ballots received prior to Election Day.



The information set forth below serves to provide a more detailed overview of the processes to be followed as a result of the recent changes in law. As always, should you have any questions about any of the material below, please do not hesitate to contact the State Board of Elections for more information.

Prevention of Double Voting and Premature Release of Results

Similar to procedures previously established for Early Voting, the board of elections shall adopt procedures, consistent with regulations of the state board of elections, to prevent voters from voting more than once and to secure ballots and prevent public release of election results prior to election day. Such procedures shall be consistent with the regulations of the state board of elections and shall be filed

with the state board of elections at least ninety days before they shall be effective. Existing procedures for Early Voting may be expanded to include the early canvassing of absentee ballots to maintain consistency.

At the Poll Site

If a voter's name appears in the poll book or computer generated registration list with a notation indicating that the board of elections has issued the voter an absentee, military or special ballot, such voter shall not be permitted to vote on a voting machine at an early voting site or on election day but may vote by affidavit ballot.

Watchers

Nothing in this law prohibits a representative of a candidate, political party, or independent body entitled to have watchers present at the polls in any election district in the board's jurisdiction from observing the review of ballot envelopes. Such representatives can observe the opening process, but they cannot make any objections that would cause a ballot to be set aside, preventing opening of the absentee envelope. Whether to open the ballot envelope is a determination made solely by the board of canvassers. Pursuant to the new law, a candidate or objector can no longer go to court to challenge the board of canvassers' decision to open and count an absentee ballot. If the board of canvassers splits as to whether a ballot is valid, such ballot shall be prepared to be cast and canvassed. Also, since the ballots are prepared for later scanning without examining the face of the ballot, observers cannot inspect the face of the ballot to make any objections on the ballot itself. In this way, absentee and affidavit ballots are treated in a manner consistent with election day voters' ballots, which are placed into the scanner directly without any prior review. Additional changes made in this legislation relating to challenges are outlined in article 16, where a court cannot alter the canvass schedule unless a candidate demonstrates to the court clear and convincing evidence a change to the schedule is needed.

Processing Ballots

Central Board of Canvassers

- Within 4 days of the receipt of the first absentee ballot (including military, special federal, special ballots, etc), board must designate central board of canvassers.
- Central board of canvassers shall consist of at least one set of poll clerks, and that each such set shall be divided equally between representatives of the two major political parties.
- If the central board of canvassers splits as to whether a ballot is valid, it shall immediately prepare such ballot to be cast and canvassed.
- If canvassing board finds that ministerial error by the board of elections or any of its employees caused a ballot envelope not to be valid on its face, it shall process the ballot for scanning as if it were valid.

How to process a ballot

- Once you have determined that an individual is properly registered and has requested an absentee ballot, the envelope shall be opened, and the ballot(s) shall be taken out, unfolded, stacked face down and placed in a secure ballot box or envelope. The voters record shall then be updated with a notation that the voter has voted in the election. The ballots shall be held until the appropriate time to scan them.

Timeframe for the processing of a ballot

- Prior to Election Day = within 4 days of receipt
- On or after Election Day = within 1 day of receipt

Organization of ballots for processing

All ballots from a single election district shall be assigned to a single set of clerks.

Examination of ballot envelopes

1. Identify ballots to be set aside for post-election review. Board of canvassers to indicate on the ballot envelope, in red ink, the specific reason for invalidity. In the case where there is a split between the canvassers as to whether or not a ballot meets the specific criteria set forth in the list below for invalidity, that ballot should be set aside for post-election review.
 - a. Voter not registered
 - b. No voter name on affirmation envelope (regardless of signature)
 - c. Not timely postmarked or received
 - i. Any absentee ballot delivered in person and received by the board on or before the close of polls on Election Day shall be considered to be timely.
 - ii. Any absentee ballot received by the board via mail, and not bearing a postmark, shall be considered timely if received on or before the day after Election Day.
 - d. Both outer and inner envelopes unsealed
 - i. The board shall notify the voter by mail, sent within three business days of such rejection, and by either electronic mail or telephone, if such information is available to the board in the voter's registration information, and notify the voter of other options for voting, and, if time permits, provide the voter with a

ii. new ballot. (see State Board's Cure Procedures for more information)

2. Voters who returned multiple ballots

a. If board issued a second ballot, any initial ballot should be set aside unopened to provide the voter time to return the second ballot.

b. Both timely?

i. One with later date of execution accepted and other(s) rejected

1. Unless earlier one already opened. Then set aside more recent one unopened.

ii. Can't determine? All ballots rejected

3. Compare signature on envelope against voter record (same name & address)

a. If the signatures are found to correspond, such central board of canvassers shall certify thereto, indicating as much on the envelope with the initials of inspectors from both parties.

b. If signatures do not match, follow guidance for curable defect.

4. If voter registered, requested a ballot and signature matches:

a. The ballot envelope shall be opened, the ballot(s) withdrawn from the envelope.

i. If Primary Election ballot, confirm voter is of proper party. In previewing the ballot, the board shall take all measures necessary to ensure the privacy of voters.

1. If yes, place ballot(s) unfolded, stacked face down and deposited in a secure ballot box or envelope.

2. If not, ballot shall be rejected and shall be returned to the ballot envelope which shall be endorsed "not enrolled".

ii. Aside from confirmation of proper enrollment, no further review of the ballot or the votes contained therein, shall be made.

iii. If a ballot envelope shall contain more than one ballot for the same offices, all the ballots in such ballot envelope shall be rejected.

-
- iv. As each ballot envelope is opened, if one or more of the different kinds of ballots to be voted at the election are not found therein, the central board of canvassers, shall make a memorandum showing what ballot or ballots are missing.
 1. When the review of such ballots shall have been completed, the central board of canvassers shall ascertain the number of such ballots of each kind which have been deposited in the ballot box by deducting from the number of ballot envelopes opened with the number of missing ballots and shall make a return thereof.
 2. The number of voters' ballots deposited in the ballot box shall be added to the number of other ballots deposited in the ballot box, in order to determine the number of all ballots of each kind to be accounted for in the ballot box.
 - v. If unscannable (like FWABs and those downloaded and printed by military, special fed and accessible absentee voters), then set aside for post-election manual canvass.
 - b. Upon such processing of the ballot, the voter's record shall be updated with a notation that indicates that the voter has already voted in such election. This information should be included in all print and electronic poll books where possible, and voter history shall be recorded for inclusion in the information provided to the State to conduct its post-election statewide voter data match.

Additional Procedures for Scanners/Systems Used for Early Canvassing of Absentee Ballots

The Operations Unit of the State Board has prepared additional procedures specific to the various systems which can be used for the scanning of absentee ballots prior to Election Day. Similar to procedures provided to boards for the different configurations of precinct scanner systems which can be used during Early Voting, this guidance explains how scanners/systems used for the early canvassing of absentee ballots should be configured, operated and secured. Please contact Election Operations for more information on the particular system that your board expects to use for this purpose.

Ballot Defects and the Cure Process

Steps for determining curable defects

1. At the time a ballot affirmation envelope is reviewed, the board of elections shall determine whether the ballot envelope has one of the following curable defects:

-
- a. is unsigned
 - b. has a signature that does not correspond to the registration signature
 - c. has no required witness to a mark
 - d. is returned without a ballot affirmation envelope in the return envelope
 - e. has a ballot affirmation envelope that is signed by the person that has provided assistance to the voter but is not signed or marked by the voter
 - f. contains the signature of someone other than the voter and not of the voter

2. Ballot envelopes are not invalid and do not require a cure if:

- a. a ballot envelope is undated or has the wrong date, provided it is postmarked on or prior to election day or is otherwise received timely by the board of elections
- b. the voter signed or marked the ballot affirmation envelope at a place on the envelope other than the designated signature line
- c. a voter used a combination of ink (of any color) or pencil to complete the ballot envelope
- d. papers found in the ballot envelope with the ballot are materials from the board of elections, such as instructions or an application sent by the board of elections
- e. an extrinsic mark or tear on the ballot envelope appears to be there as a result of the ordinary course of mailing or transmittal
- f. the ballot envelope is partially unsealed but there is no ability to access the ballot

3. When the board of elections invalidates a ballot affirmation envelope, and the defect is not curable:

- a. the ballot envelope shall be set aside for the post-election review
- b. the board shall notify the voter by mail, sent within three business days of such rejection, and by either electronic mail or telephone, if such information is available to the board in the voter's registration information, and notify the voter of other options for voting, and, if time permits, provide the voter with a new ballot.

-
4. If a ballot is returned by a voter with both outer and inner envelopes unsealed, the board shall notify the voter by mail, sent within three business days of such rejection, and by either electronic mail or telephone, if such information is available to the board in the voter's registration information, and notify the voter of other options for voting, and, if time permits, provide the voter with a new ballot.

Notifying voter of curable defect

1. If ballot envelope found to have curable defect, the board shall indicate the issue that must be cured on the ballot envelope in red ink.
 - a. Within one day of such determination, send to the voter's address indicated in the registration records and, if different, the mailing address indicated on the ballot application, a notice explaining the reason for such rejection and the procedure to cure the rejection. The board shall include a cure affirmation with the notice to the voter. The affirmation shall be in a form prescribed by the state board of elections.
 - i. The board shall also contact the voter by either electronic mail or telephone, if such information is available to the board in the voter's registration information, in order to notify the voter of the deficiency and the opportunity and the process to cure the deficiency.

Voter process for curing defects

1. The voter may cure any identified curable defects by filing a duly signed affirmation with the board no later than seven business days after the board's mailing of such curable rejection notice or the day before the election, whichever is later.
 - a. If the board determines that such affirmation addresses the curable defect, the rejected ballot shall be reinstated and prepared for canvassing.
 - b. If the board of elections is split as to the sufficiency of the cure affirmation, such envelope shall be prepared for canvassing.
 - c. If the ballot envelope contains one or more curable defects that have not been timely cured, the ballot envelope shall be set aside for the post-election review.

Scanning of Ballots Prior to Election Day

General considerations for scanning ballots

Although the processing of returned absentee ballots is a continual process, the scanning of processed ballots is not. The law requires that, prior to Election Day, scanning of ballots that have been examined and prepared occurs at two specific times. The times at and manner in which ballots shall be scanned are described below.

When to scan ballots

1. The Day Before the First Day of Early Voting
 - a. The day before the first day of early voting, the central board of canvassers shall scan all valid ballots previously reviewed and prepared.
2. After the Close of the Polls on the Last Day of Early Voting
 - a. After the close of the polls on the last day of early voting, the central board of canvassers shall scan all valid ballots received and prepared pursuant to this section, and not previously scanned on the day before the first day of early voting

Manner in which to scan ballots

1. The central board of canvassers shall scan all valid ballots previously reviewed and prepared as nearly as practicable in the following manner:
 - a. Such ballots may be separated into sections before being placed in the counting machine and scanned.
 - b. Upon completion of the scanning of such valid ballots, the scanners used for such purpose shall be secured, and no tabulation of the results shall occur until one hour before the close of the polls on election day.
 - c. All portable memory devices containing such scanning data shall be secured in the same manner as portable memory devices used during early voting or on election day.
 - d. Any ballots scanned during this period shall be secured in the same manner as voted ballots cast during early voting or on election day.
 - e. Any valid ballots that cannot be cast on a scanner shall be held inviolate and unexamined and shall be duly secured until after the close of polls on election day when

such ballots shall be examined and manually canvassed.

- f. Boards have the option of using the same or different scanners for the two instances of pre-Election Day scanning.
- g. In casting and canvassing such ballots, the board shall take all measures necessary to ensure the privacy of voters.

Tabulating Unofficial Results for Election Night

The board of elections may begin to obtain tabulated results for all ballots previously scanned no earlier than one hour before the scheduled close of polls on election day.

No unofficial tabulations of election results shall be publicly announced or released in any manner until after the close of polls on election day at which time such tabulations shall be added into the election night vote totals provided to the State Board.

Audit of Scanners Used In Canvassing Early-Processed Absentees

Within three days of any election, the board of elections or a bipartisan committee appointed by such board shall audit the scanners used for early-processed absentees by auditing the ballots from three percent of election districts that were tabulated by such scanners within the jurisdiction of such board by that time. This audit should be conducted in the same manner as the traditional post-election audit of scanners used to centrally count absentee ballots pursuant to §6210.18.

To the extent additional ballots are tabulated through scanners after the initial audit, three percent of election districts shall thereafter be audited as to the additional ballots tabulated. The certification of the canvass shall not await the completion of such additional audit; provided, however, if upon the completion of such additional audit the criteria are met for the results of the audit to replace the canvass then the board of canvassers shall forthwith reconvene and adjust the canvass as required.

New Data Match Timeline

Pursuant to §6211.6, county boards are required to provide information to the State Board with regard to in-person voter history during the early voting period and on election day, absentee requests/returns and affidavit ballots. The State Board then aggregates this information, searches for potential matches between counties and provides information on those matches to the counties involved.

Although the deadlines for each type of information differ, the information overall was due to the State Board not later than 7 days after a primary election and 10 days after a general. During the 2021 election cycle, the Governor issued an Executive Order which reduced that timeframe to 48 hours after the election.

As a result of some of the changes contained in the new law, the State Board will be revising its regulations to call for this information to be provided not later than three days after an election, regardless of election type. The State Board will then strive to provide the processed information back to counties by the following day, in advance of the required timeframe for canvassing affidavit ballots.

Canvass of Affidavit Ballots

Within four business days of the election, the board of elections shall review all affidavit ballots cast in the election.

1. If the central board of canvassers determines that a person was entitled to vote at such election it shall cast and canvass such affidavit ballot in the following manner:
 - (i) If the board of elections receives one or more timely absentee ballots from a voter who also cast an affidavit ballot at a poll site, the last such timely absentee ballot received shall be canvassed and the affidavit ballot shall be set aside unopened.
 - (ii) If a voter was issued an absentee ballot and votes in person via an affidavit ballot and the board does not receive such absentee ballot, the affidavit ballot shall be canvassed if the voter is otherwise qualified to vote in such election.
 - (iii) Affidavit ballots are valid when cast at a polling site permitted by law by qualified voters:
 - i. who moved within the state after registering
 - ii. who are in inactive status
 - iii. whose registration was incorrectly transferred to another address even though they did not move
 - iv. whose registration poll records were missing on the day of such election
 - v. who have not had their identity previously verified
 - vi. whose registration poll records did not show them to be enrolled in the party in which they are enrolled
 - vii. who are incorrectly identified as having already voted.
 - (iv) Affidavit ballots are valid to the extent that ministerial error by the board of elections or any of its employees caused such ballot envelope not to be valid on its face.

2. If the central board of canvassers determines that a person was entitled to vote at such election, the board shall cast and canvass such affidavit ballot if such board finds that the voter appeared at the correct polling place, regardless of the fact that the voter may have appeared in the incorrect election district and regardless of whether the voter's name was in the registration poll record.
3. If the central board of canvassers finds that a voter submitted a voter registration application through the electronic voter registration transmittal system pursuant to title eight of article five of this chapter and signed the affidavit ballot, the board shall cast and canvass such affidavit ballot if the voter is otherwise qualified to vote in such election.
4. If the central board of canvassers determines that a person was entitled to vote at such election, the board shall cast and canvass such affidavit ballot if such board finds that the voter substantially complied with the requirements of this chapter. For purposes of this paragraph, "substantially complied" shall mean the board can determine the voter's eligibility based on the statement of the affiant or records of the board.
5. If the central board of canvassers finds that the statewide voter registration list supplies sufficient information to identify a voter, failure by the voter to include on the affidavit ballot envelope the address where such voter was previously registered shall not be a fatal defect and the board shall cast and canvass such affidavit ballot.
6. If the central board of canvassers finds that the voter registered or pre-registered to vote for the first time pursuant to title nine of article five of this chapter at least twenty-five days before a primary, appeared at such primary election, and indicated on the affidavit ballot envelope the intent to enroll in such party, the affidavit ballot shall be cast and canvassed if the voter is otherwise qualified to vote in such election.
7. When the central board of canvassers determines that an affidavit ballot is invalid due to a missing signature on the affidavit ballot envelope, or because the signature on the affidavit ballot envelope does not correspond to the registration signature, such ballots shall be set aside and subject to the cure procedure as earlier described. The voter may cure any identified curable defects by filing a duly signed affirmation with the board no later than seven business days after the board's mailing of such curable rejection notice. Those affidavit ballots which have been set aside for this reason shall be canvassed upon receipt of a timely completed cure affirmation from the voter.
8. The board of elections shall enter information into its voter registration system to be transmitted to the statewide ballot tracking system to allow a voter who cast a ballot in an affidavit envelope to determine if the vote was counted.

Post-Election Review of Set Aside Ballots

Within four business days of the election, the board of elections shall designate itself or such of its employees to act as a central board of canvassers and meet to review absentee, military and special ballots determined to be invalid upon their initial examination, ballot envelopes that were returned to the board as undeliverable, and ballot envelopes containing one or more curable defects that have not been timely cured.

At least five days prior to the time fixed for such meeting, the board shall send notice by first class mail to each candidate, political party, and Independent body entitled to have had watchers present at the polls in any election district in the board's jurisdiction. Such notice shall state the time and place fixed by the board for such post-election review. Alternatively, this date can be included on the candidate notice sent by the board which contains the dates and times of other pre and post election activities they are entitled to participate in and/or observe.

Each such candidate, political party, and independent body shall be entitled to appoint such number of watchers to attend upon each central board of canvassers as the candidate, political party, or independent body was entitled to appoint at the election in any election district for which the central board of canvassers is designated to act.

Upon assembling at the time and place fixed for such meeting, each central board of canvassers shall then review the ballot as described above.

Each such candidate, political party, and independent body shall be entitled to object to the board of elections' determination that an absentee or affidavit ballot is invalid. Such ballots shall not be counted absent an order of the court. In no event may a court order a ballot that has been counted to be uncounted.

Canvassing of Ballots After Election Day

As stated previously, the board of canvassers shall process absentee ballots received on or after Election Day within one day. Such board shall then canvass the following categories of ballots:

- all valid ballots received and prepared, and not previously scanned on the day before the first day of early voting or scanned after the close of the polls on the last day of early voting.
- all absentee ballots that were deemed valid but were unable to be scanned previously (Military, Overseas, Accessible, etc.).
- all absentee ballots that were determined to have a curable defect and for which a timely and complete cure affirmation was returned by the voter on or after election day.
- all affidavit ballots that were determined to have a curable defect and for which a timely and complete cure affirmation was returned by the voter.

For the purposes of the candidate notice sent by the board which contains the dates and times of various pre and post election activities for which they are entitled to participate in and/or observe, the post-election canvassing activities may either be considered a continuation of canvassing which has taken place prior to Election Day, or may be considered a separate event with its own specific date and time. Either way, it should be made clear when any post election canvassing of absentee ballots is to begin.

Certification of Results

Upon completing the casting and canvassing of any remaining valid ballots as hereinabove provided for any election district, the central board of canvassers shall thereupon, as nearly as practicable in the manner provided in this article for absentee, military and special ballots, verify the number of ballots so cast, tally the votes so cast, add such tally to the previous tally of all votes cast in such election district, and record the result.

The record of the vote counted by each scanner and manually for each candidate and for and against each ballot proposal, printed by election district, shall be preserved in the same manner and for the same period as the returns of canvass for the election.

The certification of the board of canvassers must be transmitted to the State Board no later than twenty-five days following a general or special election.

Conducting Post-Election Audits

The process and timeline for conducting the 3% audit of the precinct scanners used during early voting and on Election Day, as described in §6210.18, remains unchanged. For scanners used to centrally count absentee ballots after Election Day, a separate audit of 3% of the election districts scanned on such equipment shall also be conducted.

As was stated previously, the certification of the canvass shall not await the completion of such additional audit; provided, however, if upon the completion of such additional audit the criteria are met for the results of the audit to replace the canvass then the board of canvassers shall forthwith reconvene and adjust the canvass as required.