

Appendix E
Summary of Early Voting Laws in Other States
Prepared by the Office of the Secretary of State

Alaska

- Early voting takes place 15 days before Election Day
- Early Voter must show proof of ID
- Address is verified on Incoming Voting List
- Early voter must sign Early Voting Register affidavit; CVR produces affidavit that states voter is eligible and indicates which ballot voter should receive
- Voter places ballot in secrecy sleeve, then into ballot box
- Votes are not tabulated until 8 p.m. on Election Day
- State must designate Early Voting Locations by June 1st
- Results are reported for early voting and Election Day separately

Arkansas

- Early voting takes place 15 days before Election Day
- Hours are 8 a.m. – 6 p.m. M-F and 10 a.m. – 4 p.m. Saturday
- Ends 5 p.m. Monday before Election Day
- County Clerks designate locations are also allowed – locations are published in general circulation newspapers; 75 counties – 72 use court house, 3 largest hold at larger off-site locations
- County Board selects number of election officials necessary to staff Early Voting locations
- Required to record date on all pages of Early Voting Register or Early Voting Request form and keep daily record of the number of early ballots cast
- All voted and unvoted ballots and related election materials at each early voting site should be stored in secure location in county courthouse or in a secure location as determined by County Board of Elections Commission
- Before Early Voter casts ballot, require:
 - Voter to identify self – state name, DOB and address and provide ID
 - Sign Early Voter Register
 - If voter not on voting list required to cast provisional ballot
- Early Voting Ballots counted at same time as absentee ballots
- Early Voting process conducted same as Election Day
- Election officials can use either same poll book on Election Day or print new poll book – if new poll book is used, CVR will mark which voters have already voted
- Early voting has been offered for 8 years – about 35% of voters use early voting. Has not significantly increased overall election turnout.

Arizona

- Appears to be in-person absentee voting

Colorado

- Early voting conducted during regular business hours, ends Friday before Election Day; County committee can vote to extend early voting hours
- Takes place 15 days before General or other November election and 10 days before a Primary or Special Legislative Election
- Cast ballot same as Election Day
- Each county clerk provides 1 or more early voting locations:
 - Give adequate notice to eligible electors of early voting locations
 - Party, proponent/opponent can have 1 Early Voting pollwatcher
 - Early voter must be challenged in same way as on Election Day
 - Ballot boxes for Early Voting must be locked and sealed each night with seal number under supervision of Election Official, keys remain in possession of election official
 - Paper Ballots – ballot box locked until time to count
 - Electronic Equipment – ballot box opened each night and voted ballots are placed in transfer case which is locked and secured with a numbered seal
 - Election official maintains record of the case (date, number of cast ballots and seal number of transfer case) until each box is transferred for tabulating
 - When Early Voting polling place is closed – designated election official should be in custody of keys to any voting machine and electronic voting equipment
 - Machines used for early voting not used for further counting of absentee ballots
 - Tabulation of Early Voting ballots cast and recorded on voting machine cartridges should remain unknown until time prescribed for counting absentee and early voting
 - Before reusing DRE for casting of votes at polls on Election Day – Election Official should store or record all Early Voting on external device (diskette)

Florida

- Early Voting facility must be permanent facility (main or branch office) of the county supervisor of elections and used for at least 1 year prior to election
- Results or tabulation may not be made before polls close on Election Day
- Early voting site must be designated not less than 30 days prior to the election, must also designate early voting area within the site
- All early voting sites in a county must operate the same days and same hours
- Any person in line at Early Voting site at closing time must be allowed to vote
- Early voting begins 15th day before election and ends 2nd day before election (special election begins 8th day before and ends 2nd day before)
- Must be open 8 hours per weekday and 8 aggregate hours on weekend (between 7 a.m. – 7 p.m.)
- Early voting for municipal election is allowed, but not in conjunction with State election
- Officials must make available the number of voters casting ballots at each early voting location the previous day. Electronic list of voters must be made available by noon the following day
- Early voting ballot is counted even if elector dies on or before Election Day
- Early Voter must provide ID and complete Early Voter certificate
- Ballots may be challenged – early voter casts provisional ballot
- Votes canvassed the same as regular ballots

- Results not reported separately.
- Each county must submit security plan to be approved by Division of Elections
- Early voting first offered in 2004
- **2004 General Election**
 - 4,865,283 voters cast ballots on Election Day
 - 1,428,362 voters cast ballots at early voting sites
 - 1,352,447 voters cast absentee ballots
- **2006 General Election**
 - 3,385,239 voters cast ballots on Election Day.
 - 796,331 voters cast ballots at early voting sites.
 - 750,762 voters cast absentee ballots.

Nebraska

- Appears to be in-person absentee voting

New Mexico

- May be absentee voting process
- Alternate voting location should be attended by at least 2 poll workers of different political parties
- Secretary of State adopt rules for Early Voting
 - Ensure voters have access to alternate locations
 - Ensure voters not allowed to vote in person on Election Day
- Early Voting begins 3rd Saturday prior to election – Early Voter may vote in person on voting system at alternate voting location established by county clerk
- Early Voting takes place from 12-8 p.m. Tuesday-Friday; 10-6 Saturday thru Saturday immediately prior to election
- Voter must provide ID or vote provisional ballot
- If Early Voter has ID, voter signs an application
- County Clerk makes designation on signature roster next to voter’s name, indicating the voter has voted early
- Secretary of State adopts rules for protecting the integrity, security and secrecy of absentee ballots

North Carolina

- Early Voting takes place between 3rd Thursday before election and 1 p.m. on last Saturday before that election
- Takes place at office of County Board of Elections
- Any site other than County Board of Elections office may be approved by State Board of Elections as part of a plan for implementation approved by both county and State Boards of Elections
- Voter completes an application and is furnished a ballot
- Election Official signs application as witness
- If county uses voting system with retrievable ballots, county board may elect to conduct one-stop absentee voting
- “One Stop” voter casts ballots and deposits in ballot box or voting system in same manner as on Election Day

- Each one-stop ballot has ballot # or should have an equivalent identifier to allow for retrievability
- At end of each business day, ballot box or voting system is secured in accordance with plan approved by State Board of Elections
- State Board adopts standards for conducting one stop voting and approves any plan that complies
- Plan provides adequate security of ballots and provisions to avoid allowing persons to vote who have already voted
- Plan provides for political party observers equal to Election Day
- Challenges allowed

North Dakota

- Mail ballots for primary

Tennessee

- Early voting takes place between 20 and 5 days before election; municipal elections between 10 and 5 days
- County election Commission office must be open a minimum of 3 consecutive hours Monday – Saturday between 8 a.m. – 6 p.m.
- On at least 3 days for state/federal election – county election commission should remain open between 4:30 – 8 p.m. on at least 1 Saturday during same period the office is open 8 a.m. – 4 p.m.
- Notice of office hours published not less than 25 days prior to election day by publication in general circulation newspaper
- May use voting machines for some or all races or may use paper ballots
- County election commission shall secure each voting machine used in Early Voting to prohibit tampering and should provide maximum security that allows no other person except designated Election Official to have access to the room of the facility where the voting machines, ballots and other election supplies are stored; locked boxes containing voted ballots are locked by a Democratic and Republican election commissioner each of who has a separate key
- State Election Coordinator promulgates rules for use of machines, including security for Early Voting
- County election commissioners in each county may appoint 1 Early Voting Deputy
- Voter completes application, official compares voter's signature with voter registration application, records the ballot number on the voter's registration record (in central voter registration system)
- Voter marks ballot and places in secrecy sleeve and deposits in appropriate ballot box
- Election official notes on voter's registration record in CVR and poll book that voter voted early; poll book used on Election Day indicates that voter has already voted
- List of voters who voted early is produced each day
- State adopts uniform form for early voting application to be used for each county election commission

Utah

- Starts 14 days before election, ends the Friday before election
- Shall conduct on regular business days; may conduct on Saturday, Sunday or holiday
- Election Official shall determine times except:
 - Minimum of 4 hours each day
 - Close at 5 p.m. on last early voting day
- Election Official designates 1 or more polling place for Early Voting:
 - At least 1 place open each day
 - Polling place must have 10% accessible devices used and be located in a government building unless none is available
- Election Official must post Notice of Early Voting:
 - Publish in 1 issue of newspaper of general circulation and post in each Early Voting polling place at least 5 calendar days before Early Voting starts
- Each county sets own security protocol
- 28 of 29 counties use DREs; 1 uses optical scan with DRE for accessible voting system
- Voters sign poll book; large counties enter voters into CVR in real time – other counties do batch data entry

West Virginia

- Early voting starts 20 days before the election and ends 3 days before the election
- Early voting is conducted in one central location per county
- Ballots are placed in envelopes and marked with precinct information, then envelopes are put in ballot box
- On the last day of early voting, the envelopes are sorted by precinct and sent to the appropriate precinct for processing/tallying on election day or counted centrally depending on county
- West Virginia uses optical scan, paper and DRE for election day processing – counties determine what they want to use
- Voters casting an early voting ballot are required to sign the poll book at the time of casting the ballot
- The poll book (voting list) is printed with the electronic signatures, from ElectioNet (CVR); new poll book is printed for Election Day with early voters pre-marked
- West Virginia has a 21-day pre-election cut-off for voter registration
- Boxes containing voted ballot locked with two locks – 2 people have one key each