

HOW DO MILITARY AND OVERSEAS ABSENTEE BALLOTS FIT INTO THE COUNTY CANVASS PROCEDURES?

Military and Overseas (UOCAVA) Electors have until November 19, 2010 to return their absentee ballots. If late-arriving military and/or overseas ballots are postmarked by Election Day and meet all other absentee ballot requirements they can be counted.

Any UOCAVA Ballots Received by Election Day are Delivered to the Polling Place

Any military and overseas ballots (official ballot, State Write-in Ballot (SWAB) or Federal Write-in Ballot (FWAB) received by Election Day are delivered to the polling place for processing. (See *Guidance to Municipal Clerks on Processing and Counting Military and Overseas Absentee Ballots for the 2010 General Election* emailed on October 22, 2010 and posted to the Recent Clerk Communications page of the G.A.B. website for further information on counting military and overseas ballots at the polling place.)

On election night, municipal clerks notify the county clerk and the G.A.B of the number of outstanding UOCAVA ballots for their municipality. If a UOCAVA voter who was sent a ballot was not credited with voting on Election Day, and the ballot was not returned-undeliverable, the voter is considered to have an "outstanding ballot." After Election Day, late-arriving military and overseas ballots received from a UOCAVA voter who did not have a ballot counted on Election Day, must be counted by the County Board of Canvassers.

PROCEDURES FOR COUNTY BOARDS OF CANVASSERS

Outstanding Absentee Ballot, Properly Postmarked, is Returned After Election Day

If the County **has not completed** its original canvass:

The absentee ballot can be opened and counted or rejected by the County Board of Canvassers and included in the original canvass.

If the County **has completed** its original canvass:

The absentee ballot must be held (either by the municipal or county clerk) until all of the outstanding military and overseas absentee ballots have been returned or until November 19, 2010 at 5:00 pm, whichever comes first. Then the County Board of Canvassers must meet again, no later than 9:00am on Monday, November 22, 2010, to open and count, or reject the absentee ballot. If all outstanding ballots have been returned before November 19, the County Board of Canvassers may convene at that time and not wait until November 22, 2010.

IF MUNICIPAL CLERKS ASK...

A UOCAVA elector's ballot (Official Ballot, SWAB or FWAB) is counted on Election Day, and a ballot of another type than the one counted on Election Day arrives by November 19:

A ballot has already been counted for this elector. The municipal clerk marks his/her Absentee Ballot Log indicating the ballot was returned but not counted, update SVRS to note that the ballot was returned, and update the GAB-190. Keep the unopened, uncounted ballot in his/her office with other election materials. If there is a recount, the municipal clerk must deliver that ballot to the County.

A UOCAVA Absentee Ballot is received after November 19 or is Postmarked after Election Day:

This ballot cannot be counted. The municipal clerk marks his/her Absentee Ballot Log, have updates SVRS indicating that the ballot was returned late, and updates the GAB-190. The unopened, uncounted ballot is kept in the office of the municipal clerk with other election materials.