

Closing Procedures: Duties of the Municipal Election Officials

2021 Municipal Certification Training

Presented by:
Mississippi Secretary of State's Office
Elections Division



Michael Watson
SECRETARY OF STATE

Canvassing the Results

- The Municipal Election Commission in General and Special Elections and the Executive Committee in Primary Elections must “canvass” the results of the election.
- Canvassing requires accepting or rejecting affidavit ballots.
- Canvassing requires verifying the tallying conducted by the poll workers and Resolution Board on Election Day (hand-count jurisdictions).



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SECRETARY OF STATE

Affidavit Ballots



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Affidavit Ballots Are Used When:

- 1) A voter's name does not appear on the pollbook because:
 - The voter has moved within the city or district but did not update his registration;
 - The voter was moved to inactive or purged (correctly or erroneously) from SEMS;
 - The voter registered too late; or
 - The voter was illegally denied registration.



Affidavit Ballots Are Used When (cont.):

- 2) A voter is unable to present an acceptable form of photo ID.
- 3) A voter is unable to present an acceptable form of photo ID because he/she has a religious objection to being photographed.
- 4) A voter's photo ID does not "fairly depict" the voter.
- 5) "VOTED AB" appears next to the voter's name in the pollbook



Affidavit Ballots Are Used When (cont.):

- 6) The voter's name on his/her presented photo ID is not "substantially similar" to his/her name as it appears on the pollbook.
- 7) A voter is a first-time, unverified mail-in registrant, who does not have a HAVA ID.
 - Current utility bill
 - Current bank statement
 - Current government check or paycheck
 - Other government document showing the name and address of the voter



Affidavit Ballot Envelope Must Include:

- Voter's complete name;
- Voter's current residential and mailing addresses, previous residential and mailing addresses, and telephone number(s);
- Reason why the voter believes he/she is casting an affidavit ballot;
- Signature of the affiant/voter; and
- Signature of one of the poll managers.



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Processing Affidavit Ballots

- When canvassing and certifying the election, the election officials process affidavit ballots at Election Central.
- Affidavit ballot envelopes must be marked “ACCEPTED” or “REJECTED,” with the reason for rejection marked on the envelope along with any follow-up action to be taken.





AFFIDAVIT OF RELIGIOUS OBJECTION

VOTER INFORMATION: (Please PRINT)

Voter's Name: _____
First Middle Last

Last Four Digits of Social Security # [] [] [] [] Date of Birth: ____/____/____

Current Street Address: _____
City/Town State Zip

Current Mailing Address: _____
City/Town State Zip

TO THE ELECTION COMMISSION:

The undersigned, after being first duly sworn, deposes and states as follows:

- 1. I am a duly qualified and registered voter,
2. It is against my religious beliefs and practices to be photographed. / I have a religious objection to being photographed.
3. I understand that I may be convicted of a felony, punished by imprisonment in the county jail for not less than six (6) months nor more than five (5) years in the penitentiary, or fined not less than \$100.00 nor more than \$1,000.00, or both for making a sworn false statement or Affidavit pursuant to Section 97-7-35, Miss. Code Ann.

DATED, this the _____ day of _____, _____.

AFFIANT

SWORN TO AND SUBSCRIBED BEFORE ME, this the _____ day of _____, _____.

(CLERK'S SEAL)

Circuit Clerk's Signature

Processing Affidavit Ballots

For all affidavit ballots:

1. Make certain the affidavit is signed by the voter and a poll manager.
2. Look at the reason the voter marked for casting an affidavit ballot.
 - If the voter cast an affidavit ballot because he/she was unable to present an acceptable form of photo ID, verify whether the voter presented an acceptable photo ID to the Municipal Clerk's Office within five (5) business days after the date of the election.
 - If the voter did not return to the Municipal Clerk's Office and present an acceptable form of photo ID, the affidavit ballot is REJECTED.
 - If the voter did return to the Municipal Clerk's Office and present an acceptable form of photo ID, the affidavit ballot is ACCEPTED.



Processing Affidavit Ballots

- If the voter cast an affidavit ballot because he/she had a religious objection to being photographed, verify whether the voter signed an Affidavit of Religious Objection in the Municipal Clerk's Office within five (5) business days after the date of the election.
 - If the voter did not return to the Clerk's Office and sign an Affidavit of Religious Objection, the ballot is REJECTED.
 - If the voter did return to the Clerk's Office and signed an Affidavit of Religious Objection, the ballot is ACCEPTED.



Processing Affidavit Ballots

- If the voter cast an affidavit ballot because he/she was marked as “VOTED AB” in the pollbook, check to see if an absentee ballot was timely received and counted.
 - If the absentee ballot was not received within five (5) business days of the election and postmarked on or before Election Day, the affidavit ballot may be ACCEPTED if found legal.
 - If the absentee ballot was rejected by the Resolution Board, the affidavit ballot may be ACCEPTED if found legal.
 - If the absentee ballot was accepted and counted by the Resolution Board, the affidavit ballot would be REJECTED.
- 3. Check the Master Voter Roll (or SEMS) and see if and when the voter registered to vote.



Processing Affidavit Ballots

4. If registered, check the voter's status.
 - ACTIVE: Ballot ACCEPTED if cast in the precinct of the voter's current residence.
 - INACTIVE: Ballot ACCEPTED if cast in the precinct of the voter's current residence (moved out of original precinct but within municipality).
 - PURGED: Ballot REJECTED, if properly purged from SEMS.
 - PENDING: If the voter registered to vote within 30 days of the election, ballot is REJECTED.
 - Look at the voter's registration application or check with the Circuit Clerk's Office. Check the date the application was stamped as received or the postmark date.



Processing Affidavit Ballots

5. If the voter is not registered:
 - Was a voter registration application received?
 - Check SEMS and/or with the Clerk's Office.
 - Contact MSOS regarding missing DPS registrations.
 - If the voter never registered, the affidavit ballot is REJECTED.
 - If the voter is registered in the county but not the municipality, the affidavit ballot is REJECTED.
 - If the voter registered within 30 days of the election, the affidavit ballot is REJECTED.
 - If the voter registered before the deadline, the affidavit ballot is ACCEPTED.
 - Was the voter illegally denied registration?



Processing Affidavit Ballots

Final Action:

- Mark the ballot envelope “ACCEPTED” or “REJECTED.”
- If rejected, mark the reason why the ballot was rejected.
- Follow-up Action:
 - Mark on the ballot envelope any follow-up action to be taken (i.e., update address, restore voter to an active status, mail registration application to voter).



SEMS # _____

AFFIDAVIT BALLOT

1. VOTER INFORMATION *(to be completed by voter)*

X

Printed Name of Voter		Maiden Name, if applicable
Date of Birth	*MS Driver's License #	Daytime Phone #
New (Current) Street Address - NO P.O. Box		City & Zip Code
Old (Previous) Street Address - NO P.O. Box		City & Zip Code
Current Mailing Address		City & Zip Code

Did you recently register to vote in this county? ___ Yes ___ No
* If you do not have a Mississippi Driver's License, then provide the last 4 digits of your Social Security number.

AFFIDAVIT OF VOTER *(Check only ONE box below)*

This day, I personally appeared before the undersigned manager of the election and make the following affidavit, under penalty of law:

I am not registered to vote because I have been illegally denied registration; **OR,**

I am eligible to vote in this election; I am a resident of this precinct and lawfully registered to vote in this county at least 30 days prior to this date, and:

I have moved recently from the old street address (provided above) to the new address (provided above); **OR,**

I have not moved recently, but my name is not on the pollbook; **OR,**

I did not present acceptable photo ID; **OR,**

I have a religious objection to being photographed; **OR,**

I do not otherwise qualify under state or federal law to cast a regular election day ballot.

X

Signature of Voter _____ Date _____

X

Signature of Poll Manager *(Poll Manager: Be sure to complete Poll Manager Information on other side of this envelope.)*

NOTICE TO VOTER:

- Be sure you have read and completed all areas printed above.
- Be sure you have signed this affidavit envelope.
- You are entitled to receive written information on how to learn if your affidavit ballot was counted and, if it was not counted, the reason it was not counted.

2. POLL MANAGER

(Must sign on the other side of envelope)

Election: Primary General Special

_____, 20____ County of _____
(Month, Date)

Reason for Affidavit Ballot

- Voter's name not on pollbook
 Voter did not present ID
 Voter's name on inactive list

Date of Election: _____

Ballot issued from: _____
(Name of Precinct)

Comments: _____

3. FOR ELECTION COMMISSION OR PARTY COMMITTEE USE ONLY

Registered in Precinct: _____
(Name of Precinct)

Voted in Precinct: _____
(Name of Precinct)

Mark all that apply

- Not registered and no evidence of registration
 Registered but name not on pollbook
 Registered too late
 Moved within county/municipality
 Moved outside county/municipality
 Inactive or purged voter
 No acceptable photo ID
 Voter presented photo ID within 5 business days after casting ballot.
 Voter did not present photo ID within 5 business days after casting ballot.
 Voter completed affidavit of religious objection within 5 business days after casting ballot.
 Voter did not complete affidavit of religious objection within 5 business days after casting ballot.

Final Action Taken on Affidavit Ballot:

- ACCEPTED
 REJECTED

Follow-Up Action Taken:

- Address changed/updated in SEMS
 Voter returned to active status in SEMS
 Information forwarded to county/municipality
 Mail-in voter registration sent to voter

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SEMS # _____

AFFIDAVIT BALLOT

1. VOTER INFORMATION *(to be completed by voter)*

X

Printed Name of Voter		Maiden Name, if applicable
Date of Birth	*MS Driver's License #	Daytime Phone #
New (Current) Street Address - NO P.O. Box		City & Zip Code
Old (Previous) Street Address - NO P.O. Box		City & Zip Code
Current Mailing Address		City & Zip Code

Did you recently register to vote in this county? ___ Yes ___ No
** If you do not have a Mississippi Driver's License, then provide the last 4 digits of your Social Security number.*

AFFIDAVIT OF VOTER *(Check only ONE box below)*

This day, I personally appeared before the undersigned manager of the election and make the following affidavit, under penalty of law:

I am not registered to vote because I have been illegally denied registration; **OR**,

I am eligible to vote in this election; I am a resident of this precinct and lawfully registered to vote in this county at least 30 days prior to this date, and:

I have moved recently from the old street address (provided above) to the new address (provided above); **OR**,

I have not moved recently, but my name is not on the pollbook; **OR**,

I did not present acceptable photo ID; **OR**,

I have a religious objection to being photographed; **OR**,

I do not otherwise qualify under state or federal law to cast a regular election day ballot.

X

Signature of Voter	Date
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X

Signature of Poll Manager *(Poll Manager: Be sure to complete Poll Manager information on other side of this envelope.)*

NOTICE TO VOTER:

- Be sure you have read and completed all areas printed above.
- Be sure you have signed this affidavit envelope.
- You are entitled to receive written information on how to learn if your affidavit ballot was counted and, if it was not counted, the reason it was not counted.

2. POLL MANAGER *(Must sign on the other side of envelope)*

Election: Primary General Special

_____, 20____ County of _____
(Month, Date)

Reason for Affidavit Ballot

- Voter's name not on pollbook
 Voter did not present ID
 Voter's name on inactive list

Date of Election: _____

Ballot issued from: _____

Comments: _____
(Name of Precinct)

3. FOR ELECTION COMMISSION OR PARTY COMMITTEE USE ONLY

Registered in Precinct: _____
(Name of Precinct)

Voted in Precinct: _____
(Name of Precinct)

Mark all that apply

- Not registered and no evidence of registration
 Registered but name not on pollbook
 Registered too late
 Moved within county/municipality
 Moved outside county/municipality
 Inactive or purged voter
 No acceptable photo ID
 Voter presented photo ID within 5 business days after casting ballot.
 Voter did not present photo ID within 5 business days after casting ballot.
 Voter completed affidavit of religious objection within 5 business days after casting ballot.
 Voter did not complete affidavit of religious objection within 5 business days after casting ballot.

Final Action Taken on Affidavit Ballot:

- ACCEPTED
 REJECTED

Follow-Up Action Taken:

- Address changed/updated in SEMS
 Voter returned to active status in SEMS
 Information forwarded to county/municipality
 Mail-in voter registration sent to voter

Free Access System

All affidavit voters must be provided with written information on how to ascertain whether his/her affidavit ballot was counted, and, if not, why it was not counted.

- HAVA requirement
- Municipality must have a free access system.
 - Typically the municipal clerk's phone number.



Absentee Ballots: Signature Mismatch



Michael Watson
SECRETARY OF STATE

Signature Mismatch

- Under rules recently published by the Secretary of State's office, if an absentee ballot is rejected due to a signature mismatch between the absentee ballot application and the absentee ballot envelope, the voter whose ballot was rejected must be given an opportunity to cure the ballot.
- The first step to giving the opportunity to cure is that the voter must be provided notice. Notice must be given to voter within one business day of the election.



Signature Mismatch Cont.

- Notice to the voter must inform the voter that his/her ballot has been tentatively rejected and the process for curing his/her ballot.
- It must also inform the voter that he/she must complete the process by noon on the tenth day after the election.
- Delivery of the notice should be attempted in the following order: email, fax, or mail. If the voter's email address is not on file, notice should be attempted by fax, and if fax is unavailable, then by mail.



Signature Mismatch Cont.

- When a voter's absentee ballot is tentatively rejected due to a signature mismatch, the voter may complete an Absentee Cure Form to cure the ballot and have it counted.
- The Absentee Cure Form may be delivered by mail, email, fax, or in-person at the municipal clerk's office, and the appropriate official in charge of the election will insert the due date on the form before delivering it to the voter.



Signature Mismatch Cont.

- The Absentee Cure form will ask the voter to do the following:
 - 1. Declare that the voter submitted an absentee ballot
 - 2. Verify his/her identify by either:
 - Providing their Mississippi Driver's License number or DPS-issue photo ID number; or
 - Providing the last four digits of his/her social security number; or
 - Attaching a legible copy of a state-accepted photo ID which lists the voter's name and address or an official federal, state, county or municipal document which lists the voter's name and address; or a utility or telephone bill or tax or rent receipt.
 - 3. Sign and date the form prior to returning it.



Signature Mismatch Cont.

- Once the Absentee Cure Form has been completed by the voter, it must be returned to municipal clerk by noon on the 10th calendar day after the election.
- It may be returned by the voter, or a person authorized by the voter on the form, by email, fax, mail carrier, commercial carrier, or in-person.
- If the Absentee Cure Form is properly completed and timely received, the ballot should be accepted, notwithstanding any other deficiencies.



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SECRETARY OF STATE

Absentee Cure Form

You are receiving this form because there was a deficiency on your absentee ballot application and/or absentee ballot envelope. For your absentee ballot to be counted, complete and return this cure form as soon as possible. **This form must be received by your County Election Commissioners by 12:00 p.m. on _____ (10th day post-election). Please note that this is an actual receipt date and NOT a postmark date.**

Once completed, the form can be returned to the officials in charge of the election by you or a person authorized by you. The cure form can be returned by:

- Email
- Facsimile (FAX)
- Delivering it in person to the registrar
- Mail or commercial carrier

If this form is not returned by the deadline, your absentee ballot will not be counted.

READ AND COMPLETE THE FOLLOWING:

I am an eligible voter in this election and registered to vote in _____ County, Mississippi. I solemnly swear or affirm that I requested, voted, and returned an absentee ballot for the _____ (date of the election) general/special/primary/runoff election, and that I have not voted more than one ballot in this election.

Voter's Name (Printed)

Name of Person Authorized to Return

Voter's Signature

Signature of Person Authorized to Return

Voter's Residential Address

Relationship to Voter (if any)

Voter's Date of Birth

Address of Person Authorized to Return

Voter's Driver's License #, DPS Issued Photo ID #, or Last Four of SSN

Date

Canvassing and Certifying



Michael Watson
SECRETARY OF STATE

Canvassing the Election Returns

The Executive Committee in Primary Elections and the Election Commission in the General or Special Elections must “canvass” the election returns.

Canvassing requires:

- Verifying all ballot boxes received on election night have seal numbers which match the seal numbers provided by the R/R manager’s form,
- Verifying the receipt book is in the sealed ballot box,
- Verifying receipt of certified results
 - Result Total Tapes or Hand-Count Tally Sheet,



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Canvassing the Election Returns

- Verifying absentee ballots are marked accepted or rejected by the Resolution Board,
- Comparing the number of absentee ballot envelopes (total) to the number of absentee voters' names provided on the absentee ballot list provided by the Municipal Clerk,
- Securing all absentee ballot materials,
- Scanning emergency and curbside ballots (if using a central scanner),
- Securing emergency and curbside ballots,



Canvassing the Election Returns

- Accepting or rejecting affidavit ballots,
- Ensuring all affidavit voters' signatures are on a separate receipt book and the count matches,
- Opening and scanning the accepted affidavit ballots (if using a central scanner), or hand-counting the affidavits if using non-scannable ballots,
- Securing affidavit ballots,
- Matching the Result Totals from the tapes to the Ballot Accounting form,



Canvassing the Election Returns

- Verifying the tally conducted by the poll managers on Election Day,
- Verifying the Ballot Accounting forms,
- Creating a separate Ballot Accounting form for the entire municipality, and
- Ensuring all ballot boxes are resealed and the seal number is recorded.



Canvassing the Election Returns

- Make sure all ballot boxes are resealed and the number on the seal(s) is recorded.
- *Do not place the pollbook in the ballot box. The pollbook is subject to a public records request, while the receipt book is not. The pollbook is to be kept by the Municipal Clerk.*



Canvassing the Election Returns

- The recapitulation forms used to certify an election are required by state statute.
- Either print the Recapitulation Report from SEMS and verify the results, or use the blank Recapitulation Reports provided by our Office.
- A majority of the Officials charged with the election (quorum) must sign the report to certify the election results.



Official Recapitulation

The Municipal Election Commission will prepare three (3) Official Recapitulation Sheets containing the vote of the entire municipality by ward. They will forward one copy to Michael Watson, Secretary of State, P.O. Box 136, Jackson, MS 39205-0136 or by faxing to (601)576-2545, file one copy with the Municipal Clerk, and keep the third copy for their records.

Election

Votes cast in the Municipality of _____, Mississippi on the _____ day of _____, 20__.

We, the undersigned Election Commission, hereby certify that the foregoing is a true and complete recapitulation and statement of the results of a _____ Election held on the _____ day of _____, 20__, in the Municipality of _____, Mississippi, and set opposite the respective names at said election.

In testimony whereof, witness our hand this ____ day of _____, 20__.

The Municipality of _____, Mississippi.

Election Commissioner

Election Commissioner

Election Commissioner

Election Commissioner (If necessary)

Election Commissioner (If necessary)

Official Recapitulation		The Municipal Election Commissioners will prepare three Official Recapitulation Sheets containing the vote of the entire municipality by ward. They will forward one copy to Michael Watson, Secretary of State, P.O. Box 136, Jackson, MS 39205, file one copy with the Municipal Clerk, and keep the third copy for their records.								
_____ Election		OFFICIAL RECAPITULATION of votes cast in the _____ Election held in the Municipality of _____, Mississippi on the _____ day of _____, 20_____.								
Votes cast in the Municipality of _____, Mississippi on the _____ day of _____ 20_____.		Names of Election Wards								
Race and Candidate Names	Party	Ward 1	Ward 2	Ward 3	Ward 4	Ward 5	Ward 6	Ward 7	Total	Percentage



Sign All Three Original Recapitulation Reports:

- Report for the Secretary of State's Office
- Report for the Officials in Charge of the Election
- Report for the Municipal Clerk's Office
- Mail, e-mail or fax the Certified Recapitulation to the Mississippi Secretary of State's Office to ensure our receipt within ten (10) days after the election.



Michael Watson
SECRETARY OF STATE

Contact Information

Mississippi Secretary of State's Office *Elections Division*

P.O. Box 136
Jackson, MS 39205
(601) 576-2550

Elections Hotline: (800) 829-6786

ElectionsAnswers@sos.ms.gov

Fax: (601)576-2545

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