

CHAPTER 6

RECEIVING EARLY VOTING BALLOT BY MAIL

SECTION A: TIME

A ballot voted by mail must be received not later than 7:00 p.m. on election night.

NOTE: Early voting clerk must check the mail for returned ballots at least once before the deadline and after the normal mail delivery time on election day.

SECTION B: CARRIER ENVELOPES

The ballot must be submitted in the carrier envelope, and must be returned to the early voting clerk by mail or by common or contract carrier. If the carrier envelope is returned by common or contract carrier, the carrier envelope will be returned in another envelope, such as a Federal Express or other express mail envelope. [Sec. 84.007]

1. Timely returned ballots

Open the express envelope, if any, and remove carrier envelope.

Place express envelope, if any, in jacket envelope with voter's carrier envelope. [Sec. 86.011(b)]

If more than one carrier envelope is in the express envelope, check to see if the other voter is a spouse, parent, or child.

If carrier envelopes of two or more voters who are related as spouse, parent, or child are in the express envelope, separate to place in proper jacket envelopes, with a copy of the express envelope (or the envelope itself) attached to each.

If carrier envelopes of two or more voters who do not have a spousal or parent-child relationship are in the express envelope, treat as ballots not timely returned.

Seal jacket envelope(s) and keep in safe place until ballots are delivered to presiding judge of early voting ballot board

2. Ballots not timely returned

Enter time of receipt on carrier envelope.

Retain carrier envelope - do not send it to early voting ballot board.

Preserve unopened carrier envelope for the period for preserving the election records

Destroy unopened carrier envelope after preservation period. [Sec. 86.011(c)]

3. A defective carrier envelope timely returned

Early voting clerk checks the carrier envelope to see if voter signed his or her name.

Early voting clerk does not compare the signature of the voter on the application with that on the carrier envelope.

If there is no signature on the carrier envelope, early voting clerk may return the carrier envelope to the voter in person or by mail, or call the voter and ask him or her to come to the office to correct the defect.

If early voting clerk does this for one voter, they must do it for all voters, including those who are out of state.

Poll watcher may accompany early voting clerk taking carrier envelope to voter.

Secretary of State has not prescribed any procedures for implementing this section.

If early voting clerk chooses not to use this procedure, follow instructions for other returned carrier envelopes. [Sec. 86.011(d)]