From Tabulation to Certification: How Battleground States Count the Vote

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When voters drop their absentee ballots in a mailbox, or feed their completed ballot into a ballot box at a polling place, their act of voting is over. But for election officials, the process has a long way to go. Receiving a voter's ballot is the first in a long list of tasks specific to the goal of seeing that all ballots—whether they are cast in person or through the mail—are accurately processed, counted, reported, and certified.

Key swing states take different approaches to these tasks. In Michigan, Pennsylvania, and Wisconsin, state law prevents election officials from processing or counting votes until Election Day. By contrast, Florida, North Carolina, and Arizona explicitly permit officials to start processing and counting ballots before Election Day. In these swing states, like all others, election officials have prepared to accommodate the anticipated surge in the number of ballots cast by mail while complying with laws that were written in anticipation of much lower numbers. Some states such as Florida have anticipated the influx of mail-in ballots by proactively taking measures to permit counting even earlier than what is statutorily required. In addition to states needing to prepare themselves to accommodate the surge, voters must also prepare themselves for how the results will be reported to the public and later formally certified.

This report breaks down the processes for counting the vote in six swing states. It explains how and when these battleground states count ballots and report results, starting with the processing of mail-in ballots and following through the tabulation of results, election night reporting, and final certification of election results.

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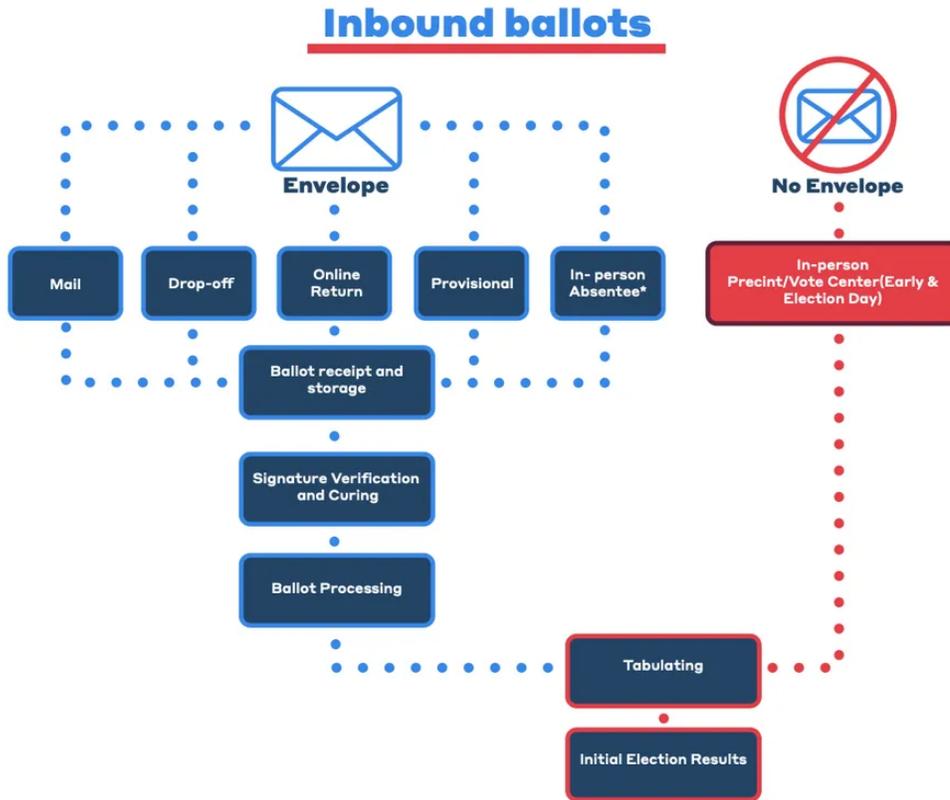
Introduction

This memo covers four stages of counting the vote: processing mail ballots, tabulating results, reporting results, and certifying the vote. These processes vary widely by state, both in terms of statutory requirements and administration. In each of the six swing states described below, we examine when and how ballots are counted, who does the counting and reporting, and how much discretion states give to local officials. We order this examination in four steps (with credit to research by the Bipartisan Policy Center for these overviews):

Processing Mail-In Ballots: Processing mail-in ballots is also called pre-processing ballots. Mail-in ballots, or any other ballot cast in an envelope, such as in-person absentee ballots or some provisional ballots, must be handled differently than ballots cast by an identity-verified voter in a polling place. When a voter is not present in person, an election administrator must check the voter's identification and eligibility to vote. States often look for and verify voters' signatures certifying that they are indeed the voters whose names appear on the ballot; some states require a witness to sign as well. Once the voter's identity is verified, the envelope is opened and the ballot is separated from any identifying information. For states that use secrecy sleeves, those interior envelopes are also removed and the ballots are flattened and prepared for tabulation, either at a precinct or a central tabulation facility.

The Bipartisan Policy Center compares the process for mail-in ballots (with an envelope) versus in-person ballots in this graphic:

Inbound ballots

Envelope

| Mail | Drop-off | Online Return | Provisional | In- person Absentee* |

Ballot receipt and storage

Signature Verification and Curing

Ballot Processing

No Envelope

In-person Precint/Vote Center(Early & Election Day)

Tabulating

Initial Election Results

The timing of mail-in ballot processing varies across the country. Some states begin processing ballots weeks in advance, while others are only allowed to begin on Election Day. States that begin early may have more results counted by election night. In the six swing states analyzed here, the key dates in 2020 are as follows, in order of earliest processing date:

State	Processing Begins	Tabulation Begins	Ballot Receipt Deadline
Florida	Sept. 24	Oct. 12	Nov. 3
North Carolina	Sept. 29	Nov. 3	Nov. 12
Arizona	Oct. 7*	Oct. 20	Nov. 3
Michigan	Nov. 2	Nov. 3	Nov. 3
Pennsylvania	Nov. 3	Nov. 3	Nov. 6
Wisconsin	Nov. 3	Nov. 3	Nov. 3

* Arizona starts processing ballots as soon as they are received. The processing date shown is approximately when officials begin to mail out ballots.

Tabulating the Vote: Tabulating, also known as counting, is the next step. Tabulation usually begins on Election Day at the close of the polls, but some states begin the process earlier. States generally use machines to perform the initial count to prevent human error. The specific tabulation technology used in each state [varies widely](). Poll workers generally feed paper ballots into machines, which will print out a final count at the end of the day. Precincts are usually required to maintain and securely store or transfer to the county a paper record of votes, both the paper ballots cast and printouts of the aggregated initial counts, in case of a recount. States also have processes for interpreting ballots that are not legible to a machine, such as when a voter misspells the name for a write-in candidate, which can require manual counts by poll workers.

Reporting the Vote: Local election officials are typically required to submit their tabulations into a state's centralized results reporting system at a designated time on election night. In states that can start the process of tabulating ballots before Election Day, the first results revealed on election night are often results from early in-person voting and swiftly-returned mail-in ballots. Some states require election officials to work continuously until the initial count is complete.

Certifying the Vote: The initial results revealed on election night are verified over the coming weeks as election administrators complete an official canvass. **Canvassing** is the procedure through which election officials verify that each ballot cast in the election was correctly counted. During canvassing, the materials, equipment, and results of an election are reviewed, corrected, and officially recorded. The "canvass" is the official tally of votes for any given election. Once the canvass of the ballots is completed and any discrepancies resolved, the vote totals are then certified, usually by the Secretary of State. **Certification** is the process by which the results of an election are made official. Canvassing and certification are two closely related processes, and the terms are sometimes used interchangeably, but it is important to note that an election cannot be certified until a canvass is complete. Certification [involves]() a presentation of all of the canvass documentation, including certified returns, statistics, and narrative to the canvassing board for their review and approval. Following the canvassing board's certification of the election, and if required by State law, the responsible election authority will provide each candidate with a notice of certification of the election. If candidates contest the results or the election is very close, the state may conduct a [recount]().

Together, these four steps constitute how American election officials count the vote. We examine six battleground states (Arizona, Florida, Michigan, North Carolina, Pennsylvania, and Wisconsin) below, describing in detail how each state performs this four-step process.

Arizona

Of the battleground states, Arizona is distinctive in that it allows early counting of ballots (including mail-in ballots), starting 14 days before the election. Partial results will be available on Election Day, despite the expected increase in mail-in ballots. Some Arizona election rules are still in litigation, including the deadline for curing a mail-in ballot that has been returned with no signature and the treatment of provisional ballots cast in the wrong precinct. But it is unlikely that there will be any additional decisions in these cases before the election that impact how ballots are counted.

Processing Mail-In Ballots

Under Arizona law (Ariz. Rev. Stat. § 16-550), early ballots can be opened and counted by election officials 14 days before Election Day, but officials may not release the results until all precincts have reported or until one hour after the polls close on Election Day. All mail-in ballots must be received by 7:00 PM on Election Day to be counted. A case filed in August, *Yazzie v. Hobbs*, challenges this requirement that mail-in ballots be received by elections officials—rather than just postmarked—before 7:00 PM on Election Day, but a federal district court denied a preliminary injunction to stay the Election Day deadline, which denial was affirmed on appeal by the U.S Court of Appeals for the Ninth Circuit. So the Election Day ballot receipt deadline will stand for the election.

Mail-in ballots are certified through signature verification. Though such ballots cannot be counted earlier than 14 days before Election Day, they can be cleared through a signature verification process that begins when the ballot and ballot affidavit is received by the county recorder or official in charge of the election (approximately the week of October 12th this year, as ballots were mailed beginning October 7th). The process involves comparing the signature on the ballot affidavit envelope with the signature on the voter's registration record. If a signature cannot be verified because it is inconsistent with the voter's registration record, election officials are required to make "reasonable efforts" under Arizona Revised Statutes § 16-550 to contact voters and give them an opportunity to correct the signature. Voters will have until the fifth business day after the election to correct any mismatched signatures. If the signature on the ballot envelope is not verified by this time, the ballot is not counted. If the signature is verified, the County Recorder will mark the unopened affidavit envelope as such and keep the ballot and affidavit unopened in the return envelope until they are transferred to the election officer for further processing and tabulation.

By contrast, if the ballot is missing a signature, voters have only until 7:00 PM on Election Day to fix the error before their ballot is rejected. Arizona law is silent on the procedure for missing

signatures (see Ariz. Rev. Stat. § 16-550), but the current version of the Elections Procedures Manual does address this issue. According to the Manual, "[i]f the early ballot affidavit is not signed, the County Recorder shall not count the ballot. The County Recorder shall then make a reasonable and meaningful attempt to contact the voter via mail, phone, text message, and/or email, to notify the voter the affidavit was not signed and explain to the voter how they may cure the missing signature or cast a replacement ballot before 7:00pm on Election Day. The County Recorder shall attempt to contact the voter as soon as practicable using any contact information available in the voter's record and any other source reasonably available to the County Recorder. Neither replacement ballots nor provisional ballots can be issued after 7:00pm on Election Day."

The Arizona Democratic Party sued over this disparity in procedures. *Arizona Democratic Party v. Hobbs* challenges the current procedure that allows voters with mismatched signatures five days after the election to verify their ballots, while allowing those with missing signatures only until 7:00 PM on Election Day to fix their mistake. The Election Day deadline makes voters more likely to have their vote rejected, as they are far less likely to receive notice in time to correct the error. In addition, the inconsistency between the deadline for mismatched signatures and missing signatures could be a source of confusion for voters. The 9th Circuit has put on hold a federal district court order that would extend the deadline to address unsigned mail-in ballots, pending appeal.

Ballots can also be rejected in the processing stage if they are cast in the wrong precinct. This rule has also generated litigation. In *Brnovich v. DNC*, the plaintiffs seek to eliminate the requirement that ballots cast in the wrong precinct are automatically discarded and not counted, proposing instead that votes for county, state, and national offices on ballots cast in the wrong precinct should be counted but that votes for precinct specific offices should not be counted. The Ninth Circuit struck down the law, finding that it was enacted with the intent to discriminate against minority voters. But the Arizona Attorney General appealed the case to the Supreme Court of the United States , which granted certiorari and will hear the case in 2021; the law remains in effect until that time.

Tabulating the Vote

Logic and Accuracy Tests

Arizona requires all of its election equipment be tested and certified before an election. Under Arizona Revised Statutes § 16-449, this testing and certification process is to take place both before and after each election to ensure it is counting votes accurately and attributing them to the correct candidates and ballot measures. Each county is required to test all of its election equipment (i.e. voting machines) before any tabulation can begin. These tests must be overseen by at least two elections staff

or inspectors of different political parties. In addition, the testing must be to observation by representatives of political parties, candidates, the press, and the public. Additionally, for any election that includes a federal, statewide, or legislative office, the Secretary of State must conduct additional logic and accuracy tests on equipment from various counties..

Early Ballots

In-person early voting begins 27 days before Election Day and continues through the Friday before the election. The elections officer may begin tabulating early ballots after confirmation from the Secretary of State that all voting equipment passes any required logic and accuracy test. Ariz. Rev. Stat. § 16-552(A). Tabulation of early ballots can start 14 days before the election. A.R.S. § 16-550(B). Once the signature on an early ballot affidavit is verified by the County Recorder, the ballot is sent to the early ballot board, which is made up of staff members who are required to be affiliated with different political parties. The early ballot board removes the ballots from their envelopes and transports them to the tabulation room where election officials run them through tabulators. The ballot tabulation room is required by law to have live video feed so voters are able to watch ballot tabulation occur.

Election Day Ballots

Some counties use the central count method in which voters put their completed ballots in a "secured ballot bin" which is transported to the county's ballot tabulation center after the polls close. This transportation is carried out by"election workers" of different political parties.

Other counties use the precinct tabulation method, in which voters or poll workers feed the completed ballots into a tabulation machine located at the voting location. The machine tabulates the ballots immediately and saves the vote count to a removable media device which is stored inside the tabulator. After the polls close, the poll workers or sheriff deputies bring the removable media device to the central counting location for the county. At the central counting location, an election official loads the results from the removable media device into the secure election management system and combines the vote totals for all the polling locations.

All counties must follow chain of custody protocols. This includes requirements for documentation on the handling of every ballot, storage of ballots in secure locations, and the live video feed on the ballot tabulation rooms. Counties must also follow protocols for ensuring the security of all ballots, including the use of tamper-evident seals, identification badges, and having two or more election officials of opposing political parties present.

Reporting the Vote

Under Arizona Revised Statutes [Title 16 Section 623](#), unofficial tabulated results may be released after all precincts have reported or one hour after the closing of polls, whichever comes first. It appears that the latter is the de facto default, as the official [Secretary of State (SOS) website](#) indicates that the first results will be released at 8:00 PM, which is one hour after the polls close at 7:00 PM. These first results will include early ballots, such as mail-in ballots, which can be counted starting [14 days before election night](#). After that, these results will be updated "sporadically" as counties receive information from voting machines at their polling locations. [These results are unofficial](#), as they have not yet been certified by the board of supervisors or other officers in charge. Results are simultaneously [shared](#) with the SOS via phone, fax, or "other electronic means," as they are tabulated at each precinct.

Arizona uses software from BPro, a private company that operates the TotalVote Election Software, for its state election night reporting system, which most counties also rely on to display their results for the public. On election night, the state updates election results on [its ENR website](#) as information is sent in from all counties. The state ENR website allows the public to view results by county, so 13 out of the 15 counties rely on this as their main ENR system. In most cases, the individual counties also upload results to their own websites as .pdf or .txt files. Two counties, [Greenlee](#) and [Pinal](#), use Scytl, another private company's election software, to post their results on their individual county websites. Notably, while the "Precincts Reporting" number represents the "number of voting locations that have reported election results," it is unclear if this means that the included precincts have finished tabulating their results or if they still have votes left to count.

Certifying the Vote

To [certify](#) the election results, election officials must canvass the election results of each precinct or election district. The Secretary of State Election Services Division is in charge of [certifying](#) on the state level while the Board of Supervisors for each county certifies the county. The canvass [verifies](#) vote totals for all races tabulated by voting equipment as well as write-in votes. Canvassing must be carried out by a [Board of Supervisors](#) in a public meeting between six and [20 days](#) after the election. The Board of Supervisors is made up of [county officials](#) elected to a four-year term. The official election [results](#) must include a Statement of Votes Cast, a cumulative Official Final Report, and a Write-Ins Vote Report. The [Statement of Votes Cast](#) must include the number of ballots cast in each precinct and county, the titles of offices up for election, the name of the people up for election, the number and title of each ballot measure, and the number of votes cast for and against each ballot measure. The cumulative [Official Final Report](#) must include the total number of precincts, total number of ballots cast, total number of registered voters eligible for the election, and number of votes cast for each candidate by district or division. The [Write-Ins Vote Report](#) must include the name and

number of votes for each authorized write-in candidate by precinct. Once the board of supervisors completes the election results certification, the Official Final Report and Statement of Votes Cast must be published on the website of the officer in charge of the election. Under Arizona Revised Statutes § 16-645, if the election includes a federal, statewide, or legislative office or a statewide ballot measure, the Board of Supervisors or elections officer in charge is required to transmit the official canvass to the Secretary of State electronically and by mail.

Florida

Understanding Florida's procedures for processing and counting vote-by-mail ballots is especially important, given the number of Floridians expected to vote by mail. In the 2016 and 2018 general elections, vote-by-mail ballots constituted approximately 30% of total ballots cast in Florida. This year, Florida voters requested nearly 5 million vote-by-mail ballots, approximately a 40% increase over the number of vote-by-mail ballots requested in 2016.

Florida's vote-counting process consists of opening the ballots, tabulating the ballots, reporting the results, and certifying the results. All tabulation systems used in Florida must undergo a rigorous Logic & Accuracy test before public use. While the state's process bears general similarities to that of other states, some salient features of Florida's vote-counting process include its voter signature verification process and its tabulation system approvals process.

Processing Mail-In Ballots

The timeline and procedure for opening and counting mail-in ballots is specified under Florida Statutes Title IX §§101.657, 101.68. Signature verification and counting can begin at 7:00 AM on October 12, 22 days before Election Day; releasing the results early is a felony. However, earlier this year, in response to the COVID-19 crisis, Florida Governor Ron DeSantis issued an Executive Order that permitted Florida counties to begin processing and tabulating vote-by-mail ballots immediately after the tabulation machines have completed the public Logic & Accuracy tests (described below). Therefore, because the Florida Supervisors of Elections began sending mail-in ballots to voters on September 24, a county could, in theory, begin counting mail-in ballots on September 24, so long as its tabulation machines had been certified. Also, counties cannot begin tabulating the vote *later* than noon on the day following the election.

In processing mail-in ballots, the canvassing board must compare the voter's signature on a mail-in ballot envelope with the voter's signature in the precinct register to see that the voter is

registered in the county and to determine the legality of that vote-by-mail ballot. The canvassing board can only determine that the signatures do not match if a majority of the canvassing board arrives at that conclusion and if the signature mismatch is "beyond a reasonable doubt." The supervisor must then notify the voter as soon as possible, both by first-class mail and by email, text message, or telephone. To cure the defect, the voter must submit a cure affidavit, certifying that they submitted their vote-by-mail ballot and attaching documents that confirm their identity. The voter has until 12:00 PM on the second day after the election to either mail or email their cure affidavit to the county supervisor of elections.

A recent empirical study on uncounted mail votes in Florida (based on reasons such as lateness or signature mismatches) reveals statistically significant differences in rejection rates among various cohorts of the population. For instance, in 2018, Jefferson County rejected 0% of its mail ballots while large counties like Broward and Miami-Dade rejected nearly 3%. One reason for this difference in rates among counties is an inconsistency in how various counties process ballots. For instance, different elections offices in Florida use different methods to contact voters to cure their ballot. Some counties contacted voters over the phone, by email, and even through Facebook, while other offices simply mailed a notice. A federal judge called Florida's statute governing rejected vote-by-mail ballots "a crazy quilt of conflicting and diverging procedures" with the "canvassing boards across the state employing a litany of procedures when comparing signatures."

Once the supervisor of elections confirms that the signature on the voter's ballot envelope or the cure affidavit matches the voter's record, the voter's ballot envelope is opened. The election staff will then mix the enclosed secrecy envelopes to make it impossible to determine which secrecy envelope came out of which signed mailing envelope. The county is then ready to tabulate the vote.

Tabulating the Vote

Florida precincts tabulate their votes using machine counting systems that digitally scan voter ballots, capture voter selections, and enable precincts to evaluate and download the aggregate results. Under Florida Statutes Title IX Chapter 101, all voting systems used for tabulation must be certified by the State. As a threshold matter, voting systems must meet various hardware and software requirements set forth in §101.5606. For instance, among other requirements, a voting system must be capable of automatically producing precinct totals in printed form.

A voting system must also undergo a rigorous public "Logic & Accuracy (L&A)" Test under §101.5612. For any given precinct, the canvassing board can publicly test either all or a subset of voting systems used in the precinct. In this public test, officials use a "test deck" set of ballots that model real ballots voters may use in casting their vote. For instance, the test deck uses actual ballots that are

hand-marked or marked with balloting devices. This test deck is run through the voting system. If a tested tabulation device produces an error in tabulating the test deck, the device is deemed unsatisfactory. The canvassing board must then determine the cause of the error; identify and test other devices that could reasonably be assumed to have the same error; and test a sufficient number of devices to determine that all other devices are satisfactory.

The canvassing board must keep records for all of the public L&A tests. Currently, all certified voting systems are listed on the Florida Division of Elections website, along with each system's corresponding certification memos and certification test reports. Democracy Suite and EVS are the two certified tabulation systems being used in Florida. Democracy Suite is used by 30 States, and EVS by more than 40 States.

Finally, according to Florida Statutes Title IX Chapter 102, results of all tabulated early voting and absentee voting must be entered into the county's election management system. The county's election management system is responsible for aggregating data on verification, tabulation, and reporting, and it enables the county to export that data and to view ballot images. All early and absentee ballots that have been tabulated and canvassed must be entered into the system by 7:00 PM the day before the election as unofficial results. These results must remain private until the close of the polls on Election Day.

Reporting the Vote

Election Night Reporting (ENR) procedures for Florida are dictated by Florida state law, though the specific reporting mechanisms can vary by county. As discussed above, while counties must tabulate early voting by 7:00 PM the day before the election, it is illegal to publicize these results at this time. Results must be reported to the Florida Department of State (DOS) 30 minutes after polls close and are subsequently updated every 45 minutes "in a format prescribed by the DOS". All results must be submitted to the DOS by noon on the fourth day after the election.

On election night, voters can visit a homegrown site, Florida Election Watch, to view results, though the vast majority of counties use a commercial product from the company VR Systems for election night results. VoterFocus, the Election Management System (EMS) developed by VR Systems, is used by 65 of 67 counties in Florida (it appears that Palm Beach County has recently also adopted VoterFocus). While the Democracy Suite and EVS hardware and software packages are responsible for tabulating the ballots, the VoterFocus software is responsible for organizing and managing election data. The election night results component reports votes per candidate (which can further be broken down into Vote By Mail, Early Voting, and Election Day) and results by precinct. Sarasota County uses the ENR system from Scytl, another large voting technology company, while Orange County appears

to post its results on its website as .xls files. All counties simultaneously report their results to the Florida Department of State to update the state's Florida Election Watch website.

Florida has official processes for correcting reporting errors and responding to close results. As dictated in Florida Statutes Title IX Chapter 102 Section 6, if "unofficial returns"—votes that have been canvassed but not certified—contain any counting errors, counties must correct the errors and retabulate. The DOS will then verify the tabulation and compare the tabulation software with the software "filed with the department," thus checking that both the results and the software the results are counted accurately. Critically, if unofficial results indicate that a candidate or ballot measure has lost by less than 0.5%, a recount is ordered of the votes for that specific election. Moreover, if the margin of victory is equal to or less than 0.25 percent, the recount must be performed manually.

Certifying the Vote

Florida has different timelines for counties to submit their unofficial election results and to certify their official election results. Under Florida Statute Title IX [§ 102.141(5)](#), all Florida counties must submit *unofficial* results to the DOS by noon on the fourth day after the election. Under [§ 102.112(2)](#), counties then have until 12 days after the general election to canvass and certify their *official* results to the DOS.

Once counties have canvassed and certified their results, the [Florida Elections Canvassing Commission](#), made up of the governor and two members of the cabinet selected by the governor, certify all of the counties' votes. The state Canvassing Commission convenes at 9:00 AM 14 days after the general election to certify all of the votes. If, within five days after the certification of votes by the Elections Canvassing Commission, a county canvassing board determines that it has found an error in the official returns it reported to the state, and that a correction of that error could result in a change in the outcome of an election, the county canvassing board must certify corrected returns to the Department of State within 24 hours. The Elections Canvassing Commission must then correct and recertify the election returns as soon as practicable.

Michigan

Michigan officials are [anticipating a record-breaking](#) number of ballots this year, with mail-in ballots expected to comprise [60-70%](#) of all votes in the state. The COVID-19 pandemic is expected to put immense strain on Michigan's election system, with the number of absentee ballot applications on track to hit [350% of the number](#) of absentee ballots from 2016. Furthermore, since the 2016 election, Michigan has greatly expanded voting accessibility. In 2018, voters passed a series of [statewide ballot](#)

proposals allowing all eligible and registered Michigan voters to request an absentee ballot without providing a reason and allowing same-day voter registration.

In 2016, Republican presidential candidate Donald Trump won Michigan by a little over 10,000 votes, capturing the state by the narrowest margin of any state in the country. Given that the election results are expected to be hotly contested in court, a possible order to recount the votes in Michigan could prove to be an incredibly complicated endeavor. Precincts with ballot count totals that are different from their result totals are ineligible to be recounted. This is not usually a major problem, except for the fact that voting centers are expected to grapple with incredibly high absentee voting, introducing opportunity for error. In Detroit, for example, 72% of voting centers during the August 4th primary reported inaccurate ballot counts. Marking these precincts as ineligible for recount could have a significant impact in the event of a close race.

Processing Mail-In Ballots

Under MCL §168.764a-b, voters must submit their marked absentee ballots before polls close on November 3rd, either by mail or hand-delivered to their city or township clerk. While an initial ruling by the Michigan Court of Claims extended the deadline, allowing all mail-in ballots that arrive within two weeks of Election Day to be counted, the Michigan Court of Appeals overturned the decision, stating that there was no need for the extension given the number of ballot delivery options available to voters.

Once election precincts receive their absentee ballots, they can employ one of two options: (1) the clerk may deliver the ballot to the absent voter's precinct, where it will be processed and counted by election inspectors, MCL 168.765, or (2) if the city or township election commission has established an absent voter counting board (AVCB), then the ballots must be taken to the AVCB for processing and counting, MCL 168.765a,168.765d. AVCBs are dedicated election counting boards that meet at a separate location away from the polls and focus solely on processing absentee ballots under the supervision of election inspectors. For reporting purposes, AVCBs are precincts, so their results are reported separately from the precincts established for in-person voting. In contrast, ballots delivered directly to the absent voter's precinct are included as part of the precinct's total (Elec. Offs. Manual, Ch. 8). On June 23, 2020, Governor Gretchen Whitmer signed into law an amendment that gives municipalities the option to combine resources with other cities and townships in the county to create AVCBs, whereas the law had previously only allowed AVCBs to serve an individual precinct.

According to MCL §168.765a(8), absentee ballots cannot be processed until 7:00 AM on Election Day. A bill with bipartisan support was just signed into law on October 6th, 2020, expanding work shifts for absentee ballot counting and allowing municipalities with populations of at least 25,000 to process absentee ballots the day before the election, from 10:00 AM to 8:00 PM. Processing

a mail-in ballot [requires](#) satisfaction of various formalities, including that the clerk has completed relevant portions of the return envelope and that the ballot stub number matches the number recorded for that voter. According to [MCL §168.766](#), the board of inspectors must then verify the voter's signature on the ballot envelope against their signature in the qualified voter file, registration record, or master card (depending on their method of voter registration). See the [Healthy Elections Signature Verification report](#) for more details on Michigan's verification process. If the signature is verified, the ballot is then removed from its exterior mailing envelope and the ballot 'processing' is complete. In Ann Arbor, MI, processing a single ballot takes an estimated [45 seconds](#).

Only after a mail-in ballot has been fully processed [can it be removed](#) from its secrecy envelope and placed into a tabulator for counting. Under [MCL §168.798c(1)](#), absentee ballots may be cast as paper ballots, ballot cards, or a combination thereof, depending on the precinct. If an absentee voter submits a paper ballot, election inspectors are authorized to record the ballot on a paper ballot card that is then fed into the tabulator. These tabulators must automatically reject ballots that are 'overvoted' or blank per [MCL §168.795(2)](#) (consistent with tabulators used for in-person voting described in the next section). Per [MCL168.809(2)](#), after the precinct or AVCB completes its vote count, a sealed statement of returns is reported to the county clerk, who may then provide an unofficial tabulation of the returns to the public, pending an official canvass by the county canvassing board.

Tabulating the Vote

Each Michigan county has the discretion to choose its own electronic voting system, so long as it meets all of the rigorous requirements outlined in [MCL §168.795(1)](#). The statute states the system must include: (1) usage of paper ballots for tabulating purposes(§168.795(1)(b)); (2) electronic tabulation equipment that automatically rejects all choices recorded on an elector's ballot if the elector votes for more choices than they are allowed to (also known as overvoting)(§168.795(1)(c)); (3) electronic tabulating equipment that can reject a ballot if no valid votes are cast(§168.795(1)(g)); and (4) electronic tabulation equipment that can alert the elector if their ballot is spoiled and give them the opportunity to cast another ballot(§168.795(1)(c)). Additionally, the tabulators should also provide a method for them to be rendered 'inoperable' if vote totals are revealed before polls close per §168.795(2). Under [MCL §168.803(2)](#), a vote will count only if the voter places a mark properly in the predetermined area. Lastly, if, for whatever reason, the counting center is separate from the precinct, and a ballot being fed into the tabulator is rejected because of physical damage or defect, election officials can duplicate the damaged ballot and re-feed it into the tabulator [under MCL §168.798a](#). There are currently [three companies](#) that supply tabulators that meet these requirements to the state.

Every electronic tabulating system is tested at least twice under Michigan law. According to the [Test Procedure Manual](#), both tests must confirm that "1) the equipment is performing properly, 2) the

ballots have been properly prepared for each precinct, and 3) that the programs will accurately count votes." The first test is known as the "preliminary accuracy test" and must be run as soon as clerks receive the tabulator and ballots. The second test, known as the "public accuracy test," is mandated by MCL §168.798(1). Election officials must give the public at least 48 hours notice of the time and place of the test, and such notice must be placed in a newspaper "published in the county, city, village, township, or school district where the electronic tabulating equipment is used." Both of these run a series of ballots through the tabulator, checking to make sure that the tabulator accurately counts the ballots and rejects ballots that are blank or overvoted as outlined in MCL §168.795(1).

Under MCL §168.798b, once the vote count is fully tabulated and write-in and absentee votes are separately added (if necessary), the count reported by the electronic tabulating equipment constitutes the official return of each precinct or election district, once it has been duly certified.

Reporting the Vote

Michigan state law requires county clerks to tabulate unofficial results and report them to the public upon receipt of statement of returns. According to MCL §168.798b, unofficial results of Michigan elections must be made available to the public. Additionally, according to MCL §168.809, upon receipt of the sealed statement of returns from the county election inspectors, county clerks must compile unofficial results for the county and make them available to the public. However, no timeline is placed on the public reporting requirement by law, so while unofficial results are often available on election night, counties seem to publicly post unofficial results anywhere from hours to months after the close of polls.

Election night results are reported at the state and local level in Michigan. The Michigan Secretary of State's office reports unofficial results on its webpage. Many counties also directly post their unofficial results on their designated websites as PDFs. A list of those county websites can be found here. Additionally, a few counties employ ElectionSource, a local Michigan company, as an Election Management Service (EMS) vendor. ElectionSource provides an unofficial results reporting site for county-level results, found here. However, Michigan's largest county, Wayne County, cut ties with ElectionSource's results reporting service shortly before the 2018 general election, due to operational mishaps during the 2018 primary.

Certifying the Vote

Each of Michigan's 83 Boards of County Canvassers is responsible for certifying its county's votes to the Michigan Board of State Canvassers. Under MCL §168.822, a Board of County Canvassers must certify that county's votes within 14 days of the election. Once a county has finished

its certification, then, under Michigan Coded Laws §168.824, it must prepare a sealed statement containing data on the county's votes, including, for instance, the number of votes cast for each office. If the Board of County Canvassers fails to certify its votes and prepare this sealed statement within 14 days, it must deliver all relevant voting records on hand to the Board of State Canvassers, and the Board of State Canvassers will finish certifying that particular county's votes within 10 days of receiving those records. Under MCL §168.842(1), the Board of State Canvassers must begin the state certification process within 20 days after the election and finish certification within 40 days after the election.

Michigan can also require counties to certify their votes on an expedited basis. Under MCL §168.842(2), if the unofficial election returns show that the vote differential between the first place and second place candidates for the presidential election is fewer than 25,000 votes, the secretary of state may direct the Boards of County Canvassers to finish certification more quickly. In fact, the secretary of state may require the Boards of County Canvassers to finish certification and prepare their sealed statements between 7 and 14 days after the election.

Candidates can also petition the Michigan secretary of state to conduct a vote recount in certain counties. Under Michigan Coded Laws §168.879, the candidate must petition for a recount within 48 hours of the completion of certification. The candidate must be able to allege a good-faith belief that, but for voter fraud or mistake, the candidate would have had a reasonable chance of winning the election. The petition must allege specific instances of wrongdoing, if the candidate has such evidence, but the candidate must specify the counties in which they request a recount. Under Michigan Coded Laws §§168.867 and 168.881, the candidate requesting a recount must pay $25 deposit per precinct. This fee is raised to $125 per precinct if the pre-petition margin of victory for the winning candidate over the petitioner is greater than 50 votes, or 0.5 percent of all votes cast, whichever is greater. If the outcome of the election is altered as a result of the recount, the deposit is refunded. Notably, under Michigan Coded Laws §§168.880 and 168.880a, registered voters in Michigan can also petition for a vote recount and the state itself will automatically trigger a statewide recount if the winning candidate's lead is 2,000 votes or fewer.

North Carolina

The way North Carolina processes and counts its mail-in ballots may have a profound effect on the results of the state's 2020 General Election. As of September 30, 2020, North Carolina had already experienced an approximately nine-fold increase in absentee ballot requests over the number requested at the same date in 2016. North Carolina election law allows officials some flexibility to deal with this influx. For instance, local election officials have the authority to begin opening and preparing absentee ballots for counting on the fifth Tuesday before Election Day. They may also hold additional meetings

after Election Day and prior to the day of canvass to [count](#) late-arriving absentee ballots. Recent litigation has also [changed](#) the procedures for how absentee ballots can be processed and counted. The outcome of pending litigation, including [filings](#) with the U.S. Supreme Court, may further alter how North Carolina can process and count its absentee ballots.

Although some aspects of North Carolina election law require statewide uniformity, others allow a degree of discretion for individual counties. North Carolina statute lays out some [general principles](#) for how ballots should be counted. It also requires the North Carolina State Board of Elections to adopt [uniform](#) standards and procedures for how counties should count votes and how individual counties may make use of [different](#) vote-counting systems, such as electronic, mechanical, or hand-to-eye counts. All counties may be required to [engage](#) in hand-to-eye counts or recounts of at least some of their paper ballots or records. The results from all counties will be [viewable](#) on election night on the North Carolina Election Results Dashboard. Later, the canvassing and certification of votes [takes](#) place both at both the county- and state-level, with the potential for mandatory and discretionary recounts to [delay](#) the completion of the canvass at each level.

Processing Mail-In Ballots

North Carolina election law and guidance provide flexibility for county boards of elections to deal with the anticipated significant increase in mail-in ballots. Before beginning to count mail-in ballots (which North Carolina election officials often [refer](#) to as "absentee ballots"), county boards of elections may begin [scanning](#) each approved absentee ballot, a process which consists of opening approved absentee ballots, removing them from their envelopes, and inserting them into the tabulator. At this time, the county boards [may](#) use the tabulators to "read" the ballots, but the tabulators do not count the ballots until Election Day. This early preparatory step allows election officials to [identify](#) which ballots cannot be read by the tabulator machine, perhaps because of damage, and to make duplicate copies of the unreadable ballots that can be read by the tabulator machine. That way, election staff can [avoid](#) having to manually input each voter's selections from a ballot into the reporting software, which can save time come Election Day. All approved absentee ballots must be [scanned](#) by the tabulator machine. Each county board of election can [decide](#), by majority vote, to begin the scanning process during each absentee board meeting. Indeed, a September 22, 2020, [memo](#) from North Carolina State Board of Elections Executive Director Karen Bell notes that, due "to the significant increase in absentee ballots this election, it is strongly recommended that county boards authorize the scanning of approved ballots during absentee board meetings instead of waiting until Election Day." The earliest county boards can [begin](#) scanning absentee ballots is thus during the first absentee board meeting, which county boards are required to hold on September 29 for the 2020 general election. County boards also [have](#) the authority to delegate additional preparatory steps to staff to perform before absentee board meetings. Preparatory steps [include](#) tasks such as inspecting the

ballot return envelopes for deficiencies and, if any deficiencies are discovered, notifying voters within one business day.

The process for how county boards and their staff can evaluate and address deficiencies in absentee return envelopes has been the subject of recent litigation. The aforementioned September 22, 2020 memo from the North Carolina State Board of Elections, for instance, is at issue in the lawsuit _Arnett v. North Carolina State Board of Elections_, which may require the State Board to provide greater access to the public to observe and provide input to the absentee return envelope evaluation process. An August 2020 memo from North Carolina State Board of Elections Executive Director Karen Bell, later revised in September and October following a recent settlement and rulings in _N.C. Alliance for Retired Americans v. North Carolina_ and _Democracy NC v. North Carolina State Bd. of Elections_, also provides guidance on how the county boards and their staff can evaluate and address deficiencies in absentee return envelopes. Notably, in verifying the voter's signature on the return envelope, the county board should presume that the signature is that of the voter, absent clear evidence to the contrary, if "it appears to be the name of the voter." Furthermore, the signature will be accepted even if it is illegible. There is also no legal requirement to compare the voter's signature on the absentee return envelope "with the voter's signature in their registration record." If an absentee return envelope lacks a witness signature, however, then a voter can no longer cure the deficiency and save the ballot by submitting a certification over mail or email. Instead, their ballot will be rejected and county boards and their staff will reissue the voter a new ballot.

Other recent litigation, _Wise v. North Carolina State Board of Elections_ and _Moore v. Circosta_, has challenged the State Board's rules for evaluating and addressing deficiencies in absentee return envelopes as outlined in its August 2020 memo (revised in October), as well as its revision of the absentee ballot deadline. Initially, on October 3, a U.S. District Court for the Eastern District of North Carolina, Western Division issued a temporary restraining order preventing the State Board of Elections from enforcing rules for evaluating and addressing deficiencies in absentee return envelopes, and transferred both cases to the U.S. District Court for the Middle District of North Carolina. Later, on October 14, the latter court then denied the conversion of the temporary restraining order into a preliminary injunction. Then, on October 20, the U.S. Court of Appeals for the Fourth Circuit denied plaintiffs' appeals and their requests for injunctive relief. As such, the State Board can continue to enforce the rules for evaluating and addressing deficiencies in absentee return envelopes that it outlined in its recent memos, and absentee ballots can be received and counted nine days after Election Day, so long as they are mailed on or before Election Day. Plaintiffs in both cases filed a request with the U.S. Supreme Court for an emergency injunction, but on October 28, the Court denied the request. However, the Supreme Court may decide to revisit the issue after the election, thus leaving open the possibility that mail-in ballots postmarked on Election Day but received more than three but less than nine days after Election Day may become invalidated at a later date.

Pending further action by the U.S. Supreme Court, the State Board can continue to enforce the rules for evaluating and addressing deficiencies that it outlined in the version of its August 2020 memo that it revised in October 2020. Generally speaking, some deficiencies can be cured by the submission of a certification from the voter addressing the deficiency, whereas other deficiencies require the reissuance of a ballot, and still others require board action. If a deficiency is discovered in a board meeting, then it cannot be resolved by staff and will instead require board action to evaluate the deficiency. If the board rejects the envelope by majority vote, then it must notify the voter within one business day. If the envelope indicates that the voter is requesting a replacement ballot, lacks the signature of a witness or assistant, or is unsealed when it arrives at the county board office, then staff will reject the ballot and reissue a new ballot along with a notice to the voter within one business day. By contrast, the following deficiencies can be fixed by sending the voter a cure certification through mail or email to provide them an opportunity to address it:

- Voter did not sign the Voter Certification
- Voter signed in the wrong place
- Witness or assistant did not print name
- Witness or assistant did not print address
- Witness or assistant signed on the wrong line

Although North Carolina election law does not allow county boards of elections to begin counting mail-in ballots until Election Day, it does provide some flexibility to allow additional time for counting. Under N.C. Gen. Stat §163-234, each county board of elections is required to meet at 5:00 PM on Election Day to begin counting all mail-in ballots, except for late-arriving ballots or those challenged before 5:00 PM on Election Day. However, §163-234 also allows county boards to begin counting absentee ballots from uniformed officers and overseas voters as early as 9:00 AM on Election Day. In addition, §163-234 allows county boards to begin counting other mail-in ballots as early as 2:00 PM on Election Day, as long as they adopt a resolution at least two weeks prior to Election Day that states the place and time they will begin counting.

Election law also provides county boards of elections additional time to deal with an influx of late-arriving absentee ballots. For instance, county boards of elections can adopt a resolution to hold additional meetings after Election Day and before canvassing to count absentee ballots. If a county board adopts such a resolution, then §163-234 requires them to publicly publish its contents. §163-234 also requires county boards to meet after Election Day and before the start of canvassing to determine if all late-arriving absentee ballots have been assessed and counted. Any late-arriving ballots not counted before the day of canvass will be counted on the day of canvass.

Finally, North Carolina election law allows some flexibility in who can count absentee ballots, even while setting requirements for how they can count them. Each county board of elections may hire staff to help them count the absentee ballots, but must observe and supervise the staff. As staffers open each ballot envelope, the county boards will record the names of each voter in a paper or computer pollbook, then place each ballot in the appropriate box according to ballot type. Only after all ballots have been placed in their respective boxes can the counting process begin.

Tabulating the Vote

North Carolina election law lays out the requirements regarding the timing and organization of the counting of ballots. Under §163-182.2, vote counting at each precinct begins immediately after the closing of its polls on Election Day and continues until it is completed. §163-182.2 also requires that vote counting in each precinct be conducted with the participation of precinct officials from all political parties present. In addition, it allows for any member of the public to witness the counting process but forbids them from participating or otherwise interfering.

§163-182.1 lays out some of the general principles and rules for counting ballots. For instance, under §163-182.1, no ballot can be rejected because of technical errors made in marking the ballot, unless it is impossible to determine the voter's choice. Furthermore, if a ballot is rejected by a scanner or other counting machine but election staff can clearly discern the voter's choice, then the ballot will be counted by hand. In addition to the general principles provided directly in the statute, §163-182.1 requires the North Carolina State Board of Elections to adopt "uniform and nondiscriminatory procedures and standards" for vote counting. These include rules such as 08 NCAC 06B .0105, which indicates that provisional ballots will be counted before canvass. 08 NCAC 06B .0105 also prohibits county boards from discarding a voter's entire ballot if they are ineligible to vote for some items on the ballot; boards are required to count the items for which the voter is eligible.

Although counties may make use of different vote-counting systems, all counties may be required to engage in hand-to-eye counts of at least some of their paper ballots or records. §163-182.2 notes how, in addition to hand-to-eye counts of paper ballots, counties may make use of "any certified mechanical or electronic voting system," including optical scan and direct record electronic voting systems. Any counties that use a system other than hand-to-eye counts of paper ballots, however, are required to hold a hand-to-eye count of a random sampling of their paper ballots. The sampling may include all paper ballots from one or more precincts, mailed absentee ballots, and ballots from early voting sites (where absentee voters are allowed to vote in-person before Election Day). It must also be of sufficient size to produce a statistically significant result. If there is a "material discrepancy" between the mechanical or electronic count and the hand-to-eye count, and there is no reason to doubt the accuracy of the hand-to-eye count, such as because paper ballots have been lost or destroyed, then the

hand-to-eye count takes precedence. If the discrepancy is "significant," then a complete hand-to-eye count will be conducted.

Reporting the Vote

The process for reporting the unofficial results is straightforward. After the counting is completed at the precincts, the chief judge or someone he or she designates will verbally announce the precinct's unofficial results. Following the requirements of the recently rewritten §163-182.2, precinct officials will then transmit the results in an unofficial report to the county board of elections as quickly as possible. This unofficial preliminary report will include the number of provisional ballots cast in that precinct and will not have a binding effect on the official county canvass. Immediately after the precinct reports are received, the chair, secretary, or their designee will publish the unofficial results to the news media.

County boards are in charge of reporting election returns. Under §163-132.5G, county boards are required to report returns by precinct within 30 days after the election. The 30-day deadline does not, however, "relieve the county board of the duty to report returns as soon as practicable after the election." North Carolina State Board of Elections Executive Director Karen Bell extended the reporting deadline of §163-132.5G by an additional 30 days, effective March 20, 2020, but her emergency amendment authorizing the extension expired in June 2020. In reporting the returns, the county boards must also report, by precinct and by ballot item in each precinct, how many voters did not select any choice for a ballot item and how many voters selected too many choices for a ballot item.

On election night, the State Board of Elections will maintain an Election Results dashboard. The dashboard will be updated as precincts report results to the State Board of Elections (SBE) and will include data, in the form of maps, tables, and charts, and enable visitors to download election results spreadsheets. After polls close, the state expects to update the dashboard every 5-10 minutes.

Certifying the Vote

Under §163-182.5 and §163-182.6, canvassing and certification take place at both the county and state level. At the county level, each county board of elections will meet at 11:00 AM 10 days after the election to conduct the official tally of votes (or canvass) in precincts in that county and to ensure that all votes have been counted and tabulated correctly. If the initial canvass has not been completed by that time, the board may hold the canvass meeting at "a reasonable time thereafter." After completing the canvass, the county board will prepare "abstracts" (defined under §163-182 as "a document signed by members of the board of elections showing the votes for each candidate") in the uniform format requested by the State Board of Elections. The abstract, at a minimum, states each

candidate's name and the number of votes received. Each county board prepares three originals of the abstract, retaining one for itself, submitting one to the clerk of the superior court for that county, and submitting one to the State Board of Elections. Six days after the completion of the canvass, if there is no election protest pending, then the county board will issue a certificate of election.

At the state level, the State Board of Elections will meet at 11:00 AM on the Tuesday three weeks after Election Day to complete its statewide canvass and ensure that the votes have been counted and tabulated correctly. If, at the time of its canvas meeting, the State Board has not yet received abstracts from some county boards, the State Board can temporarily adjourn the meeting for up to 10 days while it obtains the missing abstracts. In obtaining the abstracts from the county boards, the State Board is authorized to obtain one of the triplicate originals at the expense of the counties. Immediately after completing the canvass, the State Board will prepare two original copies of its composite abstracts, retaining one for itself and submitting the other to the Secretary of State, which the Secretary is then required to keep accessible to the public. Six days after the completion of the State Board canvass, if there is no election protest pending, then the State Board will issue a certificate of election.

Recounts have the potential to delay the completion of a canvass, and there are two types: discretionary and mandatory. When necessary to complete its canvass, the State Board has discretion to order a recount, and a county board may do the same if the State Board has not already denied a recount in that county. A losing candidate on a statewide ballot has the right to demand a recount if the margin of votes between the losing and the prevailing candidate is less than 0.5% of the votes cast or fewer than 10,000 votes. If the losing candidate wants to exercise this right, they must submit their demand in writing to the State Board by "noon on the second business day after the county canvass." If the Executive Director later revises the initial results and concludes that the winning margin qualifies the losing candidate to demand a recount, then the Executive Director is required to notify the losing candidate immediately. After being notified, the losing candidate has 48 hours to exercise the right to a recount.

Candidates have the right to demand an *additional* recount following an initial recount if the initial recount did not use hand-to-eye counting and did not reverse the results for the losing candidate. In these circumstances, the losing candidate may, within 24 hours of completion of the initial recount, demand a hand-to-eye recount in a sampling of precincts. If the initial recount was not hand-to-eye and it does overturn the election results for the candidate who had initially been declared the winner, then that candidate has the same right to a hand-to-eye recount in a sampling of the precincts. Such a sampling must include all ballots in 3% of the precincts casting votes in each county, rounded up to the nearest whole number of precincts. For the purposes of this calculation, each one-stop (early) voting site would be considered a precinct. If extrapolating the discrepancy between the initial recount and the hand-to-eye recount in the sampling would lead to a reversal of the election results, then the State

Board of Elections will order a hand-to-eye recount in the entire jurisdiction in which the election is held.

Pennsylvania

The large number of absentee ballots expected in Pennsylvania, combined with legal requirements that prohibit processing them before Election Day, will make it difficult for Pennsylvania to announce results on election night. In 2019, a law was passed allowing all voters to vote-by-mail without providing an excuse. As a result of this new law and the change in voting intentions due to the pandemic, a [record](#) number of voters plan to vote-by-mail in 2020. Pennsylvania does not permit the tabulation of mail-in ballots to begin until after the close of polls on Election Day. That may mean no one will know the result of that critical state's election until days after the election, [depending](#) on the results of a few key counties. In fact, after the [primaries](#) in June, around half of the state's counties were still tabulating votes a week later.

The tabulation and canvassing system in Pennsylvania is fairly standardized. [District](#) level tallies are physically delivered to county offices, where they are aggregated, along with mail-in ballots and provisional ballots. Discrepancies and challenges over provisional ballots are reconciled and decided on at the [county](#) level. As the returns come in to the counties and as counties process mail-in ballots, they [report](#) the unofficial count to the Department of State. The unofficial counts are updated on the statewide election night reporting site. The third [day](#) after the election, the counties begin canvassing returns, once the official count is certified, a sealed copy is physically [delivered](#) to the Department of State.

The scope and process for counting mail-in ballots in Pennsylvania ([Title 25 P.S.](#)) has changed significantly in the past year. [Act 77](#), passed by the state legislature in October 2019, expanded vote-by-mail to anyone who requests a ballot. The law also centralized the processing of mail-in ballots at the county level. [Act 12](#), passed in March 2020, [responded](#) to COVID-19 public health concerns during the primaries and updated the procedural timeline for pre-canvassing and canvassing mail-in ballots. Subsequent to those changes, the Pennsylvania Supreme Court in September ruled on [Act 77](#) ([[J-96-2020]](#) and [[J-97-2020]](#)) by extending the period mail-in ballots can be received to three days after the election and allowed secure drop-off locations for mail-in ballots. On October 19, 2020, the U.S. Supreme Court [let stand the ruling](#) that Pennsylvania can count ballots received after Election Day. The state supreme court has also [ruled](#) that the state cannot count mail-in ballots sent in without their state-provided inner envelope (referred to as a "secrecy envelope") intended to protect the privacy of mail-in votes. (Ballots without the "secrecy envelope" are sometimes referred to as "naked ballots.")

These changes may have a significant impact on the results of the November 2020 election in this key swing state.

Processing Mail-In Ballots

The county boards of election are responsible for processing mail-in ballots. They cannot begin opening and counting ballots until the morning of Election Day and can record and publish results only after the close of polls. Pre-canvassing, the process of inspecting, opening, and taking ballots out of their inner "secrecy envelopes," may begin once polls open on Election Day, at 7:00 AM (25 P.S. §3146.8(1.1)). After the polls close at 8:00 PM, counties can begin canvassing (counting) all ballots, and this process continues until all valid mail-in ballots have been counted (25 P.S. §3146.8(2)). Notably, the recent Pennsylvania Supreme Court ruling allows for ballots sent on Election Day to be counted so long as they are received within three days after Election Day and there is no evidence that they were mailed after Election Day. In addition, military ballots received seven days after Election Day can be counted and, thus, the pre-canvassing and canvassing period must continue until at least eight days after the election. The main difference between pre-canvassing and canvassing is that pre-canvassing begins before the polls close and canvassing begins after the polls close. It is only after polls close that the vote counts can be recorded or published (25 P.S. §3146.8(2)). Once canvassing starts, the county board meets to verify and tabulate ballots, with one representative from each candidate's campaign and one representative from each party allowed to observe (25 P.S. §3146.8(1.1)).

While the official process cannot begin until Election Day, county boards of elections collect and record mail-in ballots that have been returned. According to a Department of State guidance, once receiving mail-in ballots, officials stamp the date of when a ballot was received and scan the "correspondence ID barcode" that is found on the outer envelope. Each issued mail-in ballot has its own unique correspondence ID, and Pennsylvania's Statewide Uniform Registry of Electors (SURE) will not accept the same ID twice. The SURE system also records when a ballot is received and if a ballot has been cancelled. All ballots are then stored in a secure location until they can be pre-canvassed and canvassed on Election Day.

During the pre-canvassing and canvassing process, there are several reasons why ballots may be set aside and not counted. Voters using a Pennsylvania mail-in ballot are instructed to place their ballots into two envelopes. The ballot goes first into the smaller envelope, labeled "Official Election Ballot," which is designed to hide the identity and party of the voter (25 P.S. §1304-D). If the ballot arrives without this "secrecy envelope," it is set aside and not counted, as ordered by a recent Pennsylvania Supreme Court ruling. Furthermore, if there is any indication of the voter's identity or party on the "Official Election Ballot" envelope, the ballot is set aside and not counted (25 P.S. §3146.8(4)(ii)). The voter is also instructed to place the smaller envelope with the ballot into the larger envelope that has the

voter's declaration and the voter's county, district, and signature (25 P.S. §1304-D). Any deceased voters' ballots are set aside, as well as any ballots that are blank.

The country board of election then checks the name on the ballot envelope against the "Registered Absentee and Mail-in Voters File" and/or the "Military Veterans and Emergency Civilians Absentee Voters File" through the SURE system to verify that the individual is registered and has a right to vote (25 P.S. §3146.8(3)). During this time, a member of the board may challenge a ballot "on the basis that the applicant is not qualified to vote," according to a recent Department of State directive, but cannot challenge the ballot "based on signature analysis." If not challenged or discarded, the inner envelope is opened and the ballot is tallied (25 P.S. §3146.8). Ballots that have been challenged are set aside for a hearing (25 P.S. §3146.8(5)) and the challenge is recorded in the SURE system.

Although individual county boards of election in Pennsylvania have much discretion when it comes to counting methods and use of technology, they generally apply a similar process. For each mail-in ballot, a clerk scans the outer envelope, opens and scans the inner "secrecy" envelope, then finally opens the inner envelope and scans the ballot into a county tabulation system. For example, in Montgomery County, clerks scan outer envelopes as well as the ballots within and have invested in "ballot extraction devices and high-density scanners." Philadelphia County has also invested in "high-speed scanners and other equipment." The outer envelope must be opened without being damaged, as they must be stored for two years after the election (25 P.S. § 3150.17). County vote tabulation systems cannot be "connected to or permitted on internet-facing networks," according to the Department of State.

There have been and are still several ongoing negotiations, lawsuits, and bills that may affect vote-by-mail procedures in Pennsylvania. One such lawsuit concerns the recent opening of several satellite election offices in Philadelphia. Satellite election offices allow voters to register to vote, request a mail-in ballot, and return it, all in a single visit. The Trump campaign sued Philadelphia, alleging that the absence of poll watchers at these satellite election offices violates election law. A federal judge rejected the lawsuit and the campaign appealed the decision, but their appeal was also rejected. There was also a Republican-sponsored resolution in the state legislature that made it out of committee, seeking to create a "Select Committee on Election Integrity," but Republicans in the legislature later cancelled the session to vote on the resolution and halted plans to pursue the committee further. In addition, there are ongoing negotiations in the legislature to consider passing a law that would allow counties to start processing mail-in ballots earlier. For example, one proposal would allow for a 21-day pre-canvass period for mail-in ballots prior to Election Day. Another bill that has been introduced in the House would allow for a 10-day pre-canvass period. No new legislation appears likely to pass before the election.

Tabulating the Vote

Pennsylvania's tabulation of in-person ballots begins in each district when polls close at 8:00 PM on election night (25 P.S. §3031.13). In districts with paper ballots or ballot cards, officials announce the vote totals, compare them with a voting checklist to check for any discrepancies, and input the tabulation into a voting system, if they have one (25 P.S. §3031.13(g)). If the district tabulates votes through a voting system directly, then the automated tabulation process begins at the close of polls (25 P.S. §3031.13(f)). For the most part, voting machines tabulate the district's votes, printing out a summary of the returns for each individual machine. Pennsylvania recently required all counties to upgrade their voting systems to a new safety standard, outlined by the Department of State, that mandates "voter-verifiable paper records" be printed from each machine, so that there is a paper trail for votes.

Individual districts are responsible for delivering a copy of their vote counts to their counties. When the district has a system to tabulate votes, two copies of the results in the form of "district total cards" (i.e., memory cards) and "reporting forms" are made (25 P.S. §3031.13(b)(f)). These are sealed in envelopes; one copy stays in the district and one is physically delivered to the county board of election (25 P.S. §3031.13(f)(g)). In Allegheny County, however, the physical returns are transferred from precincts to regional centers and then electronically relayed to the county, according to a January 2019 study by the Blue Ribbon Commission at the University of Pittsburgh. Returns, supplies, and provisional ballots must be delivered to county offices by 2:00 AM the day after the election (25 P.S. §3031.13(j)). It is also the responsibility of districts to publicly post the results at the district polling place (25 P.S. §3031.13(f)).

County boards are responsible for aggregating district results, through tabulation machines at a "central tabulation center" (25 P.S. §3031.14). Although counties have a wide array of election voting and management systems that they can use to tabulate and create records of the vote, all such systems must satisfy a statewide set of security requirements. In addition to aggregating results, county boards canvass and count write-in ballots and provisional ballots.

There are a few cases when a voter may cast a provisional ballot. If an individual comes to the polls and their identity is not verifiable, and their proof of identity and right to vote is challenged (perhaps because their name does not appear on the list of registered electors), then they may cast a provisional ballot (25 P.S. §3050). In addition, if an individual requested a mail-in ballot but goes to vote at the polls on Election Day and does not bring their mail-in ballot to be discarded, then their vote is cast as a provisional ballot. (Polling locations' lists of voters will include those that have applied but not returned a mail-in ballot.) Within seven days of the election, county boards of election evaluate the

provisional ballots and make a determination on each provisional ballot's validity (25 P.S. §3050.4). If the board determines the ballot is valid, it will be included in the tabulation (25 P.S. §3050.4(5)(i)). Otherwise, the ballot is securely stored, and, within seven days of the challenge, a hearing will be held where the voter can object to the decision (25 P.S. §3050).

Reporting the Vote

The regulation of election night reporting comes mostly from Department of State directives. Under 25 P.S. § 3031.14(e), counties "*may* unofficially report the progress of the count." The Department of State (DOS) points voters to a designated public website where county boards of election submit uncertified election counts by uploading exported files from their election management system to the SURE portal. (Please note, this website and other DOS sites have had outages as recently as October.) Although most counties directly submit election night returns to the DOS electronically, a few counties report them via fax, and some counties allow the DOS to manually "scrape" election returns from the county's website (according to a January 2019 study by the Blue Ribbon Commission at the University of Pittsburgh). This study further claims that, for counties that submit returns electronically, the computer they use to transmit the results should be completely separated from other computer components connected to the election management system. Some counties also have their own public-facing web portals where they announce uncertified vote counts, on election night and in the days following. Allegheny County, for example, has a designated website for election night reporting.

A recent directive from the Department of State lays out additional guidelines for how and when to submit returns, given the potential for a drawn-out tabulation period. The Department of State has directed county boards to label counting groups and report them to the Department of State as falling under one of three categories: "Election Day, Mail (combination of absentee and mail-in ballots), Provisional." County boards of election must submit the following counts on election night to the Department of State, along with a daily updated version, after election night: "1) a precinct-level results file; 2) a county-level summary report from the EMS system; and 3) a precinct-level summary report from the EMS system." This same directive asks counties to submit updated reports at the close of polls, daily as the canvassing process continues, during certification, and when they submit the final results per county.

Certifying the Vote

County boards of election start the process of canvassing and certifying the vote count at 9:00 AM the third day after the election (25 P.S. §3154 (a)). This process has been outlined by a DOS checklist. First, the commissioners retrieve and check the total registration number of each district and

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verify that it aligns with the elector lists and voting machine lists. If the commissioners find discrepancies, then this triggers an investigation by the return board (25 P.S. § 3154(b)), which, barring special circumstances, consists of two or more judges from the court of common pleas (25 P.S. § 3153(b)). The number of ballots, extra ballots, spoiled ballots, and absentee ballots are then verified and discrepancies accounted for (25 P.S. § 3154(c)). Finally, the paper ballot returns for each district (from district totals cards) are read out loud and checked for discrepancies (on the general returns sheet) (25 P.S. § 3154(d)). If a district used machines, the individual machines registration number and returns are read out loud and checked for discrepancies. Lastly, the board conducts "a statistical recount of a random sample of ballots" (25 P.S. § 3031.17), which must be a manual recount of ballots or "e-ballot images contained in the system" (according to a 2011 directive). Official results, "certified under the seal of the county," are delivered to the Department of State in physical form.

Wisconsin

Like Michigan and Pennsylvania, Wisconsin is another state that may not be able to announce a winner of its statewide vote on election night due to the volume of absentee ballots. The state cannot begin processing absentee ballots until Election Day, and cannot begin counting votes until the polls close at 8:00 PM CT. Wisconsin's decentralized election administration system allows municipalities significant flexibility in choosing procedures, including how mail-in ballots are processed. This flexibility may result in some localities being able to report results sooner than others. At 28 days before the 2016 general election, 172,760 absentee ballots had been mailed out; 28 days out from the November 2020 election, the state has issued 1,252,602 absentee ballots (a 625% increase).

Wisconsin law provides the basic structure for processing, counting, and certifying election results. Ballots cannot be opened and counted until Election Day. After ballots are returned, clerks must verify that the ballot envelopes have both voter and witness signatures and that address requirements have been met. Clerks then contact voters who did not meet requirements, open the ballot envelopes, feed ballots through voting machines and, finally, tally the votes. Tallying the votes can only occur after the close of the polls.

The steps in processing mail-in ballots can be time-consuming, as officials verify signatures, open envelopes, and flatten ballots crumpled in transit to feed into voting machines. These procedures may create a backlog of millions of votes, which could delay reporting of results. A key step of this process, checking for voter and witness signatures, may hold significant influence over the final election result. Thousands of mail-in ballots have been rejected for missing signatures in past elections: in the April 2020 primary election, 14,042 ballots were rejected for missing signatures (out of 23,196 total

rejected absentee ballots). For comparison, the 2016 election in Wisconsin was decided by only 22,748 votes.

- Video: How Wisconsin Counts Absentee Ballots - Wisconsin Elections Commission

Processing Mail-In Ballots

Absentee ballots in Wisconsin are carefully collected and securely stored until Election Day, when they are transported to local polling places, or in some communities, a central counting facility. Most localities in Wisconsin, including most rural areas and small municipalities, as well as some larger cities such as Madison, intermingle mail-in ballots and in-person ballots at the polling places. Ballot processing and counting procedures at polling place locations are defined by Wis. Stat. 6.88. All ballots are counted together so that, when the precinct count is released, it contains both in-person and mail-in ballots.

Other localities, such as Milwaukee, Kenosha, Waukesha, and Janesville, process mail-in ballots at a central counting location, following state law Wis. Stat. § 7.52. Thirty-nine municipalities this year will process mail-in ballots at a "Central Count Absentee Ballot site." A municipal board of absentee ballot canvassers, composed of the municipal clerk (or a qualified elector designated by the clerk) and two other qualified electors of the municipality appointed by the clerk, will convene at a public location any time after the opening of the polls and before 10:00 PM on Election Day to count the absentee ballots for the municipality. The board of absentee ballot canvassers will follow the same procedures as those used at the polling place when processing, counting, and securing absentee ballots. Just like at regular polling places, election observers from political parties and other organizations may observe the processing and counting of absentee ballots at these designated sites. (Wis. Stat. § 7.41.)

Wisconsin waits until after the polls open on Election Day to begin processing mail-in ballots. Processing is the act of verifying the identity of the voter who returned the mail-in ballot. There are multiple steps to processing a ballot before counting begins. The election inspectors must ensure that:

1. The voter's certification has been properly executed,
2. the voter is a qualified elector of the ward or election district,
3. the voter has not yet voted in the election,
4. the ballot has been endorsed by the issuing clerk,
5. The voter has enclosed proof of residence, if required under Wis. Stat. § 6.34, and such proof matches the name and address on file (if not enclosed, the ballot is marked as provisional), and

6. the voter's name does not appear on the poll list as ineligible to vote by reason of a felony conviction. If the voter does have a felony conviction, the inspectors will challenge the ballot as provided in Wis. Stat. § 6.92.

If the election inspector or board of absentee ballot canvassers find no reason to reject the absentee ballot, they mark the elector's name on a poll list and deposit the voter's ballot into the proper ballot box. But inspectors will reject a ballot if they find one of the following issues:

1. A certification is insufficient: the ballot envelope has no voter signature, no witness signature, no witness address, both special voting deputies failed to sign, and / or no certification language;
2. the applicant is not a qualified elector in the ward or election district;
3. the ballot envelope is open or has been opened and resealed;
4. the ballot envelope contains more than one ballot of any one kind;
5. the certificate is missing for a military or overseas elector who received an absentee ballot by fax or email; or
6. there is proof that an absentee ballot has been submitted for a voter who has since died.

When an absentee ballot is rejected, an inspector will endorse the rejected ballot on the back, writing "rejected (giving the reason)." They will then reinsert the rejected ballot into the certificate envelope and securely seal the ballot in the envelope inside an envelope marked for rejected absentee ballots. The inspectors then endorse the "rejected ballots" envelope with a statement of the ward or election district and date of the election, signed by the chief inspector and one of the inspectors representing each of the two major political parties (or every member of the board of absentee ballot canvassers), and return the envelope to the municipal clerk in the same manner as official ballots voted at the election. Ballots rejected because of issues with certification, such as no voter signature, may be returned to voters on Election Day to provide them the opportunity to cure the certification defects before the polls close at 8:00 PM. But notice and cure practices across Wisconsin vary widely. In some counties, election officials make an effort to call every voter whose ballot does not meet witness requirements and help them fix the ballot. Despite the rule that ballots may not be processed before Election Day, county clerks may inspect the outside of a mail-in ballot as soon as it is received to notify a voter of a missing signature. In other counties, only a small number of ballots that failed to meet the witness requirements made it to the eventual count.

Rejection of absentee ballots is a major concern for November. In the past, deficiencies in the absentee ballot's certification form, which requires the signature of the voter and a witness, have been responsible for the majority of rejections. In the April 2020 primary elections, more than 23,000 absentee ballots were invalidated, 14,042 due to voters or their witnesses failing to sign the absentee

ballot envelope. Anticipating that these high rejection rates may cause issues in November, the Wisconsin Elections Commission launched a public relations campaign to provide better instructions to voters on filling out a ballot, fulfilling the witness requirement, correcting mistakes, and returning the ballot once completed. (See Healthy Election's Signature Verification Memo for a discussion of Wisconsin ballot rejection rates due to ballot defects, the witness form verification process, ballot cure, and related litigation.)

Absentee ballots must be received by the close of polls on Election Day in order to be counted. This law was recently the subject of litigation as Democrats have sought a more flexible deadline. On September 21, U.S. District Judge William Conley ruled that ballots that arrive up to six days after Election Day would count as long as they are postmarked by Election Day; but, on October 8, the 7th Circuit blocked the extension of Wisconsin absentee ballot deadline, and the U.S. Supreme Court agreed on October 26 to uphold the Wisconsin law. As a result, voters must still get their ballots to the polls by Election Day to be counted. However, at the 39 municipalities including Milwaukee and Green Bay that count absentee ballots at a central location, voters should check with their municipal clerk about where to return their ballots on Election Day.

Tabulating the Vote

In Wisconsin, no ballots may be counted until the polls close. This late start to the counting process has elicited concerns that the results of the 2020 election will likely not be known for days. Yet the Wisconsin Elections Commission maintains that the system of counting votes on Election Night and canvassing votes in the following days is designed to ensure an "accurate, honest, and transparent tabulation and reporting of the people's will at the ballot box, as well as to detect actual fraud."

Wisconsin legislators have debated allowing votes to be tabulated before polls close but have not enacted any changes. The Assembly approved a bill in 2019 that would have allowed some in-person votes cast early to be counted sooner, but that bill died in the Wisconsin Senate. A Senate committee heard testimony earlier this year on a bill that would have allowed clerks to count absentee ballots early, but it, too, failed to pass. Therefore, for the November 2020 election, the counting of votes will be done after the polls close at 8:00 PM on Election Day

Vote counting at polling places is performed by the election inspectors, otherwise known as "poll workers." Each polling place generally has seven inspectors, though more can be appointed. The governing body of a municipality may also appoint tabulators to assist election inspectors in the counting of votes after polls close.

Immediately after the polls close, the inspectors proceed to canvass all votes received at the polling place. The canvass, whether conducted at the polling place or at a central counting location, must continue without adjournment until the canvass of all ballots cast and received on or before Election Day is completed and the results are reported (Wis. Stat. 7.51(1)).

The process of counting ballots is detailed in the Wisconsin Election Day Manual (2020), which includes detailed procedures for hand-counted paper ballots, optical scan ballots, and Direct Recording Electronic Voting Equipment (DRE). For example, the hand-counted ballot procedure follows these basic steps ("Counting Ballots"):

1. If there are multiple ballot boxes, open boxes one at a time.
2. Count the ballots in each box (without examining them) to determine the total number.
3. Determine if the number of ballots is equal to the number of voters. (If not, and there is no alternative reason for the ballot overage, election officials randomly withdraw the number of ballots equal to the excess number of ballots and set those aside.)
4. Count and record the votes on two separate Tally Sheets. Reconcile the tally sheets when the counting for each office is complete.
5. Announce the results of the votes cast at the polling place and prepare all election materials for delivery to the municipal clerk.

Wisconsin law does not specify the manner for actually counting paper ballots. The Election Commission recommends a process in which one election official reads each ballot, a second official observes, and two other election officials mark the votes on tally sheets, which are then compared for accuracy at the end of counting. However, most Wisconsin polling locations use optical scanning devices or voting machines for tabulating ballots, which record the votes and drop the marked ballots into a locked container. Verified Voting offers a detailed breakdown of election ballot-marking and tabulation equipment by county.

For locations that tabulate votes using Direct Recording Electronic Voting Equipment (DRE), the counting process is straightforward. All votes, including write-in votes, are automatically tabulated by the DRE equipment. After the polls close, election workers print out a tape which lists the tabulated vote totals. Inspectors then record the serial numbers on the security seals and secure a copy of the results (plus the memory cards, unless they remain sealed in the machines) in a sealed envelope bearing the signatures of the chief election inspector and two additional inspectors across the seal. The machine-produced record of the total votes cast for each candidate is presumed correct, unless an error in the record is clearly apparent or unless a candidate at the election requests that the machine be viewed. Voting machines provide three redundancies: the original ballots in their secured container, the

print-out tape from the machine, and the electronic memory device from the machine. Wisconsin creates a paper record of every vote that is cast, no matter what kind of ballot or equipment voters use.

In addition to following the steps for the Direct Recording Electronic (DRE) equipment, locations which use optical scanning devices must be aware of extra procedures to tabulate ballots that were not legible to the machine. For example, a ballot rejected by the machine must be examined by two election officials from different political parties to determine the cause for rejection. The officials can then make a duplicate ballot to correct the problem (see "Remaking Ballots" in the WEC Election Day Manual). For some machines, write-in ballots must be tabulated by hand, which may require an edit to the printed results if, for instance, an elector fills in an oval next to a candidate's name and also writes in a candidate for that office, but fails to complete that oval. Write-in votes, even if the arrow/oval is not completed, are counted instead of the vote for the candidate on the ballot if the write-in is a registered candidate. Therefore, the returns may need to be amended to reflect the correct number of votes.

The Wisconsin Elections Commission (WEC) offers extensive instructions for counting irregular ballots in accordance with Wis. Stat. § 7.50(2). When a voter has marked a ballot in a way that does not clearly indicate their voting objective, such as when an elector has overvoted an office on the ballot, the election inspectors must attempt to determine the voter's intention. All inspectors must be part of the determination process, and the majority must agree that the voter's intention can or cannot be determined. Rules for counting write-in votes also prioritize voter intent—for example, an irregular write-in vote may be counted if the intent of the voter can be determined, even if a name is misspelled. A ballot that is damaged, overvoted, or otherwise unclear as to voter intent is called a "defective" ballot. Whenever a ballot is found to be defective, cast by a challenged elector, or rejected (e.g. for missing a signature), the ballot must be identified with a number and set aside, and a notation about the rejected ballot must be made on the Inspectors' Statement.

Reporting the Vote

Wisconsin law specifies the process of election night reporting. After tallying the votes, election officials announce the results of the votes cast at the polling places and prepare all election materials for delivery to the municipal clerk. On election night, election inspectors must report the returns, by ward or returning unit, to the county clerk no later than two hours after the votes are tabulated (Wis. Stat. § 7.51(4)(c)). Wisconsin does not have an official statewide Election Night reporting system. According to Wis. Stat. § 7.60(1), the clerks must post all returns, by ward or reporting unit, on an internet site maintained by the county no later than two hours after receiving the returns on election night. Some counties (such as Adams County) post results via Google Drive folders linked from their county website, while others report results directly on their websites. The Election Commission of Wisconsin

advises voters to refer to this list of Wisconsin County election websites on election night to find unofficial results from Wisconsin's 72 County Clerks or to look for reporting by local news outlets, which aggregate and report statewide results.

Certifying the Vote

Vote totals in Wisconsin are triple-checked. Election results from municipalities are not official until they have been double-checked by the county and certified by the bipartisan Wisconsin Elections Commission. The tally from election inspectors on election night is the *unofficial* election result; the official results of the elections are not finalized until later (see "Post Election Activities"). To certify the vote, each official board of canvassers must meet to complete the official canvass of their respective offices (at the municipal, county, state, or other level). The canvass statement is the official determination of the outcome of the election. The election is not complete and no recount can be requested until the canvass has been completed (Wis. Stats. §§ 7.53(4), 9.01(1)(a)).

The canvass for the presidential race takes place at the county level. Immediately following the county canvass, the county clerk delivers to the Elections Commission the certified statements from the county board of canvassers, with the election returns recorded by ward. County canvassers must certify their results to the Wisconsin Election Commission ("WEC") by November 17, 2020, 14 days after the election (Wis. Stat. § 7.60(5)). The WEC must certify the statewide results by December 1, 2020 (Wis. Stat. § 7.70(3)(a)).

Candidates and electors may petition for a recount until 5:00 PM on the third business day following certification by the official board of canvassers. As soon as this deadline for filing a petition for a recount has passed, the municipal clerk issues a Certificate of Election to each person elected to any municipal office. When a valid petition for a recount is filed, the municipal clerk must wait to issue the certificate of election for the office in question until the recount has been completed and the time allowed for filing an appeal has passed or, if appealed, until the appeal is decided (Wis. Stat. § 7.53(4)). Wisconsin recount laws are summarized in detail by the Citizens for Election Integrity Minnesota.

Conclusion

Counting the vote, especially mail-in votes, is a complex process even in the most efficient states. The 2020 expansion of vote-by-mail among states with little prior experience counting large numbers of absentee ballots will inevitably cause counting to take longer than in previous elections. In those states where processing and counting begins on Election Day, it will take longer than usual to count ballots and report results. Depending on how close the election is and whether certain

late-processing battleground states (Michigan, Pennsylvania, and Wisconsin) will be dispositive for the outcome, the presidential race may take several days before the winner is known with a high degree of certainty. However, because of the decentralized administration and reporting system in these states, election night may produce valuable information from the local level that can signal which way the political winds are blowing. If the election night results are indeterminate, however, we should expect absentee ballots to be a fertile source for conflict and litigation in the post-election period.

Appendix

Key Links:
[Actually, We Will Know a Lot on Election Night](#) - Nate Persily and Charles Stewart III, Wall Street Journal
[How to Survive Election Night](#) - Nate Persily and Charles Stewart III, Slate
[Counting the Vote During the 2020 Election](#) - Bipartisan Policy Center
[How Quickly Will Your Absentee Vote Be Counted? A State-by-State Timeline](#) - New York Times
[State Recount Laws Searchable Database](#) - Citizens for Election Integrity Minnesota
[Verified Voting (Election equipment used in each county)](#)