



# The Commonwealth of Massachusetts

William Francis Galvin, Secretary of the Commonwealth  
Elections Division

## Election Advisory #20-07

In Person Early Voting and Last Day to Register to Vote

October 14, 2020

---

In accordance with the requirements of Chapter 115 of the Acts of 2020, early voting for the November 3, 2020 state election begins on October 17, 2020. The last day to register to vote for that election is October 24, 2020. Therefore, voters will be registering to vote and updating their registration during the first week of early voting and will be eligible to vote early. This advisory provides information about in person early voting, including how to process voters registering during early voting and pre-registrants who will turn 18 on or before November 3<sup>rd</sup>.

### **VOTER REGISTRATION DURING IN PERSON EARLY VOTING**

On or before the last day to register (October 24, 2020), a voter may register to vote at an early voting location and then proceed to vote early. The process for these voters to register and vote will be determined by whether early voting is being held in the local election official's office or at another location and whether there is direct access to VRIS.

**Early Voting in Local Election Offices:** When registering at the office of the local election official, the two-part voter registration form should be used. Once completed by the applicant, the local election official must review the application for completeness. Thereafter, if early voting is held in the office of the local election or in a location where there is access to VRIS, voters registering at the early voting location on or before October 24<sup>th</sup> should be processed through VRIS at the time they register. The voter should then be provided with the acknowledgment notice generated from VRIS and should be allowed to vote early.

**Early Voting Outside Local Election Offices:** If early voting is held at a different location than the local election office or where there is no access to VRIS, voter registrations cannot be processed prior to the voter early voting. The voter must complete their voter registration form and vote provisionally. The voter must fill out a provisional affirmation that has been created

specifically for voters registering during early voting, which does not require the voter to provide their registration date and registration information.

Once the registration form and affirmation are complete, the voter should be provided with a ballot, an EV7, a provisional ballot envelope and instructions. The voter must be instructed to insert their marked ballot into the EV7, then insert the EV7 into a provisional envelope. If the voter registration is verified when entered into VRIS, the provisional ballot can be accepted by removing the EV7 from the provisional envelope and storing it with the other early voting envelopes, while maintaining the provisional ballot envelope as well. VRIS should be updated with the voter's information accordingly. If the voter's registration is rejected when processed, notification that the ballot will not be counted must be included with their rejection notice.

Any other voter who casts a provisional ballot for the traditional reasons should receive the full provisional ballot affirmation and instructions.

Local election officials are not required to offer voter registration if the early voting location is not the local election office, however, it is strongly recommended. Additional training for staff at the early voting location to process voter registration applications and provisional ballots should be provided.

### **IN PERSON EARLY VOTING ADMINISTRATION**

**Early Voting Applications:** In person early voters do not need to fill out an application. Voters voting early in person must provide their name and address to the election official.

**Early Voting Location Setup:** In person early voting locations should be set up to adhere to COVID-19 polling place guidelines and social distancing. For additional information, please see Election Advisory #20-03. Early voting locations must be accessible, including having at least one accessible booth and at least one AutoMark Voter Assist Terminal.

**Early Voting Location Staffing:** Sufficient staffing is necessary at each early voting location to verify voters coming in, including processing paperwork for inactive voters and asking for identification from voters who are flagged to show ID and/or listed as inactive. Staff must ensure that voters receive the correct ballot and an envelope and to collect voted ballots. The total number of staff used is at the discretion of the local election official, however, there must be adequate staff to be able to keep track of voters and ballots.

**EV List:** Each early voting site must have an early voting list with ALL registered voters in the city or town. This list can be a printed list, the list already maintained in VRIS or an electronic list, such as that in an electronic poll book. Any location using an electronic list at the early voting location must also have a printed list as a back-up. The early voting list can be arranged alphabetically by voter name, unlike a voter list used on Election Day which is arranged by precinct and listed alphabetical by street. After verifying the voter's name and address, the list must be marked with the date the voter voted at the EV Location.

If using VRIS to directly create EV voters as they appear at the early voting site, the date the ballot was applied for and received can be recorded in VRIS as it is entered.

**Checking Out:** You are not required to have the voter check out, however, you should have someone who inspects that the EV envelope is complete and includes a signature from the voter.

### **EARLY VOTING IN PERSON**

All registered voters in your municipality may vote early by appearing at any early voting site in your municipality. When a registered voter appears at an early voting site to vote early, the local election official or the election worker must look for the voter on the early voting list (printed list, VRIS or electronic list as noted above) to make sure that the voter is a registered voter in the municipality.

Upon verification of the voter's registration, the election official must mark the list to indicate that the voter has been provided an early ballot. The voter shall then be supplied with the early voting ballot and an EV-7 envelope (the early voting envelope with the sworn affidavit on it).

After the voter marks their ballot, they should place the ballot into the EV-7 envelope provided and complete the required information on the envelope. Before the voter leaves the early voting site, the election official must examine the envelope to make sure it is completed correctly and signed by the voter. If the envelope is missing a signature, the ballot cannot be counted and the voter must be notified and provided with an opportunity to vote again.

Once the voter has returned their ballot, it must be kept secured at the early voting site until the ballots are transferred to the local election office. We recommend using the ballot box (the bottom part without the tabulator) or some other secure box-like structure. Do NOT simply leave completed EV ballot envelopes unsecured.

### **REQUESTED MAIL BUT WANTS TO VOTE IN PERSON**

**At the Polls/Early Voting Location:** If the voter has not returned their vote by mail ballot and/or it has not been accepted, they are eligible to vote in person either during in person early voting or on Election Day. The voter is **not** required to return the unvoted ballot, complete a form or sign the early voting roster indicating that they understand their mailed ballot will not count. However, voters should be verbally notified that by voting in person, their previously requested ballot will not be counted even if later returned.

**Entering in VRIS:** Voters who requested an early ballot by mail but did not return it may vote in person either during early voting or on Election Day. However, you cannot enter their in person ballot information until the prior early voting record is rejected. VRIS does not allow a second

ballot to be accepted if the first is listed as not returned. Accordingly, you must reject the first ballot as 'ballot already accepted' (since you've already accepted the EV ballot at the early voting location or on Election Day). The received date should be the date the voter voted early and the method is in person. You can also select these options from the EV Scan window with the radio button set to 'Receiving In.' Once the first ballot has been rejected, the in person EV ballot can be entered as the second ballot in either EV Search or EV Scan.

Again, voters who have previously requested a vote by mail ballot may vote in person only if their ballot has not been returned or is rejected. Early voters who have returned their ballot and the ballot was accepted in VRIS will have an X marked on the voter list already.

### **PRE-REGISTRANTS TURNING 18 ON OR BEFORE NOVEMBER 3<sup>RD</sup>**

A pre-registrant who is turning 18 on or before November 3<sup>rd</sup> is eligible to vote in the election and can vote by mail or vote early in person. VRIS will allow a pre-registrant who will be 18 by the next election to be registered as voters on their 18<sup>th</sup> birthday or the last day to register for that election, whichever comes first. That means that any pre-registrant who turns 18 between October 24<sup>th</sup> and November 3<sup>rd</sup> will only be added to the voter list on or after October 24<sup>th</sup>.

Pre-registrants are eligible to vote by mail or in person if they will be 18 by the next election, regardless of if they are 18 at the time.

**Pre-Registrants Voting In Person with VRIS Access:** Pre-registrants who appear to vote early in person at an early voting location prior to October 24<sup>th</sup> will likely not be on the voter list. If you have access to VRIS at the early voting location, you can look in Res/Vot: Certify: Pre-registrants to verify their information and that they are eligible. They must confirm their information including that they still reside at the address where they are pre-registered. If their information is confirmed, you may provide them with a ballot and manually record the information including the date they are voting. Once the pre-registrant has been certified as a voter, you must update their record in VRIS to record them as an EV voter and indicate that they have had a ballot accepted.

**Pre-Registrants Voting In Person without VRIS Access:** Pre-registrants may go to an early voting location that does not VRIS access prior to them being certified as a voter. The pre-registrant's information must be confirmed prior to allowing them to vote early in person. To confirm their status as a pre-registrant, there are two options. The first is for the staff at the early voting location to contact your office and verify that the voter is in the pre-registrant queue and is eligible to vote in the November election. The second option is to verify the pre-registrant's information using the Secretary of the Commonwealth's website by entering the pre-registrant's name, date of birth, and zip code and verifying if a result displays. That website is: <https://www.sec.state.ma.us/VoterRegistrationSearch/MyVoterRegStatus.aspx>. You may also find that website by visiting [www.RegisterToVoteMA.com](http://www.RegisterToVoteMA.com) and clicking "Check Registration Information."

If you are unable to confirm that the voter is a pre-registrant using either VRIS or the SOC's website, you should offer them the opportunity to complete a voter registration form and the same-day provisional affirmation so they can vote.

**Pre-Registrants Voting By Mail:** If a pre-registrant applies to vote by mail, you must first verify the information on their application against their VRIS record in your pre-registrant queue. Once confirmed, you would then mail them a ballot to the address provided on the vote by mail application.

If the pre-registrant returns the ballot before they are a voter, you would treat them as any vote by mail ballot from a voter. You would need to keep a manual record of the ballot information, and then enter the pre-registrant into VRIS once they have been certified as a voter. They should be created as an EV with the information that you tracked outside VRIS.

If the pre-registrant returns the ballot after becoming eligible to be a voter, you must make sure that you have certified them as a voter and created an EV record so you can update their early voting record with the ballot information.

#### **QUESTIONS?**

Contact the Elections Division at 617-727-2828 or [elections@sec.state.ma.us](mailto:elections@sec.state.ma.us).