



# The Commonwealth of Massachusetts

William Francis Galvin, Secretary of the Commonwealth  
Elections Division

## Election Advisory #20-08

Regarding Accessible Voting by Mail for Qualifying Persons

October 16, 2020

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Section 6(i) of Chapter 115 of the Acts of 2020 requires the creation of the Accessible Vote by Mail (AVBM) System, which is managed and administered by the Elections Division. The AVBM System allows certain disabled voters who are unable to complete a mail-in ballot to receive and complete their ballot electronically. Voters are then able to return their ballot electronically by email or by mail, secure drop-box, or in-person delivery to their local election office or early voting location.

By law, the AVBM System is available only to voters who are blind or have vision impairments, mobility/dexterity disabilities, or other disabilities that make it difficult or impossible for them to effectively access a paper vote by mail ballot because they cannot independently read, write, hold, or physically manipulate standard print materials. Voters who are eligible and wish to use the system must request access from the Elections Division.

### **PROCESS FOR REQUESTING ACCOMMODATIONS**

To vote using the AVBM System, a voter must first submit a Request for Accommodation ("Request") to the Elections Division's AVBM Coordinator ("Coordinator") by email ([avbm@sec.state.ma.us](mailto:avbm@sec.state.ma.us)). Requests may also be made via phone at (617) 727-2828 between the hours of 8:45AM and 5:00PM, Monday through Friday.

Requests must include the following:

1. A statement confirming the voter is registered to vote and is requesting use of the accessible vote by mail system because of a disability that prevents them from marking or otherwise completing a paper ballot;
2. The voter's full name;
3. The address at which the voter is registered to vote;

4. The voter's mailing address, if different from the registration address;
5. The voter's date of birth;
6. The voter's email address; and/or phone number.

After submitting a Request, the voter must also submit a 2020 Vote by Mail Application ("Application"), complete with all required information and the voter's signature, to the Coordinator. The voter may use a mouse or stylus to sign, or may attach an image of their handwritten signature, in lieu of a hand-written signature on the application. A typed signature is acceptable only if accompanied by a statement that the voter is unable to insert an electronic hand-drawn signature as a result of a disability.

Requests, along with the accompanying Application, must be submitted to the Coordinator in their entirety by 5:00PM on Wednesday, October 28, 2020.

### **COORDINATION BY THE ELECTIONS DIVISION**

Upon receipt of a Request, and the accompanying Application, the Coordinator will confirm that all required information has been received. The Coordinator will contact the voter via email or telephone as necessary to request any required information or documentation that was not submitted with the Request and Application.

Once the Coordinator has confirmed that both the Request and Application are complete, and that the Request qualifies the voter to vote using the AVBM System, the Coordinator will enter the voter into the AVBM System, provide access instructions to the voter, and notify the appropriate local election official that the voter has qualified to use the AVBM System.

### **PROVIDING THE BALLOT TO THE VOTER**

Once the voter has been entered into the AVBM System, the Coordinator will contact the voter via the email address provided in the Request to inform them that their ballot is ready and to provide access information to the AVBM System.

Using their name, date of birth, and Access PIN provided by the Coordinator, the voter may then access the AVBM System from any computer. Once logged in, the voter will be able to download and mark their ballot using the accessible portal and any assistive technologies available to the voter. If the voter has any questions about, or issues using, the AVBM System, they may contact the Coordinator via email at any time at [avbm@sec.state.ma.us](mailto:avbm@sec.state.ma.us) or by phone at (617) 727-2828 during normal business hours.

In the same email, the Coordinator will provide the voter with ballot return instructions and an Electronic Affidavit of Compliance via accessible PDFs. The voter may use these to return their ballot.

## **RESPONSIBILITIES OF THE LOCAL ELECTION OFFICIAL**

Once the Coordinator has provided the voter with access instructions to the AVBM System, the Coordinator will contact the respective local election official via email to inform them that the voter has qualified for use of the AVBM System and will provide a copy of the voter's Application to be included in the local election official's records. If the voter's Application was submitted directly to the local election official, the Coordinator will note that in the email instead of providing a copy.

Upon receipt of the voter's Application, the local election official must create an EV record for the voter in VRIS. If the voter already has an EV record for the November 3 state election, a new record does not need to be created. If an EV or AV record already exists, the local election official must also check to see if they have already mailed a ballot to the voter. If the voter has been mailed a ballot, that ballot must be rejected by the local election official as failed delivery. When rejecting the ballot, the date received will be the date notice is received from the Coordinator of this voter's request for an AVBM ballot and the method will be mail. If, when updating the EV or AV record, the local election official determines that a ballot has already been accepted for the voter, they must notify the Coordinator immediately at [avbm@sec.state.ma.us](mailto:avbm@sec.state.ma.us).

Once the voter has an EV record created in VRIS for November 3, the official must prepare and send the required EV7 and AV8 ballot return envelopes to the voter.

### **Preparing the EV7**

Because the EV7 requires the voter's signature, it must be prepared to accommodate a visually impaired voter. Use a hole-punch to mark the signature line on the front of the envelope and complete the remainder of the affidavit using an EV label.


To do so, punch a hole directly to the right of the numeral "1" and directly above the phrase "Voter's signature" on the left-hand side of the EV7. Then, place the EV7 label printed from VRIS directly beneath the signature line. The label should be affixed as neatly as possible parallel to the signature line. The hole and label together create tactile guides for the voter to use when signing the envelope, so it is incredibly important that they be placed as precisely as possible. An example of the ideal preparation is shown on the following page. Envelopes must be prepared exactly as in the example, to the extent possible.

EV7

*Commonwealth of Massachusetts*  
**EARLY BALLOT ENVELOPE**

Under the penalties of perjury, I swear (or affirm) that I am a registered voter in Massachusetts at the address below, that I will not cast a ballot in any other city or town or voting location, and that the information below is true.

**VOTER SIGN HERE**

1.  \_\_\_\_\_

2. Voter's Full Name \_\_\_\_\_

3. Voter's Residential Address \_\_\_\_\_

\_\_\_\_\_

**ASSISTING PERSON**

**Mailing the Envelopes**

After the EV7 has been prepared, place it inside an AV11 envelope along with a pre-addressed, postage pre-paid AV8. To minimize confusion, do not place the EV7 inside the AV8. Both envelopes should be mailed loose inside the AV11. Seal the AV11 and mail it to the voter in the same manner as any other mailed ballot. **Do not include a ballot or return instructions in the AV11.**

**SUBMITTING BALLOTS FROM THE AVBM SYSTEM**

After completing their ballot, the voter may return their ballot electronically in a manner similar to that used for electronic UOCAVA ballots or in any manner available to voters returning vote by mail ballots.

**Ballots Returned Electronically**

If the voter provided an email address with their Request, they may return their completed ballot electronically via email in a manner similar to electronic ballots for UOCAVA voters.

The voter may submit their marked ballot as a PDF attachment via email from the address provided in the voter's Request to the Coordinator at [avbm@sec.state.ma.us](mailto:avbm@sec.state.ma.us). AVBM ballots submitted by email must be accompanied by a completed and signed Electronic Affidavit of Compliance, including date and voter's signature. Signatures may be handwritten or may be hand-drawn using a mouse or stylus. An image of a handwritten signature attached to the same email as the Affidavit is also acceptable. The voter may instead type their signature only if it is

accompanied by a statement that they are unable to attach a handwritten or hand-drawn signature due to a disability.

After a ballot is returned electronically, the Coordinator will confirm to the voter that their ballot and Affidavit have been received. Ballots returned by email must be received by the Coordinator, with the Affidavit, no later than 8:00PM on November 3, 2020 to be eligible to be counted. The Coordinator will deliver both to the voter's local election official via email. All AVBM ballots must first be sent to the Coordinator. Only those ballots sent from the email address provided by the voter in the Request and Application will be accepted.

If a ballot has been returned to the Coordinator by 8:00PM on November 3, it may be counted if the ballot is accepted, even if the local election official receives the ballot from the Coordinator after the close of polls.

### **Ballots Returned by Mail, Secure Drop-box, or Hand Delivery**

If the voter did not include an email with their Request, or simply does not want to return their ballot electronically, they may return their ballot as a conventional mail-in ballot through the mail or by delivering their ballot to a secure drop-box, an early voting location during early voting hours, or a local election office in the voter's city or town.

To do so, the voter must print the completed ballot from the AVBM System. The voter must then fold and seal their printed ballot inside the EV7 provided by the local election official, and complete the affidavit on the EV7. If the voter is unable to complete the EV7, they may instead complete and print the Electronic Affidavit of Compliance. The voter must then place the signed EV7, or the un-signed EV7 and accompanying Affidavit, inside the AV8 and return the AV8 to the local election official by mail, drop-box, or hand delivery. If using the Electronic Affidavit of Compliance, it must be returned outside of the EV7.

### **RECEIVING AND COUNTING BALLOTS SUBMITTED BY AVBM**

AVBM ballots must be returned by the close of polls (8:00PM) on Election Day, or postmarked by November 3 and received by 5:00PM on November 6, in order to be counted.

When the ballot is returned electronically, the local election official will print the ballot and the accompanying Affidavit found in the Coordinator's email to the local election official. The local election official must verify the voter has signed the Affidavit with a handwritten signature, a signature drawn by a stylus or mouse, or the voter has attached a copy of their handwritten signature. Typed signatures are acceptable if the voter includes a statement that they are unable to attach a handwritten or hand-drawn signature due to a disability. Next, the ballot status (accepted or rejected) must be updated in the voter's EV record in VRIS. The date the ballot is received will be the date the local election official received the ballot. The local election official will then place the marked ballot in an envelope and seal it and attach the Affidavit to the sealed envelope, which must be secured until ready for counting.

If the ballot is returned by mail, drop box or hand-delivered, the local election official must open the AV8, remove the EV7 and timestamp the inner envelope. The hole-punch in the EV7 indicates that it is an AVBM ballot. Verify that the voter has signed either the EV7 or the included Affidavit. A typed signature is acceptable if accompanied by a statement that they are unable to attach a handwritten or hand-drawn signature due to a disability. Next, the ballot status (accepted or rejected) must be updated in the voter's EV record in VRIS and the envelope stored in a secure location until ready for counting.

After the close of polls, open and hand-count any AVBM ballots in the same manner as UOCAVA ballots received electronically. AVBM ballots may not be sent to the polling place to be counted and may not be included in any Advance Removal or Advance Deposit sessions. Any AVBM ballot received by mail after the close of polls on Election Day, but prior to 5:00PM on November 6, must be hand counted when counting other mail-in ballots received after Election Day.

AVBM ballots must be accepted or rejected according to the same standards as all other mail-in ballots. If a ballot is rejected, a rejection notice must be mailed to the voter. The Coordinator must also be notified via email that the ballot was rejected. The Coordinator will then also notify the voter via email.

### **Questions?**

Contact the Accessible Vote by Mail Coordinator at 617-727-2828 or [avbm@sec.state.ma.us](mailto:avbm@sec.state.ma.us).