



The Commonwealth of Massachusetts

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Elections Division

Election Advisory #22-02

Regarding Duplicate Applications and Address Changes

July 27, 2022

With the recent mailing of early Vote by Mail applications to voters in Massachusetts, you may receive duplicate applications from voters who have already applied for a ballot earlier in the year. This Advisory is meant to provide guidance to local election officials on handling those applications.

DUPLICATE APPLICATIONS

With the recent and ongoing influx of Vote by Mail applications, both by mail and via the forthcoming online portal, it is expected that some applications may be duplicates from voters who have already applied.

Voters may submit additional applications if they are not sure if they applied already, but some voters will also be submitting additional applications in order to update their residential address, mailing address, or party. As such, you should be sure to closely review any duplicate applications to confirm whether the information matches the record in VRIS. If there are no changes, you can reject the application as a duplicate. If there are changes, you must update the application.

PARTY CHANGES

If the voter was registered as unenrolled or in a political designation and has submitted a duplicate application with a different party selected, you may use the application to update their party selection if **you haven't already sent their ballot**.

If the ballot of another party has already been sent, state law doesn't allow the voter to change their mind. The law prohibits election officials from providing a different party ballot once the voter's choice has been made, marked on the voter list, and the ballot has been provided. Once you send the ballot, you have marked the choice on the EV list through VRIS.

Exception 1: If a voter changes their party before the voter registration deadline for a primary which makes them ineligible to cast the ballot they have, the original ballot must be rejected and a replacement ballot that they are eligible for must be sent.

For instance, a registered Democrat is mailed a ballot on August 1st and then registers as a Republican on August 7th. Their Democratic ballot must now be rejected, because they are no longer eligible to cast it. The law requires that you mail them a replacement ballot, and only a Republican ballot can be sent now that the voter is a Republican. **Reminder:** A voter changing their enrollment to unenrolled would not have the same effect, because an unenrolled voter is eligible to cast any ballot.

Exception 2: A voter who requests the ballot of one party by mail, but does not return that ballot, will still be able to vote in person and request the ballot of another party. The Election Day voter list is separate from the EV & AV lists, and no party selection will be pre-printed on the list for an unenrolled voter.

Note: The above scenarios assume the voter was unenrolled when they initially requested a ballot. If a voter enrolled in a party requests a ballot of a different party, you should provide the voter with the ballot for which they're eligible. You may choose to insert a letter with the ballot explaining that they are registered in a party and can only receive that party's ballot.

ADDRESS CHANGES

Mailing Address Changes

Some voters who have already applied for ballots earlier in the year will no longer be at the address where they asked you to mail their ballots. Ultimately, it is the voter's responsibility to update their mailing address with you, and they can do that by amending their previous application in writing or submitting a new application.

Not all voters who are updating the mailing address for their ballot will submit a second application. Voters who have previously applied for a Vote by Mail ballot may also make amendments to that application by notifying you in writing of the change.

Address Changes – Out of Town

When a voter registers to vote in a new city or town, any previous applications they had on file will be deleted, so they will need to submit a new Vote by Mail application to their new community if they wish to vote by mail. They may use the Vote by Mail application that you've included with their acknowledgement notice for this purpose.

Address Changes in VRIS – Within Town

When a voter moves within a city or town and updates their registration, their application will remain on file.

If the voter had previously provided a mailing address for their ballot *other than the address at which they were registered*, this address will not automatically change. The voter will need to submit an update to their application in order to update that mailing address. Like voters who move to a new town, they may use the Vote by Mail application that comes with their acknowledgement notice to update their previous application.

If the voter had applied for a ballot to be mailed to them *at the address at which they were registered*, then VRIS will print a label for their new address.

ENTERING APPLICATIONS INTO VRIS

When you receive a new application, whether an AV or EV application, the first thing you should do is search for the voter in EV Search. This will show whether the voter already has an absentee and/or early record in VRIS. Be sure to select the correct election date from the drop-down.

As noted above, if the application is a true duplicate and nothing has been changed, you need not process it, but instead should mark as a duplicate and set aside. Pay close attention to whether to voter's address or their party selection has changed before rejecting an application as a duplicate.

If the voter has indicated a new mailing address or party (and are eligible to request another party ballot), you should use the application to update their existing VRIS record in the following manner:

- If you receive an absentee ballot application from an existing absentee voter, use the application to update their AV record.
- If you receive an early Vote by Mail application from an existing EV voter, use the application to update their EV record.
- If you receive an absentee ballot application from an existing EV voter, use the application to update their EV record. Do not create a new AV record, because then you would be sending 2 separate ballots to the voter.
- If you receive an early Vote by Mail application from an existing absentee voter, you may either use the application to update their AV record, or delete the voter's AV record and create an EV record for them. This is a matter of personal preference, but it may be easier to create an EV record for them, so you can use an EV-7 envelope.

Questions?

Contact the Elections Division at elections@sec.state.ma.us or 617-727-2828.