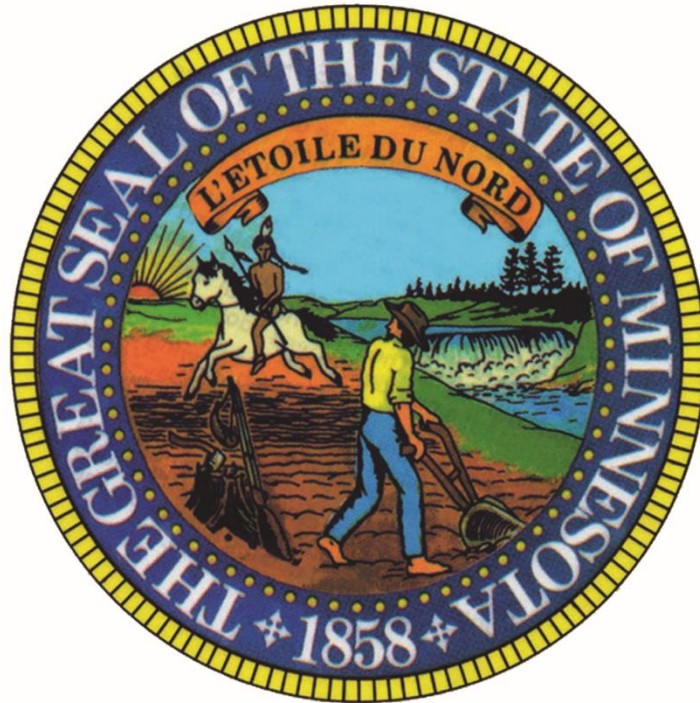


Emergency Planning Task Force: Survey of Emergency Procedures Authorized by State Laws



Office of the Secretary of State

State Emergency Procedures

Categories of Emergency Procedures

- Postponement of Election
- Polling Place Changes/Consolidation
- Change in Method of Election
- Special Procedures for Emergency Responders
- Emergency Ballot Replacement or Emergency Absentee Voting Procedures
- Extension of Polling Place Hours

California

Satellite Voting Locations

- County must declare an emergency.
- Election officials must set satellite voting locations with 48 hours notice.
- Counties are required to issue a news release with the new location's information.

California Election Code § 3018(b)

Florida

Relocation of Polling Places Outside of the Precinct

- There must be an emergency within the precinct.
- The Supervisor of Elections may establish a polling location outside of the precinct – there is no limitation on where, only that it must be “safe and convenient.”

Florida Stat. § 101.74

Hawaii

Polling Place Consolidation

- Only in the case of a natural disaster.
- Chief election officer may consolidate precincts within a representative district.
- Requires that news and broadcast media be informed of the consolidation.

Hawaii Rev. Stat. § 11-92.3

Hawaii

Mandate Mail Voting

- Only in the case of a natural disaster.
- Chief election official or county clerk may require voters vote by mail.
- All registered voters would be delivered a mail ballot.
- Requires that all registered voters be notified of this change.

Hawaii Rev. Stat. §§ 11-92.3; 15-2.5

California

Procedures for Emergency Response Professionals

Out-of-State Emergency Workers:

- Governor must declare an out-of-state emergency.
- Can receive an absentee ballot by electronic transmission.
- Who qualifies as an “emergency worker” is defined in the Governor’s executive order.

California

Procedures for Emergency Response Professionals

In-State Emergency Workers:

- Governor must declare an in-state emergency.
- In-state emergency workers can cast a ballot at a polling place that is not their regular polling place.
- Who qualifies as an “emergency worker” is defined in the Governor’s executive order.

California Election Code § 14313

Louisiana

Procedures for Emergency Response Professionals

- Governor of Louisiana or Governor of another state must declare an emergency.
- Those who are unable to vote in person due to “out-of-state work” related to an emergency may receive and transmit ballot by fax or email.

Louisiana Stat. § 18:1308

Maine

Procedures for First Responders & Utility Workers

- Governor of Maine or Governor of another state must declare an emergency.
- Secretary of State may allow emergency workers, utility workers, or others responding to the disaster to use UOCAVA voting procedures (email blank ballots, mail return).

Maine Stat. § 21.663

Mississippi

Procedures for Emergency Responders

- Governor of any state or President must declare an emergency.
- Trained or certified emergency responders may receive and return their absentee ballot by FAX or e-mail.

Mississippi Stat. §§ 23-15-673; 23-15-699

New Hampshire

Procedures for Emergency Service Workers

- Emergency includes a disaster declared by the President or Governor.
- In an emergency the Secretary of State may employ local or state law enforcement to transport voting materials to emergency service workers.
- Emergency service workers include law enforcement, emergency medical services personnel, firefighters, utility workers, and employees or volunteers for the American Red Cross.

New Hampshire Stat. § 657:21-a

Oklahoma

Procedures for First Responders & Emergency Workers

- Emergency includes a disaster declared by the President or Governor.
- Emergency worker must request a ballot in writing.
- Secretary of State may allow for transmission and return of ballots by alternative means.

Oklahoma Stat. § 14-115.6

Alabama

Emergency Transmission Procedures

- Governor of Alabama or Governor of another state or the federal government must declare an emergency.
- If an emergency is declared that impairs the ability of absentee voters to vote, the Secretary of State may promulgate emergency rules “to allow those qualified voters to vote by absentee ballot.”

Alabama Stat. § 17-11-3

Utah

Emergency Procedures for All Voters

- Governor of Utah, the President, or the chief executive officer of a political subdivision must declare an emergency.
- If an emergency is declared that affects an election, the Lieutenant Governor may designate other methods for casting an absentee ballot or UOCAVA ballot.

Utah Stat. § 20A-1-308

Washington

Mail Voter Replacement Ballots

- All voters vote by mail in Washington.
- If a voter needs a replacement ballot for any reason, the voter can download a replacement ballot online.
- Ballots must be returned by mail or returned at a designated mail-return location.

Washington Stat. § 29A.40.070

South Dakota

Extension of Polling Place Hours

- The county auditor may, upon request of the superintendent of an election precinct, extend polling place hours if:
 - an emergency exists by reason of mechanical failure of a voting machine or an unanticipated shortage of ballots, or
 - an unforeseen event warrants extension.
- polling hours are extended until the emergency situation has been resolved.

South Dakota Stat. § 12-2-4

Questions?