

From Examination to Tabulation

Ballot Pre-processing Policies Explained

Executive Summary

Ballot pre-processing policies allow for fast and accurate election results. This explainer focuses on the states that allow election workers to run ballots through scanners before Election Day. We recommend three policies to improve ballot pre-processing:

1. Provide at least seven days before Election Day for pre-processing.
2. Permit election officials to scan ballots into tabulators before Election Day.
3. Give voters sufficient time to correct, or “cure,” issues with their ballot.

Introduction

After an election, the period between the close of polls and release of unofficial results is vulnerable to mis- or disinformation. Despite public awareness in 2020 that unofficial results in many states would be delayed, confusion about the results spread after the polls closed and before results were released. Longer wait times were exploited to reduce public trust in the election process.

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To make it easier to tabulate results quickly, many states allow for mail ballot pre-processing in some form: checking or opening envelopes, verifying signatures, or scanning ballots into tabulators before Election Day. Among other benefits, pre-processing reduces the administrative burden on election officials during and after Election Day, thereby increasing the efficiency, speed, and accuracy of final vote tabulations.

The Bipartisan Policy Center's Elections Project released election official-endorsed reports in [2020](#) and [2022](#) recommending that election administrators be permitted to process mail ballots at least seven days before Election Day. In states in which ballots cannot be processed until Election Day or even until polls close of, ballot pre-processing policies could significantly shorten the time for releasing results and increase public confidence in elections.

In this explainer, we focus on the states that allow election workers to run ballots through scanners before Election Day. This policy provides the most preparation for tabulation, which occurs after polls close on Election Day and before the release of unofficial results. By understanding the benefits of this policy along with other ballot pre-election processes (ranging from verifying signatures to curing ballots), policymakers can expedite the release of unofficial election night returns, mitigating the harmful impacts of election mis- and disinformation.

What is ballot pre-processing?

Pre-processing enables mail ballots to be ready for tabulation before Election Day. Tabulation is the process of inserting ballots into optical scan tabulators. After polls close on Election Day, election officials can report unofficial results. Pre-processing ensures the timely tabulation and release of results, and it [eases](#) the workload of election officials and staff on and after Election Day. More broadly, pre-processing works hand in hand with other best practices, such as ballot tracking and curing processes to provide more transparency and improve voter confidence.

The intricacies of state policies on mail ballot processing make comparing pre-processing practices across states a complicated task. In fact, pre-processing refers to different activities in each state. In [Idaho](#), mail ballot pre-processing involves confirming voters' identity and eligibility without opening their ballot envelopes. In [California](#) and [Florida](#), however, pre-processing includes opening mail ballot return envelopes, removing ballots, replicating damaged ballots, and preparing ballots for scanning.

Adding further complexity, states vary in how much they use and rely on tabulators to count mail ballots. For example, in [Hawaii](#), mail ballots can be tabulated by using optical scanning before Election Day, and processing refers to the entire process of canvassing mail votes. Other states, including [Kansas](#), [Maine](#), and [South Dakota](#), prescribe special pre-processing timelines for municipalities that use optical scan voting systems.

Finally, many states give local officials significant discretion, and pre-processing timelines often vary between municipalities in the same state. In [Florida](#), counties may begin tabulating mail ballots at any point between when the testing of tabulating equipment and systems is completed and noon on the day after the election.

This piece identifies three important stages of the mail ballot processing procedure: examination, sorting, and tabulation. The timing and applicability of each of these activities vary by state. This explainer identifies the earliest date (relative to Election Day) that each of these pre-processing policies is permitted.

EXAMINATION

The first stage of mail ballot processing [involves](#) examining the return envelope to determine whether to accept or reject the ballot. This process can [include](#) checking that a voter's signature is present, ensuring that the voter signed an affidavit on (or in) the outermost envelope, matching the identifying information on the affidavit with an entry on the list of voters voting by mail, and comparing the signature on the oath with the signature on the elector's voter registration card. In many states, local election officials must contact voters whose ballots they reject to give these voters the opportunity to cure their ballot.

SORTING

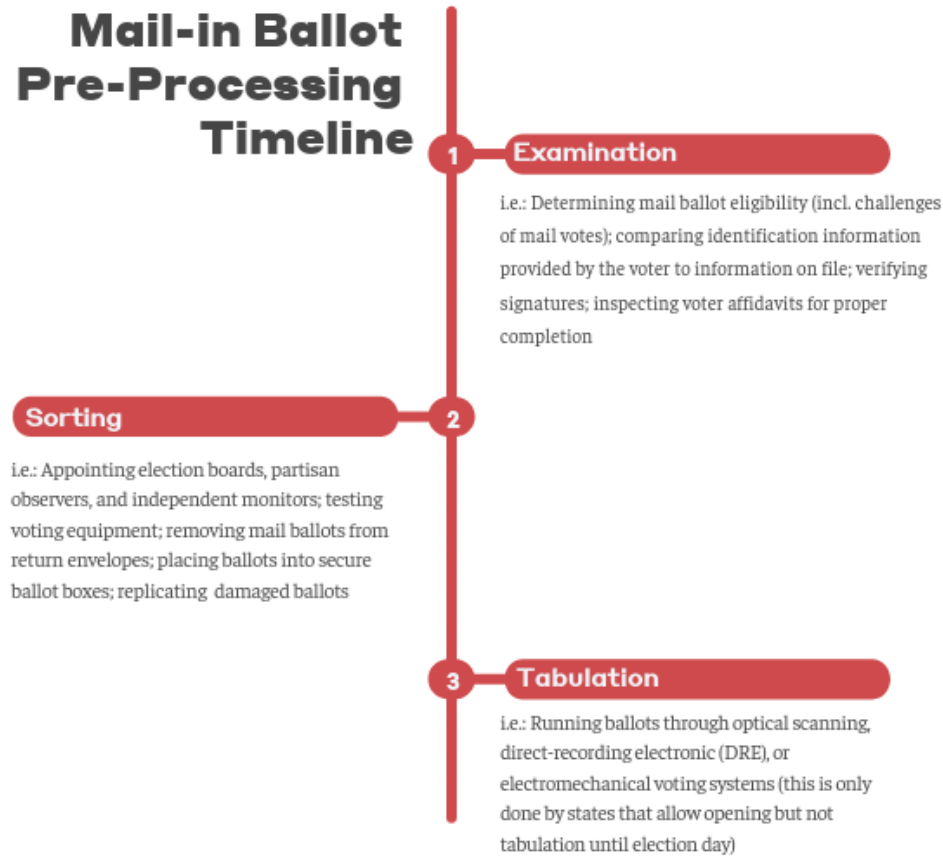
Some states allow election workers to remove ballots from envelopes and insert ballots into tabulators after the examination stage and before Election Day. Some states remove ballots from envelopes before Election Day and store them in secure ballot boxes until tabulation begins. Election workers also check ballots for stray marks or other errors that could make the ballot unscannable.

TABULATION

No state allows for the reporting of results before Election Day. Some states [permit](#) ballots to go through tabulators before Election Day and program the tabulator to release results at a later point. No state [releases](#) the results of mail

voting before polls close on Election Day. Machines are programmed to not tabulate ballots until Election Day and states impose legal penalties to protect against the early release of results.

Mail-in Ballot Pre-Processing Timeline



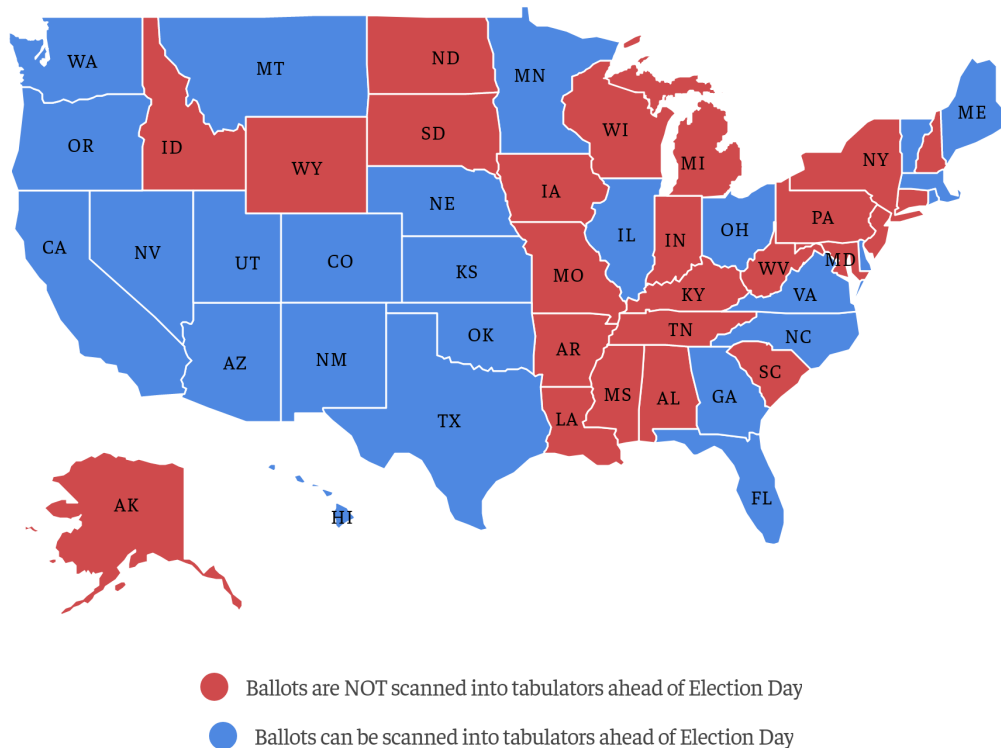
Differences in pre-processing policies across the United States

Despite the vast differences in state pre-processing policies, some trends emerge regarding the amount of time election administrators get to process ballots before Election Day and how that process interacts with other election processes. In more than a quarter of states, election officials may begin scanning ballots into tabulators at least seven days before Election Day. Election experts consider this amount of time the gold standard because it eases administrative burdens on election officials and helps ensure the timely and accurate reporting of results from mail ballots on election night.

This is especially important for full vote-at-home states or states with large populations of mail voters. Having to wait until Election Day to begin processing ballots would cause significant tabulation delays beyond election night and possible errors – and that, as shown in the aftermath of the 2020 election, can stoke the flames of mis- and disinformation.

Twenty-six states permit the scanning of ballots into tabulators before Election Day. The timelines for when election officials can begin the examination, sorting, and scanning phases of the process vary across the states.

States that allow ballots to be scanned into tabulators ahead of Election Day



*Scanning ballots into tabulators occurs before results are released. No state allows for results to be released before Election Day.

Maryland is the only state to restrict the processing of absentee ballots until the Thursday after Election Day. Maryland’s General Assembly approved [legislation in 2022](#) that would have permitted the processing of mail ballots five days before Election Day, but Governor Larry Hogan vetoed the bill.

Pre-processing laws also can vary based on jurisdictional factors. In Montana, for example, how soon scanning can begin depends on when ballot tabulation equipment (high-speed scanners used for reading and tallying results) are

available. Texas and New Mexico set processing start times based on the size of the population within the jurisdiction or the number of mail ballots sent to voters, respectively.

Other laws are less prescriptive, allowing election officials to begin processing ballots upon receiving them or allowing local election officials to decide when to begin processing.

Conclusion

The ability of election officials to verify signatures, prepare ballots for counting, and scan ballots into tabulators greatly affects their ability to provide timely unofficial results on election night. Pre-processing also helps election officials give voters information about the status of their ballot and opportunities to correct discrepancies.

The Bipartisan Policy Center and National Vote at Home Institute have three policy recommendations that states should implement to improve results reporting and give voters more confidence in the ballot validation and counting process.

Provide at least seven days before Election Day for pre-processing. Election officials should have at least seven days before Election Day to begin processing ballots. This processing should include verifying voters' signatures, separating ballots from their return envelopes to ensure that the ballots are scannable, scanning ballots into tabulators, and issuing cure notices to voters. Seven days is the minimum time period that we recommend for pre-processing. Some states and jurisdictions – for example, those with high volumes of mail voting or those that do not permit ballot curing after Election Day – should consider extending the cure period beyond Election Day.

Permit election officials to scan ballots into tabulators before Election Day. States should allow election officials to scan valid ballots ahead of Election Day to expedite the adjudication process and prevent a backlog of ballots close to or on election night. Over a third of states allow it, and that enables election officials to release meaningful unofficial results when polls close. Election officials should use strict chain-of-custody protocols to ensure that no one person is alone with the ballots during the process, maintain detailed logs, and secure ballot receptacles with tamper-evident seals. In addition, tabulation machines should always be programmed to not produce results until election night, so that election administrators cannot access the results before the close of polls.

Give voters sufficient time for voters to cure issues with their ballot. States with signature verification requirements should allow their voters to cure their ballots for discrepancies related to their signature. Voters can cure verification issues in several ways: by coming into the election office in person; by submitting additional identifying documentation; or by providing a signed affidavit verifying that the voter was the one who signed the ballot envelope by mail. [BPC's 2020 report](#) recommends that election officials collect voters' contact information for the purposes of contacting them for ballot curing and ensuring sufficient time to fix issues even if that process extends beyond Election Day.

Appendix

Below is our dataset of ballot pre-processing policies across all 50 states and Washington, D.C. This dataset is current as of August 2022. If you notice any changes, please reach out to us at ggordon@bipartisanpolicy.org. We would like to extend a special thank you to the election officials who helped to compile this data, especially the [BPC Task Force on Elections](#).

State	Does this state scan ballots into tabulators ahead of election day?	Source
ALABAMA	Ballots are NOT scanned into tabulators ahead of Election Day	AL 17-11-10
ALASKA	Ballots are NOT scanned into tabulators ahead of Election Day	AK 15.20.201
ARIZONA	Ballots can be scanned into tabulators ahead of Election Day	Arizona Revised Statutes 16-550
ARKANSAS	Ballots are NOT scanned into tabulators ahead of Election Day	AR 7-5-416
CALIFORNIA	Ballots can be scanned into tabulators ahead of Election Day	CA Elec Code § 15101
COLORADO	Ballots can be scanned into tabulators ahead of Election Day	Colo. Rev. Stat. § 1-13.5-1008
CONNECTICUT	Ballots are NOT scanned into tabulators ahead of Election Day	CT Gen Stat § 9-150a
D.C.	Ballots are NOT scanned into tabulators ahead of Election Day	DC Mun. Reg 808.3
DELAWARE	Ballots can be scanned into tabulators ahead of Election Day	15 DE Code § 5510A
FLORIDA	Ballots can be scanned into tabulators ahead of Election Day	Florida Title IX Statute 101.68
GEORGIA	Ballots can be scanned into tabulators ahead of Election Day	Georgia Code Title 21 § 21-2-386
HAWAII	Ballots can be scanned into tabulators ahead of Election Day	Hawaii Revised Statutes Title 2 § 11-108
IDAHO	Ballots are NOT scanned into tabulators ahead of Election Day	Idaho Statutes Title 34 § 34-1201
ILLINOIS	Ballots can be scanned into tabulators ahead of Election Day	10 ILCS 5 § 19-8
INDIANA	Ballots are NOT scanned into tabulators ahead of Election Day	Indiana Code 3-11.5-4-12
IOWA	Ballots are NOT scanned into tabulators ahead of Election Day	IA Code Title 2 § 53.18.2
KANSAS	Ballots can be scanned into tabulators ahead of Election Day	K.S.A. 25-1134
KENTUCKY	Ballots are NOT scanned into tabulators ahead of Election Day	Kentucky Revised Statutes Title X. § 117.086
LOUISIANA	Ballots are NOT scanned into tabulators ahead of Election Day	LSA - RS 18:1313F
MAINE	Ballots can be scanned into tabulators ahead of Election Day	Maine Revised Statutes Title 21-A §756
MARYLAND	Ballots are NOT scanned into tabulators ahead of Election Day	Md. Code, Elec. Law § 11-302
MASSACHUSETTS	Ballots can be scanned into tabulators ahead of Election Day	M.G.L.A. 54 § 94, S.459 Section 94A
MICHIGAN	Ballots are NOT scanned into tabulators ahead of Election Day	Michigan Election Law § 168.765
MINNESOTA	Ballots can be scanned into tabulators ahead of Election Day	MSA 203B.121.4

State	Does this state scan ballots into tabulators ahead of election day?	Source
MISSISSIPPI	Ballots are NOT scanned into tabulators ahead of Election Day	Mississippi Code Title 23. Elections § 23-15-639
MISSOURI	Ballots are NOT scanned into tabulators ahead of Election Day	Missouri Code 115.300
MONTANA	Ballots can be scanned into tabulators ahead of Election Day	Montana Code 13-13-241
NEBRASKA	Ballots can be scanned into tabulators ahead of Election Day	Nebraska Revised Statute 32-1027
NEVADA	Ballots can be scanned into tabulators ahead of Election Day	N.R.S. AB 321 § 13
NEW HAMPSHIRE	Ballots are NOT scanned into tabulators ahead of Election Day	N.H. Rev. Stat. § 659:61
NEW JERSEY	Ballots are NOT scanned into tabulators ahead of Election Day	N.J.S.A. 19:63-22
NEW MEXICO	Ballots can be scanned into tabulators ahead of Election Day	N. M. S. A. § 1-6-14 E. (2)
NEW YORK	Ballots are NOT scanned into tabulators ahead of Election Day	ELN § 9-209
NORTH CAROLINA	Ballots can be scanned into tabulators ahead of Election Day	N.C.G.S.A. § 163-234
NORTH DAKOTA	Ballots are NOT scanned into tabulators ahead of Election Day	NDCC 16.1-07-12.1
OHIO	Ballots can be scanned into tabulators ahead of Election Day	Ohio Revised Code § 3509.06
OKLAHOMA	Ballots can be scanned into tabulators ahead of Election Day	26 Okl. St. Ann. § 14-123
OREGON	Ballots can be scanned into tabulators ahead of Election Day	Oregon Revised Statutes § 253.080(1)
PENNSYLVANIA	Ballots are NOT scanned into tabulators ahead of Election Day	25 P.S. § 3146.8
RHODE ISLAND	Ballots can be scanned into tabulators ahead of Election Day	R.I. Gen. Laws § 17-20-26
SOUTH CAROLINA	Ballots are NOT scanned into tabulators ahead of Election Day	S.C. Code § 7-15-420
SOUTH DAKOTA	Ballots are NOT scanned into tabulators ahead of Election Day	SDCL § 12-19-43
TENNESSEE	Ballots are NOT scanned into tabulators ahead of Election Day	Tenn. Code Ann. § 2-6-202
TEXAS	Ballots can be scanned into tabulators ahead of Election Day	Election Code § 87.027
UTAH	Ballots can be scanned into tabulators ahead of Election Day	U.C.A. 1953 § 20A-3a-401
VERMONT	Ballots can be scanned into tabulators ahead of Election Day	17 V.S.A. § 2546
VIRGINIA	Ballots can be scanned into tabulators ahead of Election Day	VA Code Ann. § 24.2-709
WASHINGTON	Ballots can be scanned into tabulators ahead of Election Day	RCW 29A.40.110
WEST VIRGINIA	Ballots are NOT scanned into tabulators ahead of Election Day	W. Va. Code, § 3-3-10
WISCONSIN	Ballots are NOT scanned into tabulators ahead of Election Day	Wis. Stat. 7.51
WYOMING	Ballots are NOT scanned into tabulators ahead of Election Day	W.S § 22-9-125



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