



Bipartisan Policy Center

Policy to Carry Us Beyond the Next Election

**THE 2022 MIDTERM
ELECTION SHOWED
RESILIENCE IN ELECTION
ADMINISTRATION.
NOW, WE MUST BUILD IT.**

By Rachel Orey, Grace
Gordon, Christopher Thomas,
Sarah Walker

AUTHORS

Rachel Orey

Grace Gordon

Christopher Thomas

Sarah Walker

Table of Contents

2 INTRODUCTION

4 THE BIPARTISAN POLICY CENTER TASK FORCE ON ELECTIONS

6 IMAGINING THE FUTURE OF ELECTION ADMINISTRATION

8 SUMMARY OF LONG-TERM GOALS AND POLICY SOLUTIONS

11 GOAL #1

Election administration has regular, predictable funding from local, state, and federal governments.

15 GOAL #2

All qualified individuals are able to register and cast their ballot in a free, fair, and private manner without undue burden or barrier. Voter roll maintenance is a regular and uncontroversial part of the elections process that is sustained through interstate cooperation.

22 GOAL #3

Results are trusted by candidates and the general public. Mail ballot processing is smooth and widely trusted, and initial results are released expediently after the polls close. After a successful canvass, results are certified and acknowledged by stakeholders without controversy.

27 GOAL #4

The elections workforce is well resourced, well trained, and resilient to threats.

37 GOAL #5

State and federal governments invest in election technology innovation. National guidelines for voting and non-voting equipment are updated regularly with the input of local election officials and adhered to nationwide.

41 GOAL #6

Political factors do not affect the unbiased administration or perception of elections. Legislative reforms are made in a bipartisan manner and prioritize the needs of voters and election administrators.

Introduction

Election administrators were prepared for the worst going into the 2022 midterm election. With the reverberations of 2020 continuing to proliferate, this heightened concern was warranted: The months before the election were filled with stories of threats to and among election workers; the potential for ballot paper shortages; rampant certification challenges; candidates for chief election official positions espousing election conspiracy theories; and armed “vigilantes” staking out secure ballot drop boxes.

When the polls closed on November 8, however, it was largely quiet. The strength of the 2022 midterm election is thanks to the tireless work of election administrators nationwide who shored up our democratic institutions in response to rising anti-democratic sentiment. Because of their hard work, most of the nightmare scenarios that dominated pre-election coverage never materialized. No widespread violence occurred and certification challenges, while present, were limited. Voters rejected candidates for chief election official positions who based their campaign on election conspiracies. Some experts and commentators have even gone so far as to declare that “democracy won,” believing that we can slow down on democracy-strengthening reform efforts.

In reality, the work to protect and preserve our democracy for future generations has just begun.

Although the 2022 election saw many high-profile election deniers defeated and just a few inconsequential glitches, the market for election-denial rhetoric remains strong. Looming practical challenges—exacerbated by election conspiracies and ongoing disinformation campaigns—threaten to increase the number and severity of glitches in 2024, with its higher turnout and more intense focus on the presidential election. Practical challenges could become a self-fulfilling cycle in which under-resourced election offices spread thin by baseless attacks become more likely to make mistakes that, in turn, fan the flames of conspiracist sentiment.¹ State and federal legislators must act to close the resource and policy gaps that put the critical infrastructure of our democracy at risk.

This report is a departure from the “sky is falling” tone that has become typical of debates about election administration. Protecting democracy is and always

¹ Under-resourced election administration was a problem long before election skepticism took hold. Although recent events have added stress onto the system, the need to better support election administration is not new.

will be urgent. However, with 20 months² before the next federal election, we have a rare opportunity to consider not just the next election but the next 100: to think long term about where we want our democracy to be for future generations, and what policy changes must be made now to get us there.

This report pairs long-term vision with concrete, interim reforms. We lay out six goals for the future of election administration and detail actionable policy recommendations that, if implemented soon, would help make those goals a reality.³ We strive to supersede partisan politics as a motivator and instead place voters and election administrators front and center.

² The policy recommendations in this report are intended to be actionable in the short term, but any major changes to state or federal policy will need more time to plan and implement than the roughly 20 months we have before the next presidential election. Policymakers should carefully consider the timing of any reforms to allow election officials sufficient time to implement changes without negative ramifications.

³ The caveats in the previous footnote apply here as well.

The Bipartisan Policy Center Task Force on Elections

This report is unanimously endorsed by BPC's [Task Force on Elections](#), a bipartisan group of state and local election officials from jurisdictions throughout the United States. As the public servants responsible for the day-to-day work of keeping our democracy functioning, election officials have specialized knowledge of how the increasingly complex elections ecosystem functions. Their input is crucial to—yet all too often excluded from—election policy conversations. BPC's Task Force on Elections works to bridge that gap.

The task force includes 29 state and local election officials from 21 states who are devoted to making meaningful improvements to U.S. elections. This report builds on the task force's extensive body of work, including seven task-force-endorsed reports on all aspects of election administration policy:

- [Logical Election Policy](#)
- [Improving the Voting Experience After 2020](#)
- [Bipartisan Principles for Election Audits](#)
- [Policy to Advance Good Faith Election Observation](#)
- [Balancing Security, Access, and Privacy in Electronic Ballot Transmission](#)
- [Ballot Tabulators Are Essential to Election Integrity](#)
- [Closing Security Gaps in Poll Worker Policy](#)

Although some members may have concerns about particular recommendations in this report, their endorsement pertains to the set of recommendations as a whole.

In addition to the members listed on the following page, this report was crafted with the input and endorsement of the Task Force on Elections Advisory Council, comprised of industry experts and former election officials from a variety of states and political affiliations.

Members of the Task Force on Elections	
Natalie Adona	Assistant Clerk-Recorder, Nevada County, CA
Jacqueline Beaudry	City Clerk, Ann Arbor, MI
Seth Bluestein	Philadelphia City Commissioner, PA
Karen Brinson-Bell	Executive Director, North Carolina State Board of Elections
Jacqueline Britt	General Registrar, Nelson County, VA
Judd Choate	Director, Division of Elections, Colorado State Department
Colleen Connor	Elections Director, Arizona Secretary of State
Brian Corley	Supervisor of Elections, Pasco County, FL
Isaac Cramer	Director for Charleston County Board of Elections, SC
Monica Evans	Executive Director, DC Board of Elections
Jennifer Garms	County Auditor & Commissioner of Elections, Clayton County, IA
Mandi Grandjean	Director of Elections, OH
Jesse Harris	Deputy Elections Director, GA
Scott Jarrett	Co-Director of Elections, Maricopa County, AZ
Sarah B. Johnson	City Clerk, Colorado Springs, CO
Joseph Kirk	Election Supervisor, Bartow County, GA
Nicholas Lima	Registrar/Director of Elections, City of Cranston, RI
Brianna Lennon	County Clerk, Boone County, MO
Rozan Mitchell	Election Director, Utah County Clerk's Office
Sherry Poland	Director of Elections, Hamilton County, OH
Justin Roebuck	Ottawa County Clerk & Chair of the Michigan Council of Election Officials
Joe Rozell	Director of Elections, Oakland County, MI
Tammy Smith	Administrator of Elections, Wilson County, TN
Michelle Tassinari	Director and Legal Counsel, Elections Division, Office of the Massachusetts Secretary of the Commonwealth
Eneida Tavares	Chair of Boston Election Commission, MA
Mandy Vigil	New Mexico State Election Director
Meagan Wolfe	Administrator, Wisconsin Elections Commission
Claire Woodall-Vogg	Executive Director, City of Milwaukee Elections Commission, WI
Lauren Zyriek	Assistant Secretary of State, NJ

Imagining the Future of Election Administration

A string of crises has marked modern elections. The 2000 presidential election launched an era of doubt, speculation, and, ultimately, necessary reform. The 2016 election spurred a steadfast focus on election security, only to be one-upped by a global pandemic in 2020 (not to mention a proliferation of doubt and skepticism in election results that continues to overwhelm offices nationwide).

The nature of these back-to-back crises has created a stopgap mentality in which resources and attention are aimed at immediate threats at the expense of long-term coordination and planning.⁴ Although existing threats remain very real, policymakers have an opportunity to think long term about election administration: What should elections look like in 5, 10, 20 years? How do we create a bridge between now and then to preserve democracy for future generations?

This may seem like a purely hypothetical exercise, but its implications are very real. The United States is approaching a cliff in election infrastructure, precipitated by rapid staff turnover and aging technology that if left unaddressed will weaken both confidence in and the trustworthiness of elections. Promoting resilience in election infrastructure demands that we broaden policy considerations beyond what issues will affect the next election alone.

This report joins a long-term vision for election administration with actionable policy reforms that can be implemented now to help make that vision a reality. BPC created every goal and policy recommendation with the input of election administrators, academics, and policy experts to yield a series of reforms that are both aspirational and practical, actionable, and forward-thinking.

This report does not include every reform that might improve election administration, but it proposes an internally consistent set of reforms that can be implemented together as a first step toward fostering a free, fair, and accessible election system.

⁴ While many election offices would like to place a higher priority on long-term planning, it is not feasible when they are operating on insufficient resources. It is the primary responsibility of policymakers to ensure that strong election administration policies and sufficient resources are in place to allow election administration to thrive.

MOVING BEYOND THE STOPGAP MENTALITY

Now-rampant election conspiracy theories are a red herring that distract from the chronic challenges undermining elections. When legislators' attention is focused on appeasing critics by undertaking unnecessary reforms (such as replacing [tried-and-true ballot tabulators with less reliable hand counts](#)), they cannot concentrate on improving election integrity through actions such as investing in innovative and secure technology, closing resource gaps, and shoring up election audits.

Similarly, the drumbeat of election denial takes limited election office resources away from serving voters. Once a quiet, behind-the-scenes position, officials now spend their days facing multiple lawsuits, enduring [threats and harassment](#), and examining inquiries from voters, observers, and party officials, trying to determine which are most in need of their time. While preparing for the 2022 midterms, election offices were overwhelmed with a large volume [of public records requests](#), and there is no evidence these requests will abate in 2024.

With a growing share of resources dedicated to fending off false claims, election offices have less capacity to perform core functions such as voter registration, ballot preparation and processing, and voter education. Yet because elections are funded through a patchwork of local, state, and federal budgeting, that funding is mired in conflict and election offices are often [among the lowest priorities](#) for funding at the local level.

At a time of record doubt in our electoral institutions, we must invest in recruiting and retaining experienced election officials—not leave them in the cold to protect democracy alone.

Summary of Long-Term Goals and Policy Solutions

GOAL #1: Election administration has regular, predictable funding from local, state, and federal governments.

1. States should work with local election officials to identify and allocate the level of funding necessary to close resource gaps.
2. Congress should create a regular and predictable stream of federal funding for elections that supports state and local election administration. The executive branch should prioritize consistent elections funding in its annual budget request.
3. Local, state, and federal governments should provide additional, short-term funding to implement policy and administrative reforms.

GOAL #2: All qualified individuals are able to register and cast their ballot in a free, fair, and private manner without undue burden or barrier. Voter roll maintenance is a regular and uncontroversial part of the elections process that is sustained through interstate cooperation.

4. States should invest in voter education and outreach efforts at the state and local levels. States should pilot direct-to-voter, rapid communication efforts that streamline updates about the voting process, ballot tracking, and curing.
5. States should provide voters with the ability to vote by mail without an excuse.
6. Mail voters should be able to return their ballot without prohibitive identity verification requirements, such as a notary, witness, or documentation photocopy.
7. States should expand electronic ballot delivery and marking options to voters with disabilities.
8. States should provide robust ballot tracking options, as well as options to cure⁵ ballots' eligibility deficiencies, to all voters using mail or electronic ballot return.

⁵ [Ballot curing](#) refers to a policy that allows voters the chance to fix problems on their ballot envelope before their ballot is flagged and not counted.

GOAL #3: Results are trusted by candidates and the general public. Mail ballot processing is smooth and widely trusted, and initial results are released expediently after the polls close. After a successful canvass, results are certified and acknowledged by stakeholders without controversy.

9. States should pair machine tabulation with precertification tabulation audits after every election to improve accuracy, expediency, and trust. States should leverage performance audits to improve ballot accounting and paper management.
10. States should explore alternative audit governance models that involve a cross-partisan, multidisciplinary state board to guide audit standards and implementation.
11. If a local jurisdiction fails to complete certification by the statutory deadline, the state election office should be required to step in and oversee certification through completion. If bipartisan or nonpartisan intervention is not an option, states should codify a statutory deadline and clear expectations for certification so that if counties miss deadlines, courts can expediently intervene.

GOAL #4: The elections workforce is well resourced, well trained, and resilient to threats.

12. State and local governments should compensate election administrators and their staff at competitive rates commensurate with their responsibilities and experience.
13. States should collect and publicly report current and historical data on election official pay, tenure, and turnover.
14. States should form a state association of election officials.
15. States should incentivize, and where possible require, training for new election officials and continuing education for returning officials. States should regularly evaluate the efficacy of their training programs.
16. States should require the state election office to produce an election procedures manual every two years.
17. State and local governments should encourage partnerships with other local government bodies that incentivize public servants to serve as temporary election workers.
18. States should explore alternative administrative structures to reduce the number of temporary workers needed for each election.

GOAL #5: State and federal governments invest in election technology innovation. National guidelines for voting and non-voting equipment are updated regularly with the input of local election officials and adhered to nationwide.

19. Congress should increase the budget of the U.S. Election Assistance Commission (EAC). With appropriate resources, the EAC should regularly update voluntary guidelines and expand the number of testing laboratories.
20. The EAC should create voluntary guidelines for non-voting equipment, such as electronic poll books and ballot-on-demand printers.
21. States should consider equipment certification processes that promote expediency, flexibility, and security.

GOAL #6: Political factors do not affect the unbiased administration or perception of elections. Legislative reforms are made in a bipartisan manner and prioritize the needs of voters and election administrators.

22. States should explore administrative structures that imbue non- or bipartisanship in election administration supervision.
23. Election administrators should not face legal or criminal penalties for unintentional administrative mistakes.

GOAL #1

Election administration has regular, predictable funding from local, state, and federal governments.

Limited resources underpin nearly every logistical, administrative, or trust issue that election offices face. Elections are one of America's most locally run tasks, administered by officials who work long hours to ensure that elections are fair and secure. Election officials are often required to make hard trade-offs due to resource constraints—such as consolidating polling places, limiting training, using outdated technology, or hiring fewer staff. Underfunding exacerbates the [inconsistent service](#) voters get across the nation, with some states allocating exceptional resources to voter education, voter outreach, and up-to-date technology, and others with only enough resources to cover essential functions.

During the 2020 election, private philanthropy stepped in to provide more than \$400 million to support election administration. Jurisdictions [in predominantly Republican and Democratic areas](#) accepted these grants because of the increased money needed to conduct an election during the COVID-19 pandemic. This support was crucial in ensuring access to the ballot amid a global pandemic, but elections should not need to rely on private funding to function.

Although our elections are reliable and secure, chronic underfunding increases the risk of errors that become ground for mis- and disinformation. Maricopa County's midterm election in Arizona demonstrated firsthand how minor, technical glitches can undermine voter confidence—[even when these issues were quickly identified and addressed](#). Although printer errors in Maricopa did not affect voters' ability to cast their ballots or the accuracy of results, the errors will feed fraud narratives for years to come.⁶

Analysis of existing election funding research conducted by the MIT Election Data Science Lab [suggests](#) that the total cost of conducting elections in the United States is between \$4 billion and \$6 billion per year. While a seemingly large number, this amounts to just 0.25% of local government spending and 0.5% of federal nondefense discretionary spending.⁷ Additional resources are needed to mitigate local vulnerabilities that could have national implications if

⁶ A combination of heavier paper, unadhered ink, aging printers, and higher in-person turnout was the likely culprit of ballots being rejected by tabulators (and instead placed in a secure box) in about 30% of vote centers on Election Day. High volume stress testing of all printers might have caught the problem, but that would have required diverting resources from other essential elections activities in a county that already tests all voting equipment before each election. And while officials acted fast to implement contingency plans, that did not stop Arizona gubernatorial candidate Kari Lake from suing the state in an effort to overturn her loss. Lake would have taken this step regardless of how the election was run, but it was the printer errors that ultimately gave an illusion of credence to her claims.

⁷ \$5 billion (estimated annual cost of administering elections) / \$0.9 trillion ([CBO report of FY2021 nondefense discretionary outlays](#)) = 0.0055, or 0.5%.

exploited. Local, state, and federal governments must work together to sustain this critical infrastructure.

The following policy recommendations are the first step toward mending the fractures created by chronic underfunding.

Recommendation 1: States should work with election officials to identify and allocate the level of funding necessary to close resource gaps.

One challenge cited by policymakers when discussing election funding is the lack of clarity on what constitutes a “sufficient” amount of resources. More can always be spent, and elections must compete with other critical public services, such as health care and social services, for support.

State executive and legislative branches should work in concert with their state’s election officials to create a tailored funding solution that responds to the unique considerations of their state. Due to the patchwork of state and local laws governing how elections are run, no election costs exactly the same, and no single funding solution can work for all jurisdictions.

While responsibility over funding ultimately falls to the state legislature—and cities, towns, or counties in some states—getting the governor’s office involved can strengthen election officials’ case for increased support. Governors present budgets to the legislatures for approval; being included in the executive budget can be a leg up for election offices if the request captures resource needs effectively. State budgetary offices also tend to be more adept at monitoring long-term state fiscal needs than the legislative branch. These offices should work with the state’s election officials to benchmark the current and future fiscal needs of the election system.

Recommendation 2: Congress should create a regular and predictable stream of federal funding for elections that supports state and local election administration. The executive branch should prioritize consistent elections funding in its annual budget request.

There is a philosophical and partisan divide about the appropriate role of the federal government in supporting election administration, which is traditionally viewed as states’ responsibility. However, an increasingly interconnected, complicated, and contentious political environment means that vulnerabilities in one jurisdiction could cast doubt on the election and, ultimately, on American democracy as a whole.

Although elections infrastructure was designated [critical in 2017](#), federal investment is irregular, unpredictable, and insufficient. When it comes to federal support, election administrators prioritize the need for consistent and predictable funding over any specific amount. Unpredictable, onetime infusions of federal support make it nearly impossible for state and local

administrators to invest in the kind of long-term equipment, security, and process improvements that are needed to mitigate trans-jurisdictional threats. Federal funding also tends to respond to a specific concern (such as security vulnerabilities or the COVID-19 pandemic), yet arrives too late to affect the upcoming election. When the funding does not solve the problem legislators imagined it might, it creates a negative feedback loop in which the efficacy of all federal elections support is put into doubt.

As threats to elections morph and grow, so must our response. Congress has allocated only \$4.23 billion in funding from 2003 to 2022.⁸ That amount covers just more than 4% of the total cost of running elections in this period.⁹

Elections are not immune from federal involvement: The National Voter Registration Act of 1993 and the Help America Vote Act of 2002 both set standards and requirements for election administration. Furthermore, federal elections occupy disproportionate “real estate” on ballots, with federal elections often appearing at the top of the ballot, over state and local contests. Elections may be primarily a state responsibility, but the evolving nature of election administration warrants a reevaluation. To shore up American democracy, Congress should consider a more cooperative cost-sharing arrangement that recognizes outsized threats to elections and the federal government’s reliance on election administration.¹⁰

When creating a regular funding stream, Congress should ensure that:

- States have flexibility in what qualifies as a match, if a state funding match is required.
- States are incentivized to distribute a portion of the funds to the local level, or to use the funds in a way that has demonstrable benefits to local officials (such as purchasing new voting systems so that the local jurisdiction does not have to).
- States are required to report to the EAC on how they spent the funds, with reporting structured to minimize the burden during election cycles.

Recommendation 3: Local, state, and federal governments should provide additional, short-term funding to implement policy and administrative reforms.

Election reforms are onerous to implement given the complex, interconnected nature of administration and the need to communicate changes to voters. Unfunded mandates in which officials are required to implement changes with

⁸ Congress allocated an additional \$75 million in HAVA grants in the FY2023 spending bill.

⁹ Estimate includes 2003 authorization of \$2.95 billion, 2018 allocation of \$805 million, 2020 allocation of \$400 million, and 2022 allocation of \$75 million. Figures are sourced from the MIT Election Data Science Lab’s [The Cost of Conducting Elections](#).

¹⁰ Many jurisdictions already take this approach to county-municipality cost-sharing, in which counties reimburse municipalities for the county races that are on the ballot, or vice versa.

no additional funding are an unfortunate norm in election administration. Reforms funded in the long term without any temporary funding to support transition costs are similarly problematic, but are less often discussed.

For example, a state might expand absentee voting options by removing an excuse requirement, creating a permanent absentee voting list, and removing postage costs for voters. These changes would likely increase absentee voting turnout relative to in-person voting options, but they would also increase the *long-term* resources needed to process absentee ballot applications, conduct absentee voter identity verification, tabulate voted ballots, and pay for postage.¹¹ The jurisdiction would also have to expend resources in the *short term* to train staff on the changes and send mailers to voters explaining the changes, resulting in increased training, staffing, paper, and postage costs. If following industry best practices, the jurisdiction might also decide to pursue a social media and messaging campaign in addition to mailers, further increasing its costs. Yet despite a shift of voters away from in-person voting options, the jurisdiction would still have to staff and stock the same number of in-person voting sites, particularly at the beginning when the public has yet to adjust to new voting options.

As this example illustrates, even a seemingly small set of administrative changes creates increased short-term costs to support implementation, retraining, and voter education. Reforms that require sweeping changes without detailed implementation guidance exacerbate the challenge of covering transition costs. If a state chooses to expand early voting, for example, but does not specify the hours or number of voting sites required, quantifying the transition costs will be virtually impossible.

To prevent voter confusion, administrative mistakes, and election official burnout after the introduction of a new policy, the local, state, or federal government mandating the change must provide short-term, transition funding (with a clear sunset). This money should be in addition to long-term support.

¹¹ States that remove postage costs for voters should create a protected fund to cover costs for local jurisdictions.

GOAL #2

All qualified individuals are able to register and cast their ballot in a free, fair, and private manner without undue burden or barrier. Voter roll maintenance is a regular and uncontroversial part of the elections process that is sustained through interstate cooperation.

U.S. elections take place in a stratified society, where race, class, and ability can all affect an individual's access to the ballot and likelihood of having their vote accepted and tabulated. Voting and verification policies need to actively counter disparities rather than passively accept them.

The most foundational democratic principle is that all qualified voters are able to register and cast their ballot in a free, fair, and private manner without undue burden or barrier. To make this principle a reality, voters should be front and center in legislative debates on election policy. To foster long-term trust, all major ideological factions should have a say in how the mechanics of our democracy function, so long as basic democratic principles are respected.

The following reforms straddle the tension between security and access to create an administrative system that meets voters' needs without sacrificing trust.

Recommendation 4: States should invest in voter education and outreach efforts at the state and local levels. States should pilot direct-to-voter, rapid communication efforts that streamline updates about the voting process, ballot tracking, and curing.

A [nationally representative survey](#) that BPC conducted in October 2022 found that state and local election officials are among the most preferred sources of election information, yet states and local jurisdictions vary greatly in the resources they devote to voter education and outreach efforts.

The benefit of voter education and outreach efforts are twofold: They improve both the voting experience and voter confidence. When voters have access to clear information about how to vote, they are more likely to have a smooth voting experience and to avoid obstacles that might undermine their trust.¹²

The interconnected relationship between voter outreach, the voting experience, and voter confidence indicates that misinformation about the election process

¹² Mara Suttman-Lea and Thessalia Merivaki, "[The Impact of Voter Education on Voter Confidence: Evidence from the 2020 U.S. Presidential Election](#)," (Paper Presented at the 6th Annual Election Sciences, Research, and Administration Conference, 2022, Charlotte, NC.); Thad Hall et al, "[The Human Dimensions of Elections: How Poll Workers Shape Public Confidence in Elections](#)," 2009.

is more than a side effect or symptom — it is itself an undue barrier to the ballot box that states should begin to mitigate through aggressive voter education efforts. Given that local officials are among the most highly trusted information messengers, states should allocate funding for voter education and communications to local offices.

Additionally, states should adopt direct-to-voter communication efforts that leverage texts and emails to create a “one-stop shop” for voting information and updates. During interactions with the election office (such as registering to vote or requesting a mail ballot), voters should be given the option to subscribe to text or email updates with assurances that their phone numbers and emails will not be shared publicly.

This step would create a consistent and expedient means of communication and voter education through which the local election office could update voters about everything from upcoming election deadlines to a late opening of their neighborhood polling place. To further improve the voting experience, states should integrate ballot tracking notifications and curing options into the email and text communications.¹³

PROMOTING SECURITY AND ACCESS IN EACH OF THE FIVE STEPS TO CASTING A BALLOT BY MAIL

The five steps involved in mail voting vary by jurisdiction; each has the potential to help or harm a voter’s ability to have their ballot counted.

— ***Step One: Voters request an absentee ballot, if they are not in a universal vote-by-mail state.***

Recommendation 5: States should allow vote by mail without voters having to provide an excuse.

Mail voting, which has been in use in some form since the Civil War, makes voting more convenient, increases turnout, and can reduce the administrative and financial overhead involved in administering an election. Moreover, voters from all parties take advantage of this option. Voting by mail is a cornerstone of access for military members and voters with disabilities, and in 2020 it was an instrumental component of the most secure election in U.S. history amid a global pandemic.

Despite the benefits, [15 states](#) still require voters to provide an excuse to cast a ballot by mail, an unnecessary hurdle in a secure and beneficial process. To create a modern and accessible administrative system, states should permit all voters to request an absentee ballot without being required to provide an excuse.

¹³ Colorado has had great success in its [TXT2Cure](#), which enables voters to fix eligibility issues on their mobile devices without having to go to the election office.

To maximize the reach of mail voting, Congress should increase funding for the U.S. Postal Service. The USPS is largely unequipped to handle large volumes of mail ballots over a short period, and robust mail voting necessitates a robust USPS. Even with more expedient mail delivery, policymakers still need to ensure that mail ballot deadlines (such as the final date voters can request a mail ballot from the election office) give voters reasonable time to complete the task.

- ***Step Two: Voter receives and marks ballot sent by the election office. Voter signs their ballot envelope and submits any required documentation.***

Recommendation 6: Mail voters should be able to return their ballot without prohibitive identity verification requirements, such as a notary, witness, or documentation photocopy.

Used by [27 states](#), signature verification is widely regarded as the best way to balance security and accessibility in mail voting.¹⁴ [Three states](#) require ballot envelopes to be notarized for verification, and Arkansas requires voters to submit a photocopy of their ID with their returned ballot. Several states also use voters' identity numbers for verification, occasionally in conjunction with other verification alternatives.

Requiring that copies of identification documents be submitted with an absentee ballot or application hinders voter access, particularly for lower-income populations, without creating proportionate improvements to election security. Not only are certain forms of photo identification less widespread among lower-income communities, young people, and communities of color, many households lack the tools necessary to make copies at home, and getting copies made commercially incurs costs for the voter. Copies of ID are also fairly easy to alter or forge.

Accessibility limitations extend to witness and notary requirements, which are often paired with other verification measures. Witness and notary requirements are not proven to increase security and are especially challenging for lower-income voters and voters with disabilities who may not have the time, resources, or ability to attain a witness or notary signature, which usually cost about [\\$10](#) each.

Absentee voting was conceived to extend voting access to individuals unable to vote in person. Given that photocopy, witness, and notary requirements create unnecessary burdens, particularly for marginalized groups, this policy option fails to uphold the level of accessibility absentee voting aspires to achieve.

¹⁴ Signature verification is the process by which a signature on a ballot envelope is compared against a signature on file with the election office to confirm a voter's identity.

The use of identity verification numbers as an alternative to signature verification has picked up steam in recent years, and was adopted by [Georgia](#) and [Texas](#) in 2021 omnibus election bills.¹⁵ BPC [previously discussed](#) the use of ID numbers as a potentially more expansive and accessible verification alternative:

“Despite the security and privacy concerns, this policy option scores high on accessibility, especially when compared against requiring voters to provide a copy of their identification documents. Even voters who do not have a photo ID should have access to their Social Security number, and enabling voters to provide the number without needing a copy removes an additional barrier to voting that traditionally restricts lower-income groups.”

However, the Texas experience cast doubt on the viability of ID numbers as an accessible verification tool. The transition from signature to ID number verification first took place in Texas’s March 2022 primary. The state required voters to list their voter identification number (ID), driver’s license number (DL), or the last four digits of their Social Security number (SSN4) to verify their identity—whichever number they used to register to vote. However, many voters did not remember which number they used to register (some having registered decades before), and others missed the instructions entirely and left the field blank. As a result, ballot rejection rates skyrocketed from [around 1% to more than 12%](#), with disproportionately high rejection rates for voters of color. Although a ballot envelope redesign and improved voter education efforts helped the rejection rate fall to [2.7% in the midterm election](#), the rejection rate remains egregious compared with other states’: Texas had nearly [double the rejection rate](#) than the next highest state nationwide in the midterm election.

To mitigate the potentially disenfranchising effects for voters in states set on transitioning toward ID number verification, states might consider first implementing a tiered system in which both an ID number and signature are requested. If a voter’s provided ID number fails to match the number the election office has on record, the election office could default to signature verification as a backup. States should also look for ways to improve the comprehensiveness of ID and SSN4 numbers stored in the voter file and do extensive ballot envelope design testing to reduce accidentally missed fields.

¹⁵ According to the [National Conference of State Legislatures](#): “Georgia requires the voter’s driver’s license number or state identification card number, which is compared with the voter’s registration record. Note: Minnesota and Ohio also require this information, though Minnesota also requires a witness signature, and Ohio conducts signature verification.”

— **Step Three: Voter returns the ballot to the election office.**

Recommendation 7: States should expand electronic ballot delivery and marking options to voters with disabilities.

This recommendation first appeared in the task force’s 2022 report: [Balancing Security, Access, and Privacy in Electronic Ballot Transmission](#). See the report for additional context and considerations.

Receiving, marking, and returning a ballot is a smooth process for many voters, but significant hurdles remain, particularly for voters who are overseas or who have functional or access barriers to interacting with a paper ballot. The Uniformed and Overseas Voting Act of 1986 (UOCAVA) and the MOVE Act of 2010 give uniformed and overseas voters the ability to request and receive a mail ballot electronically. [Thirty-one states and Washington, DC](#), go one step further and permit UOCAVA voters to return their ballot to the election office electronically as well. [Thirteen states](#) have expanded electronic ballot return options to voters with disabilities.

Election officials and cybersecurity experts agree that electronic ballot return poses security vulnerabilities that cannot be fully mitigated. In spite of the vulnerabilities, electronic ballot transmission is crucial in ensuring that certain citizens unable to vote through traditional voting methods can still cast a ballot. Given the high likelihood that—through either litigation or legislation—electronic return might one day be required, we encourage states to proactively explore secure options for electronic ballot return for voters with disabilities and how these options could be implemented. In the meantime, electronic ballot transmission options—delivery and marking, in particular—are essential first steps to enshrining the right to vote for communities at risk of disenfranchisement.

The task force has also [recommended](#) that states expand the options for the return of mail ballots to include secure and accessible drop boxes that will facilitate the return of mail ballots.

— **Step Four: Election office verifies the identity of the voter and prepares the ballot for tabulation. If identity is not verified, the ballot is either rejected or the voter is given an opportunity to verify their identity.**

Recommendation 8: States should provide robust ballot tracking options, as well as options to cure ballots’ eligibility deficiencies, to all voters using mail or electronic ballot return.

For mail voters, the act of voting is not over when they seal and sign the ballot. They must return their ballot to the election office, have their identity verified, and their ballot tabulated.

If a ballot envelope fails to meet eligibility requirements (for example, if it is missing information or the signature does not match the one on file), voters

in [24 states](#)¹⁶ are given a chance to fix—or “cure”—problems on their ballot envelope before their ballot is flagged and not counted. Voters commonly make mistakes when filling out their ballot envelope, underscoring the importance of generous curing options to an accessible election system.

States should require election officials to notify voters of problems with their ballot envelope and give them ample opportunity to rectify the problem, even if that period extends a few days beyond Election Day. To facilitate curing, states should request additional points of contact, such as a voter’s email address or cellphone number, during the voter registration process. These points of contact should not be publicly disclosable.

Ballot tracking pairs well with curing to promote both election security and voter access. Election officials benefit from knowing where a ballot is during all steps of voting and counting, as it improves their ability to maintain chain of custody and identify vulnerabilities. Voters benefit from knowing whether their ballot was received and verified by the election office. When a mailed ballot runs into a problem (such as not arriving on time or lacking identifying information), ballot tracking enables the voter to catch the problem early, resolve any issues, and cast their vote.

— **Step Five: Ballot is tabulated.**

Recommendations relating to ballot tabulation are in the following section on mail ballot processing.

PRIOR TASK FORCE RECOMMENDATIONS: VOTER REGISTRATION AND ACCESS

The BPC Task Force on Elections endorsed a suite of voter access reforms in its first report, [Logical Election Policy](#). Those reforms are listed below, and additional context and explanation can be found in the full report.

Recommendations from *Logical Election Policy* pertaining to voter access include:

- States should allow voters to sign up to receive a ballot by mail for multiple elections with one application.
- Voters should have the option of voting early and in-person for a period of at least seven days in advance of a federal election.
- States should set a minimum standard for the number of early voting sites.

Recommendations from *Logical Election Policy* pertaining to voter registration include:

¹⁶ According to the National Conference of State Legislatures, “Twenty-four states require election officials to notify voters when there is a missing signature or a signature discrepancy.” States in which local officials conduct curing without a state requirement are not included in this figure.

- States should join the Electronic Registration Information Center (ERIC) program for effective list maintenance.
- U.S. citizens performing a transaction under the National Voter Registration Act of 1993 with a state’s Department of Motor Vehicles or other social service agencies should be seamlessly registered to vote or have their registration updated as a function of that transaction, unless they opt out at the point of service.¹⁷
- States should set voter registration deadlines to the fewest days necessary to prepare for the election to provide constituents a reasonable opportunity to register to vote.
- States should implement an online voter registration system that facilitates registration in an accessible and secure manner.

¹⁷ The National Voter Registration Act of 1993 set baseline registration requirements for states. Most states have moved beyond the NVRA, modernizing the voter registration process by adding online components and making the system more automated.

GOAL #3

Results are trusted by candidates and the general public. Mail ballot processing is smooth and widely trusted, and initial results are released expediently after the polls close. After a successful canvass, results are certified and acknowledged by stakeholders without controversy.¹⁸

There is a growing conflict between the speed and accuracy of results reporting. The period between the close of polls and the release of unofficial results is one of the most precarious for the spread of misinformation about election results. Candidates [on both sides of the political spectrum](#) have been known to sow doubt in results, especially during this period. Longer waits for unofficial results mean election officials are taking the time they need to verify voters' identities and process ballots, but today's rapid-information culture perceives longer waits as inherently suspect. Candidates have begun to take advantage of this delay to sow doubt in results before they are released, so shortening the amount of time it takes to produce unofficial results is critical to rebuilding trust.

After they release initial results, election offices canvass and certify the results. Not all states use the same terminology, but canvassing refers to the collection and reconciliation of all ballot materials used during an election. Canvassing leads to certification, or the final and official confirmation of election results by the relevant authoritative body in the state once the canvass is complete.¹⁹

The certification of election results was long a ceremonial and uncontroversial part of the election process, but it has been abused in recent years to disrupt, delay, and cast doubt on orderly election operations. Although the certification challenges that have occurred to date have been resolved (typically through a court order), public conflicts that play out over days or weeks fuel doubt among voters who might otherwise have no reason to question, or even consider, how results are certified.

This section offers several recommendations to shore up the accuracy and speed of mail ballot processing, promote trust in results, and close gaps in certification.

¹⁸ This section was partially informed by a full day convening on election audits hosted by the Center for Democracy and Technology (CDT) in February 2023. What is written here does not necessarily reflect the positions of CDT. Verified Voting's Policy & Strategy Director Mark Lindeman also provided substantive feedback to improve these recommendations.

¹⁹ Read more about canvassing and certification in BPC's 2021 report, [Behind the Curtain of Post-Election Canvassing, Audits, and Certification](#).

The BPC Task Force on Elections has written extensively on mail ballot processing. Two particularly relevant recommendations made previously by the group are:

- Election administrators should be permitted to process mail ballots beginning at least seven days before Election Day but must be prohibited from producing early results.²⁰
- States should standardize and simplify ballot return deadlines. States hoping to shorten the reporting timeline for initial results should consider requiring that all ballots be in hand by the close of polls to be counted.²¹

Recommendation 9: States should pair machine tabulation with precertification tabulation audits after every election to improve accuracy, expediency, and trust. States should leverage performance audits to improve ballot accounting and paper management.

Tabulators have higher accuracy rates than hand counts and are the key to expedient results on election night; they also reduce resource demands on local governments. However, as of February 22, 2023, [eight bills across four states](#) have been introduced this year that would outlaw the use of ballot tabulators based on the false premise that hand counts are more accurate than machine tabulation. It is true that tabulators are not immune to error or malfunction. However, the most accurate results come not from relying on either machine tabulation or hand counts alone but from pairing the two together through robust tabulation audits conducted after every election.²²

Although precertification audits are the gold standard, current certification timelines constrain their use in many states.²³ As such, states might need to lengthen their certification timeline to give local jurisdictions enough time to complete precertification audits. The BPC task force recommended in a 2021 [report](#) that local certification deadlines be set no earlier than 14 days after a general election. States should strive to keep county certification timelines as close to 14 days as possible, given the risk that longer timelines could embolden partisan actors to interfere with orderly certification.

Tabulation audits not only catch errors and validate the accuracy of results, they also foster improved ballot accounting and paper management. Performance audits, administered by the state election office or state audit board, should be utilized to assess ballot accounting protocols and identify areas of improvement.

²⁰ Bipartisan Policy Center, [Logical Election Policy](#). January 2020.

²¹ Bipartisan Policy Center, [Improving The Voter Experience After 2020](#), April 2021

²² Read more about canvassing and certification in BPC's 2022 explainer, [How Ballot Tabulators Improve Elections](#).

²³ The task force recommended in a [2020 report](#), "A post-election audit that finds significant discrepancies should lead to a process to correct the result, such as a recount."

Recommendation 10: States should explore alternative audit governance models that involve a cross-partisan, multidisciplinary state board to guide audit standards and implementation.

The aftermath of the 2020 election saw a proliferation of [unofficial audits](#), heightening concern among election professionals about legislative efforts to place audit authority outside of the election office. These concerns are especially ripe given [federal requirements](#) that election officers maintain custody of materials for 22 months after an election.

BPC believes that [election officials must maintain custody of ballots and other election peripherals in accordance with federal and state law and judicial standards for admissible evidence](#). Yet there is room for improvement in how audit standards are set and overseen at the state level: States can solidify audit governance and oversight while maintaining local election officials' responsibility over the administration of the audit itself.

Creating a multidisciplinary and cross-partisan state board to set audit standards and oversee implementation is one way to promote consistency and professionalization while mitigating the risk of partisan interference. A common retort to the validity of election audits is that one cannot audit themselves. That said, election administration is a unique field with complex processes and limitations of material retention that make true external audits infeasible and potentially destructive.²⁴

Multidisciplinary audit boards create consistent state-level standards that are informed by industry-best practices from professional auditors, statisticians, and election administrators.²⁵ General conclusions about the validity of election results cannot be made when different processes across the state guide audits (for example, when some jurisdictions recount a portion of ballots by hand and some simply run those ballots through the tabulator again). Although an audit board is not the only means to promote consistency across jurisdictions, it is the best way to capture multiple areas of expertise and minimize the risk of

²⁴ In response to a proposed [Pennsylvania constitutional amendment](#) that would place broad authority over election audits in the state's elected auditor general, concerns abounded that state auditors general are inexperienced in election administration and are thus unequipped to be involved in auditing election results. Some feared that auditors general might unintentionally interfere with postelection canvassing or mislead the public or elected officials about the trustworthiness of results. Pennsylvania's proposal clarifies that "In years when the Auditor General stands for election to any office, an Independent Auditor shall conduct the audit," a positive step toward apolitical audit administration.

²⁵ Giving auditors general a role in audit standards and oversight but not implementation (for instance, through a seat on the state audit board), could help improve professionalization and perceived trustworthiness without sacrificing the role of election officials. Auditors are bound by [professional standards](#) that dictate that auditors cannot perform work unless they have expertise in the area. If some authority over election audits was placed in a state auditor's office and the office was not large enough to hire staff experienced in elections, the office would likely hire a consultant to provide the necessary knowledge. BPC's primary concern about giving auditors general any authority over audits is the risk of partisan interference. Auditors general are partisan elected officials in [24 states](#), increasing the risk of politically motivated audits that undermine trust and integrity.

partisan interference, as the creation of a state audit board alleviates concerns that state chief election officials running for reelection would oversee an audit of their own election.

New Jersey provides a promising example of how this might take place. As Verified Voting [summarizes](#):

“[In New Jersey, the] state attorney general appoints an independent professional audit team of at least four individuals, including at least one individual with verifiable expertise in statistics and at least one member with verifiable expertise in auditing. This team oversees the audit process. No member of the audit team may be a candidate for office in the election to be audited, nor may they be an employee of or report to the attorney general, nor an officer or employee of any entity that designs, manufactures, or services a voting system used in the state.”

The BPC task force detailed eight additional recommendations in its 2021 report, [Bipartisan Principles for Election Audits](#).

Recommendation 11: If a local jurisdiction fails to complete certification by the statutory deadline, the state election office should be required to step in and oversee certification through completion. If bipartisan or nonpartisan intervention is not an option, states should codify a statutory deadline and clear expectations for certification so that if counties miss deadlines, courts can expediently intervene.

To date, certification challenges at the county level have been resolved through a court ordering a county to complete certification in accordance with state law. This was the case in New Mexico’s [Otero County](#), Arizona’s [Cochise County](#), and Pennsylvania’s [Berks, Fayette, and Lancaster counties](#) in 2022.

Certification challenges might increase in the days after the 2024 presidential election. As such, states should review their current certification rules to minimize the potential for disruption and lay out contingency plans should disruptions occur.

At minimum, states should clarify certification rules and deadlines in state law. Should a court need to get involved, clear statute will expedite the process by which a court orders a county to certify its results. Michigan’s [Proposal 2](#), adopted by popular vote in the 2022 midterm election, altered the state constitution to clarify that canvassing boards are only to perform nondiscretionary, ministerial operations. The change even went so far as to name the documents and steps involved in certification. This clarity undermines the potential for lawful manipulation of certification processes for nefarious ends.

To further shore up orderly certification, states might consider an automatic backup mechanism for certification that is triggered when a county fails to

meet its statutory deadline. In Michigan, the state's bipartisan canvassing board steps in to take charge of certification when a deadline is missed, with tasks typically being conducted by local staff and overseen by the state. This automatic intervention insulates certification from extended litigation, as witnessed in Pennsylvania's [multi-month certification contest](#).

States must ensure that any authority vested with certification authority is as bipartisan or nonpartisan as possible to insulate certification from partisan manipulation. Certification authority should be placed in the hands of trained and experienced election professionals, not politically vulnerable elected officials, where possible.

GOAL #4

The elections workforce is well resourced, well trained, and resilient to threats.

Election administration is supported by thousands of part- and full-time election officials and [more than 700,000 temporary workers](#) each election. Recruitment, training, and resource limitations hinder both groups, but each also comes with unique vulnerabilities that must be addressed through tailored policy solutions.

— *Election Administrators and Staff*

The expedient and informed decision-making of experienced administrators preserves public trust when issues arise, yet the election official workforce is approaching a cliff precipitated by high turnover, stymied recruitment, and the loss of institutional knowledge. Without intervention, we risk reaching a point at which a wave of new administrators, operating under intense public scrutiny while grappling with the complexities of their role, is running elections.

As the public has begun to appreciate the central role of election administrators in sustaining and preserving democracy, so too have malicious actors intent on undermining free and fair elections. In recent years, election administrators have been inundated by burgeoning public records requests, efforts to criminalize administrative activities, and relentless physical threats and harassment. Dire resource constraints exacerbate each of these trends, and election administrators are facing widespread burnout and a rising tide of resignations and retirements that tend to cluster after each national election cycle. A Brennan Center for Justice [survey of local election officials conducted in March 2022](#) found that 1 in 5 local election officials planned to leave before 2024, citing politicians' attacks on the system, stress, and retirement plans.

Solving workforce challenges will require more than simply allocating additional resources or expanding current training options. It will require an ecosystem-level approach that improves recruitment, strengthens retention, and innovates training. Together, these reforms will foster a sustainable talent pipeline, improve job performance and satisfaction, ensure experienced professionals are running elections, and insulate elections from the negative ramifications of high turnover by creating a vehicle for the preservation and dissemination of institutional knowledge.

— *Temporary Election Workers*

The smooth functioning of elections relies on hundreds of thousands of part-time workers across the United States to support the voting and counting process. [Poll workers](#) and other temporary election workers support all aspects of election administration: They are responsible for setting up voting equipment, checking in voters, troubleshooting on Election Day, assisting in the verification and counting of mail ballots, and more.

Election officials have long struggled to recruit temporary workers. In 2016, 64.6% of jurisdictions [reported](#) that it was “very difficult” or “somewhat difficult” to obtain a sufficient number of poll workers. Temporary workers tend to skew toward older demographics; while poll workers were [younger than average](#) in 2020, the majority were over the age of 40 and nearly half were over 60. Amid COVID-19 health risks to older populations, election offices nationwide feared that they wouldn’t be able to recruit sufficient workers in 2020. Thanks in part to a coordinated national poll worker recruitment campaign spearheaded by [Power the Polls](#), recruitment ended up being less challenging than it had been in years, with only [52% of jurisdictions](#) reporting difficulty recruiting workers.

Although election officials always make do and 52% is an improvement, it is untenable that the majority of election offices face difficulty on what should—or could—be a routine task. Furthermore, the positive trend was likely short-lived. While many of the more than 700,000 potential workers identified by Power the Polls in 2020 said they would be interested in working in future elections, anecdotal evidence from election officials suggests that recruitment difficulty returned to pre-pandemic levels in 2022, and is at risk of getting worse as elections become more complex. At least [17 states](#) expanded early voting between 2020 and 2022; when offices need to staff polling sites for days or weeks ahead of Election Day, it increases the number of workers (and/or total time commitment of each worker) needed for an election. Some jurisdictions also rely on temporary workers with specialized experience to provide technical support and troubleshooting over the course of an election.

Beyond recruitment, the 2022 election brought new fears of insider threats among temporary election workers. In February of 2022, candidates for governor and state Senate in Michigan [instructed](#) poll workers to “unplug voting machines if they suspect fraud and [suggested] that people should ‘show up armed’ to protect ... observers’ access to ballot counting.” On September 29, 2022, one Michigan poll worker was [charged](#) with falsifying records and tampering with voting equipment.

To date, insider threats have been isolated, identified, and thoroughly investigated. Americans should feel confident in their elections systems, and states should take this opportunity to build on current resiliency and further [shore up the security of their poll worker policies](#) for future elections.

POLICY RECOMMENDATIONS: ELECTION OFFICIAL RECRUITMENT, RETENTION, AND TRAINING

Recommendation 12: State and local governments should compensate election administrators and their staff at competitive rates commensurate with their responsibilities and experience.

Workforce policy discussions tend to focus on how policymakers might respond to high rates of turnover. Less often discussed, but at least as important, is how to protect the workforce from turnover to begin with. Election administration should be able to withstand periods of high turnover without atrophying from the loss of institutional knowledge and experienced staff. States must invest in retaining experienced staff and creating a pipeline of future election workers to promote a resilient workforce.

Although the responsibilities of election administrators have proliferated and become more complicated over time, pay has, at best, stagnated. In 2004, 53% of local election officials reported making \$50,000 or more annually. In 2022, that figure [rose to only 57%](#). This is despite the fact that, adjusting for inflation, \$50,000 in 2004 is worth more than \$75,000 today. While roughly 50% of local officials overall report being satisfied with their pay, [74% of local officials](#) in smaller jurisdictions are not.

In many jurisdictions, clerks are still considered clerical positions, meaning that despite the increasing technological and logistical complexity of election administration, they earn less than similar positions in local government. Some states prohibit state employees from getting a raise if they move into a different position within any agency of the state, even if the new job is of a higher classification; this freezes wages, disincentivizes upward mobility, and fuels turnover. To facilitate competitive compensation packages, states should examine how election official positions are classified in state and local law. Where applicable, states and localities should reclassify election official positions to facilitate competitive pay, recruitment, and raises. Classifications should match other government department job structures with chief election officials being paid as department heads.

Additionally, because many election officials are salaried, they are ineligible for overtime pay. States and localities should consider making election administration positions eligible for additional pay, including overtime and bonuses, to recognize the unavoidable long hours of election season.

Recommendation 13: States should collect and publicly report current and historical data on election official pay, tenure, and turnover.

Despite broad concern about unprecedented turnover among election administrators, there is little to no data on how many election officials have left, or how turnover rates compare to other civil service positions. We simply have anecdote after anecdote of tried-and-true administrators leaving their posts for better paying (and less stressful) positions in the private sector.

The lack of a clear understanding of the scope and severity of the problem is one of the primary barriers to election workforce development and professionalization: Understanding the problem is the first step to solving it. States must take the lead in investing in data collection and reporting efforts that track and publicly report pay, tenure, and turnover rates over time.²⁶ They should compare this data against similar roles in the public sector and publicly report relative compensation levels, including breakdowns by gender and position type.

Recommendation 14: States should form a state association of election officials.

Strong state associations provide myriad benefits to election administration:

- Promote community, communication, and sharing of best practices between officials.
- Provide a clearing house for state election news and developments.
- Represent officials' interest to state legislators.
- Administer training, in some states.

In an ideal scenario, robust state associations bring together election administrators to promote community, foster consensus, and promote election officials' perspectives in state legislatures. State associations have the potential to ameliorate burnout among officials by reducing confusion amid unclear or shifting legislative mandates and advocating on their behalf to legislators. One local election official reported to BPC that they felt so burnt out by recent election controversies and overwork that they no longer have the energy or desire to testify about needed reforms to their state assembly. Yet local officials' perspectives are crucial to preventing poorly thought-out policies that harm voters and administrators alike. State associations can remove this burden from local officials while providing a stronger, consistent voice to state policymakers.

While not feasible for all states, hiring an executive director experienced in election administration to head the association improves professionalization

²⁶ While data that shows change over time is ideal for understanding the severity of current turnover rates, a lack of historical data should not keep states from publishing the data they do have now.

and maximizes the benefit to administrators.²⁷ Many states do not have a state association, and those that do are often limited by unclear mandates, infighting, and limited resources. The handful of state associations that have a full-time executive director have had marked success in overcoming these limitations. Other state associations typically alternate responsibilities between local officials, but this fosters inconsistency and delegates the association to one of many other responsibilities that local officials have.

Recommendation 15: States should incentivize, and where possible require, training for new election officials and continuing education for returning officials. States should regularly evaluate the efficacy of their training programs.

Strong training programs are the linchpin of strong election administration. When devised and administered effectively, training programs bolster the effectiveness of election administration and increase job satisfaction among participating officials through strengthened job performance, earned incentives, and community-building.

Yet current election official training programs are sparse and inconsistent across states. [Doug Chapin](#) of the Fors Marsh Group explains, “[C]urrent professionalization efforts are driven by availability of resources in specific communities or at different levels of experience in the field. In other words, current spending and investment in professional education and training tends to come from jurisdictions with larger budgets—and thus more disposable funds—or more from senior administrators who view the courses as a capstone for years of experience as opposed to a gateway into, or ladder up, the field.”

Due to the decentralized and state-specific nature of election administration, states must take the lead on devising a training program that works for their state. Core competencies that states should consider in developing their training program include consistent and quality instruction incorporating academia and election administration; convenient and regularly offered training options; a certificate of completion; and opportunities for advanced learning.

Ohio and Arizona exemplify two different but effective approaches to the training of election administrators.²⁸

²⁷ Hiring an executive director is likely unfeasible in a municipal-based system or in a smaller state. In a municipal system, cities and towns barely have funding to pay their clerks and pay for an association’s membership fees at the same time. A full-time director would raise the total cost of maintaining the association, which would increase fees and be cost prohibitive to many municipalities.

²⁸ This is not intended to be an exhaustive portrayal of all effective training models in use by states.

— **The Ohio Association of Election Officials' (OAEO's) partnership with Ohio State University (OSU)**

The [OAEO/OSU partnership](#) is an innovative model that is convenient, is incentive-based, and balances both fundamental and advanced-learning opportunities:

Expertise: Courses are Ohio-specific, designed for election officials, and co-taught by OSU professors and election administrators to ensure that officials are getting the information they need to excel in their roles.

Convenience: OAEO goes out of its way to make the courses convenient by minimizing costs and offering courses twice per year in conjunction with the state association and Secretary of State conferences. Online courses became available during the pandemic, further increasing the ease of participation. Eight courses are required for certification, meaning that officials can complete their certification in two years, thanks to the biannual course offerings.

Opportunities for Advanced Learning: One unique and promising aspect of the OAEO/OSU partnership is the continuing education they offer to experienced officials. Too often, election official training stops at the fundamentals. Because of its OSU partnership, OAEO is able to offer returning officials advanced courses in anything from campaign finance to election law, to social media to record retention. Officials are required to complete at least one advanced course every three years to maintain certification, further increasing the uptake of this option.

Incentivizing Certification: Although obtaining certification through the training program is not required for all officials in the state, [77 out of 88](#) of Ohio's election boards have participated in at least one course in the past four years. OAEO incentivizes completion by offering a title (and corresponding status, e.g., a credential in one's email signature) with certification and performing a ceremony for graduates.

— **The Arizona Secretary of State's office required training for election officers, clerks, and county recorders.**

Arizona requires certification through the Secretary of State for certain county election administration positions. Municipal clerks are allowed to take part in the training or to complete a separate training program approved by the secretary. This approach offers both benefits and drawbacks:

Required Certification: [AZ 16-407](#) prohibits a person from performing the duty of election officer, clerk, or county recorder unless they are the holder of an election officer's certificate issued by the Secretary of State before January 1 of each general election year.

Weeklong intensive training with an exam: The secretary hosts a weeklong training course in off years, typically five seven-hour days. Participants are required to pass an exam at the end of the training to receive certification.

Recertification every other year: After completing the initial training, administrators are required to complete recertification involving a shorter training program followed by an exam.

Quality of Instruction: The secretary relies heavily on members of the elections community to serve as instructors during the training. As a result, the quality of the training can be inconsistent.

Separate training for municipal clerks: Arizona's [Certified Municipal Election Official designation](#) was developed by the Arizona Municipal Clerks' Association before municipal clerks were permitted to attend the secretary's training program. Municipal clerks are encouraged to attend the secretary's training, but that program is oriented toward statewide elections; the Municipal Clerks' Association still encourages its members to attend the municipal training. Additionally, the state requires that city and town employees [reimburse the Secretary of State](#) for the costs of conducting the training, disincentivizing participation from subcounty level staff.

One policy challenge is whether to require or incentivize training. This decision might come down to which body is administering the training. While state law cannot require officials to complete training through a voluntary association, states can incentivize certification by offering increased pay or status to those who choose to complete it. In [Louisiana](#), for example, officials receive a 7% annual compensation enhancement for maintaining an active [Certified Elections/Registration Administrator](#) (CERA) certification.

Another question is how to address lower-level staff. Arizona [excludes](#) "elected officials, clerical and secretarial personnel, counting center personnel and precinct election board members and election officials in cities or towns" from its required training through the Secretary of State. Although this helps remove barriers from lower-level positions that experience more rapid turnover and are often harder to fill, states should provide resources and set standards for training lower-level staff (to be conducted by the local office) if the state does not provide training itself to those essential personnel.

Recommendation 16: States should require the state election office to produce an election procedures manual every two years.

Without clear communication from the state on how to interpret and execute election laws and guidance, election officials are left to their own devices

to trudge through an increasingly complex statutory environment, which is further muddled by court rulings that can render existing laws obsolete.

Election officials need clarity to do their jobs well. To reduce confusion and promote internal consistency, the state legislature should require the election office to produce and publicly release an election procedures manual every two years. When new laws or court orders invalidate parts of the manual, the state election office should either update the manual or have a process in place to communicate changes to local officials. The state legislature should also provide funding for the creation and maintenance of a manual.

The manual is not intended to usurp local officials' ability to create their own materials or processes but to provide clarity on state requirements so that local officials can exercise discretion without unintentionally violating state laws.

POLICY RECOMMENDATIONS: TEMPORARY ELECTION WORKERS

Recommendation 17: State and local governments should encourage partnerships with other local government bodies that incentivize public servants to serve as temporary election workers.

Difficulty recruiting temporary election workers is a near constant in election administration. Due to a web of state and local bureaucratic hurdles, public servants are an underutilized resource that, with the right incentives, could help election offices fill workforce gaps with experienced and reliable personnel.

Ohio's Hamilton County, in collaboration with local public and private entities, undertook an innovative [Partners in Democracy](#) campaign to create a network of skilled temporary election workers. To encourage participation, organizations that join are acknowledged on the Hamilton County Board of Elections website and social media channels.

Hamilton County [explains](#):

“As the election process becomes more technologically advanced, it is critical that poll workers be able to understand and apply these new technologies. Private and public sector employees are an exceptional source of trained, adaptable, and tech-savvy workers to meet this ongoing need. PEOs are trained election workers whose duties include setting up polls and processing voters. PEOs are compensated for training and Election Day work—and county employees are eligible for both their agency's daily compensation as well as the Board of Elections pay, and without having to take a vacation day.”

Because many county employees are reluctant to serve as a poll worker when long hours make it challenging to show up early to work the next morning,

Hamilton County recently revised the program so that county employees who volunteers as a poll worker gets their usual pay, the standard poll worker pay, and an additional personal day that they can use at any point within a one year period.

In 2019, Hamilton County also piloted a [Devoted to Service](#) campaign in which poll workers can pledge their compensation to a local nonprofit organization, improving recruitment and raising money for charitable causes. The county even plans to pitch the campaign to “soccer moms” as a means of raising money for their children’s soccer teams, demonstrating the possibilities inherent in this approach for both recruitment and community-building.

Similar to Hamilton County’s Partners in Democracy campaign, Arizona offers [Civic Duty pay](#) to encourage state employees to serve as poll workers, and select counties (such as [Yuma](#) and [Maricopa](#)) have extended this option to county employees. Civic Duty pay, originally created for jury duty, allows government employees to receive election worker compensation on top of their normal salary. In 2020, focused recruitment resulted in [1,437 state employees](#) signing up for poll worker duty.

Charleston County, SC, combined a program incentivizing public servants to serve as poll workers, Day for Democracy, with [Adopt a Polling Location](#), a program encouraging nonpartisan organizations to staff polling locations. Organizations who “adopted” polling locations could donate their pay to a local nonprofit of their choice. These innovative solutions to poll worker shortages benefit communities and encourage local involvement in the democratic process.

Recommendation 18: States should explore alternative administrative structures to reduce the number of temporary workers needed for each election.

The ultimate goal of election administration is to conduct free and fair elections, not to maximize efficiency. That said, [structural and administrative changes](#) can reduce election offices’ demand for workers while also providing other downstream benefits.

As Americans’ voting patterns shift toward early and mail voting, traditional neighborhood polling sites receive less traffic on Election Day. Yet each polling location still needs to be staffed, typically at levels set by statutory requirements. As a result, the number of voters being served by a polling location or poll worker is decreasing, reducing the efficiency of workforce allocations.

To improve convenience for voters and the efficiency of resource allocation, some jurisdictions have shifted to vote center models in which voters can vote at any location in the county (for states that conduct elections at the municipal

level, this might mean combining polling locations within a city or town).²⁹ The center model typically has fewer locations than a precinct-based model, but vote centers are better equipped and are larger, with higher-traffic operations located to optimize convenience to the maximum number of voters. [When St. Louis County](#) switched from precinct-based polling sites to vote centers in 2020, it saw significant cost savings, increased turnout, and a decline in absentee ballot rejection rates.

Vote centers reduce wasted resources, decrease the total number of poll workers needed, and help insulate election administration from last-minute cancellations. Because there are more workers per vote center, the centers are not as heavily impacted by a few workers' last-minute cancellation as a neighborhood site might be. Additionally, when vote centers are paired with central ballot tabulation, poll workers' workload is diminished, increasing retention.

Vote centers are not without flaws. Research has found that poorly placed vote centers can [decrease turnout](#) among marginalized communities, and partisans often accuse the opposing party of closing precincts in neighborhoods unreceptive to their candidates. Vote centers also require strong planning, organization, and advanced technology that is not always available to smaller jurisdictions.

PRIOR BPC RECOMMENDATIONS: PROTECTING ELECTION WORKERS FROM THREATS

In 2021, the Bipartisan Policy Center and the Brennan Center for Justice jointly released [Election Officials Under Attack](#), detailing the tsunami of threats facing election administrators and policy solutions to help protect them. Three key recommendations from that report are:

- States should pass new laws and appropriate funds to provide greater personal security for election officials and workers. Such measures should include providing greater protection of personally identifiable information, grants to purchase home intrusion detection systems, and funds for training and education related to maintaining greater personal security.
- States should prioritize implementing processes to coordinate swift investigation and, where appropriate, prosecution of those responsible for threats to election workers.
- States should ensure that election officials have adequate legal representation to defend against politically motivated lawsuits and investigations, and election official associations should cultivate and organize pro bono legal assistance to the extent that states fail to do so.

²⁹ BPC's report [How Data Can Solve the Elections Resource Allocation Problem](#) offers statistically-informed guidance on how to efficiently allocate resources and manage trade-offs between voting options, particularly with regard to the number of voting sites and election workers needed for each election.

GOAL #5

State and federal governments invest in election technology innovation. National guidelines for voting and non-voting equipment are updated regularly with the input of local election officials and adhered to nationwide.

Resource constraints at all levels of government and a limited election technology vendor market have led to inadequate investment and innovation in election technology. Election offices nationally are approaching a cliff as voting systems adopted over the last two decades reach the end of their lifespan. Aging technology can cause glitches to otherwise smooth voting experiences, burdening election offices and fueling distrust, yet replacing the equipment is costly and time intensive. Modernizing and securing election technology will take a concerted and coordinated effort among local, state, and federal actors.

The U.S. Election Assistance Commission sets [voluntary voting system guidelines](#) (VVSG), standards for voting system functionality, accessibility, and security. Although these standards cannot be enforced nationwide, they form a baseline for the security and functionality of voting equipment.

The timing of accreditation presents a major issue to underfunded and overworked election offices. Updates to VVSG take years, creating a delay between modern technology and security and federal standards. The EAC accredits [Voting System Test Laboratories](#) to certify voting systems to national standards. Only two labs exist today, creating massive delays in certification. Even when the VVSG is up to date, it can take up to a year to fully test and certify a voting system, creating delays and uncertainty technology updates for jurisdictions.

[Supply chain risks](#) pose further complications. The risks to election infrastructure include threats to hardware, software, services, and [paper supplies](#) used for and with election technology. Furthermore, the limited number of election technology vendors creates an oligopoly in the election technology market, sometimes stunting innovation and driving up costs to election offices.

Adequate resources in elections, as described in goal one, would strengthen the security and accessibility of election technology. Some states have used [election security grants](#) to invest in new voting systems; however, one-off infusions of federal support do not help with long-term equipment costs, such as maintenance and licensing fees. Adequate federal investment would support states in financing upfront costs and planning for long-term expenses.

Regular funding also spurs innovation in the private election technology market: Vendors will not build products without demand. Regular funding and technology replacement schedules would help superior systems make it to market.

The following policy recommendations move us closer to an election technology environment that promotes innovation and solicits regular feedback from election officials.

Recommendation 19: Congress should increase the budget of the U.S. Election Assistance Commission. With appropriate resources, the EAC should regularly update voluntary guidelines and expand the number of testing laboratories.

The EAC is chronically underfunded, leaving the only federal agency dedicated to elections without the resources it needs to promote security and accessibility in a time of near unprecedented controversy.

In May 2019 [testimony](#) before the U.S. Senate Rules Committee, EAC commissioners explained that with only a 22-person staff and a budget less than half that in fiscal year 2010, “we simply will not be able to provide the breadth of support election officials need and expect ... without additional resources.”

Congress increased the EAC’s budget [by \\$14 million](#) in FY2023, enabling the commission to hire staff and bolster capacity. At the very least, Congress must maintain this new level of funding and peg it to normal increases.

Raising the EAC’s budget would have myriad benefits across the election administration ecosystem. The commission would be able to promote better information-sharing and best practices between states and jurisdictions, and it could act as a trusted source of information during election seasons. With regard to election security, additional resources would enable the EAC to expand its testing and certification capacity. This would foster technology innovation, improve security, and shorten the equipment procurement and implementation timelines within states.

For states that choose to participate in the [EAC Testing and Certification program](#), voting equipment must be tested by a Voting System Test Laboratory before implementation. Election administrators have been calling for better standards and more VSTLs for years. With additional resources, the EAC could regularly update voluntary guidelines and increase the number of testing labs, expediting a cumbersome and prohibitive equipment testing process.

Regular updates to voluntary guidelines and more-efficient equipment testing and certification would incentivize vendors to update and innovate upon technology, helping bring elections into the modern age more regularly.

Recommendation 20: The EAC should create voluntary guidelines for non-voting equipment, such as electronic poll books and ballot-on-demand printers.

In an era of rapid technological change, unaccredited technology can pose security risks to voting infrastructure. The EAC develops voluntary guidelines for voting systems, but not for non-voting election technology, such as electronic poll books and ballot-on-demand printers, which add convenience for voters and election administrators. Without proper security measures and guidelines, these helpful technologies can lead to easily avoidable problems.

The BPC Task Force on Elections' [2020 report](#) recommended that all jurisdictions implement electronic poll book check-in at voting sites, with the states aiding smaller election jurisdictions. We recommend pairing this change with greater guidance from the EAC on security best standards for electronic poll books.

[Ballot-on-demand printers](#) provide election offices with the capacity to create appropriate ballots for voters at their request. The convenience of ballot-on-demand technology outweighs the costs; however, without proper security and accreditation, glitches in implementation and cybersecurity risks could yield complications for voters and further undermine trust in results.

Creating voluntary guidelines for non-voting technology would help close gaps in election security and build trust and reliability across election administration.

Recommendation 21: States should consider equipment certification processes that promote expediency, flexibility, and security.

Some states require both federal and state certification for voting equipment, known as dual certification. Such a requirement effectively doubles the time and effort involved in procuring new voting equipment. This can make it challenging for election offices to meet statutory obligations or undertake essential technology updates (such as replacing a server), as each level of certification can take months. While security and functionality, not expediency, are the ultimate goals of equipment testing and certification, dual certification does not demonstrably enhance security or functionality.³⁰ States should prioritize equipment certification approaches that minimize duplication while promoting security and flexibility for election offices. To accomplish this, states might defer to federal certification requirements, which would extend timelines for software changes and equipment procurement.

³⁰ In Massachusetts, state certification adds a layer of functionality testing to accommodate for a unique voter option in presidential primaries known as “group voting.” In this instance, state certification allows for the testing of a specific and niche functionality, while federal certification does not.

Each state should detail a process for procuring and implementing new election technology, including non-voting equipment, in consultation with local election officials. State certification boards, if they exist in each state, should include subject-matter experts, such as individuals who have backgrounds in voting equipment and at least one person from an academic background. In a moment of extreme polarization, politically motivated individuals sitting on state and local certification boards might erect barriers to certification. Additionally, state and local certification boards should include more than just local election officials who do not have the time or expertise to assess cybersecurity risks.

GOAL #6

Political factors do not affect the unbiased administration or perception of elections. Legislative reforms are made in a bipartisan manner and prioritize the needs of voters and election administrators.

Our nation's election administrators are committed public servants who perform their roles with accountability and integrity, often at the [expense of their own safety and well-being](#). Attacks on free and fair elections witnessed since the 2020 presidential election, however, have brought to light vulnerabilities in the United States' reliance on good-faith actors who choose to place impartiality above partisanship.

The United States is a global outlier in its reliance on openly partisan individuals to administer elections. Although election administrators have historically operated in relative obscurity, since 2020, party leaders have targeted them and their offices in the hopes of manipulating election outcomes. In the aftermath of the 2020 presidential election, Georgia Secretary of State Brad Raffensperger was urged by President Donald Trump to ["find" enough votes to overturn his loss](#) in the state. The secretary refused, but the nation cannot always count on election officials to act with integrity. In Colorado, the Mesa County clerk and recorder was stripped of her duties in 2021 and indicted by a grand jury on charges of election tampering and misconduct. Prosecutors allege that she used her authority as a local election official to provide unauthorized individuals with access to secure voting machinery. Despite the pending case against her, she unsuccessfully ran for Secretary of State in 2022 on a platform of securing the voting process. Potential threats extend to temporary workers as well: In September 2022, a Michigan poll worker was [charged](#) with falsifying records and tampering with voting equipment during the primary.

To date, efforts to undermine free and fair elections have been identified, investigated, and resolved, highlighting the [resilience and accountability of our current system](#). But nefarious actors learn about existing vulnerabilities from each thwarted effort and can revise their efforts accordingly. To secure our system against political interference, we must close the gaps that could be manipulated if left unresolved.

Note: Many, if not all, of the recommendations in this report could be categorized under this goal. Unbiased administration is a cornerstone of the free and fair elections that the policy reforms in this paper support. The recommendations included under this goal speak directly to partisan interference and should be considered as one part of the ecosystem of reforms that this paper puts forth.

Recommendation 22: States should explore administrative structures that imbue non- or bipartisanship in election administration supervision.

[All 50 states](#) rely on partisan processes to select the individuals or boards in charge of directing elections at the state level.³¹ At the local level, most election officials are selected in a manner that is inherently partisan, meaning the candidate runs for the office with a party affiliation or is appointed to a board via party affiliation. Only a minority are hired without consideration for party affiliation or are elected in nonpartisan races.

In recent decades, election administration has achieved a kind of equilibrium, with partisan-selected individuals still in charge, mostly acting in good faith and committed to maintaining the status quo. Recent [research](#) finds that politically affiliated local election officials do not noticeably advantage their party.³² Yet in 2020, election officials at the state and local level came under immense pressure to change or not certify the results of the presidential race. In 2022, candidates professing disbelief about the accuracy of vote counts vied for chief election posts in at least [16 states](#). Most subscribed to fringe conspiracy theories, and some stated they would have attempted to subvert the 2020 results if given the opportunity.

Voters broadly rejected such candidates this time around. But these developments put the norm of “partisans acting in good faith” at significant risk. We must take this opportunity to reevaluate the potential for a bad-faith administrator to abuse their lawful authority for nefarious ends. Completely insulating election administration from partisanship is an unfeasible and counterproductive objective, but we can structure these roles to incentivize impartiality over partisan bias.

No single structure will work for all states. Three potential administrative structures that neutralize partisan incentives include designating the state election director as a civil service position with protections that inhibit partisan-motivated dismissal; employing dual election directors with one appointed from each party; and electing state election officials in a nonpartisan manner. These structures can also be used at the local level with some modification.

³¹ BPC [explains](#): “Thirty-three states elect their chief election official (usually the secretary of state). In other states, the governor or legislature appoints a chief election official or a state board. While some state boards include representatives of both Democratic and Republican parties, no state has a nonpartisan board or a board that represents stakeholders outside the two major parties.”

³² Significant exceptions illustrate the vulnerability of this equilibrium, perhaps most notoriously, Florida Secretary of State Katherine Harris’s handling of the 2000 presidential recount. Harris was the co-chair of the Bush-Cheney campaign in the state, and many of her actions were seemingly intended to put a fellow Republican in the White House.

— ***State election director is a civil service position with protections that inhibit partisan-motivated dismissal.***

The benefits of civil service protections for state election directors are multifaceted. They insulate the election director from the partisan priorities a Secretary of State might have and make it more challenging to remove the director from office over political disagreements. Unless the director is appointed for a specific term, civil service protections also imbue the position with professionalization and nonpartisanship, as the state election director would likely serve under multiple secretaries with different party affiliations over time.

Although eliminating partisanship in the office is impossible, making the election director a civil service position would create a barrier between a partisan secretary and the person in charge of running the election. This is especially important in states where secretaries are elected, because it creates a potential conflict of interest when the person overseeing the election is on the ballot.

Michigan's [statute](#) exemplifies this approach:

“In the office of the secretary of state, the bureau of elections created by former 1951 PA 65 continues under the supervision of a director of elections, to be appointed by the secretary of state under civil service regulations. The director of elections shall be vested with the powers and shall perform the duties of the secretary of state under his or her supervision, with respect to the supervision and administration of the election laws.”

— ***Bipartisan election board or dual state election directors (co-directors or chief and deputy director), with one chosen from each party.***

Rather than seek to neutralize the partisan incentives an individual might face, dual state election directors (one from each party) would bring bipartisan cooperation to election administration. The directors would act as co-directors (with clear processes in place for how decisions should be made in the event of disagreement), or as a director and deputy director (potentially with a switch between the two every several years).

Ohio's election system models bipartisanship. At the county level, [boards of elections](#) carry out state and federal law as instructed by the Secretary of State and board policies. Board members serve staggered four-year terms and are appointed by the Secretary of State, two from each party. The board is [required](#) to appoint a director and deputy director from opposing parties, though a majority of the board can decide a deputy is unnecessary.

States could also follow Wisconsin's model and utilize a bipartisan election commission to administer and execute state election laws. Wisconsin's [commission](#) has four members appointed by legislative leadership and

at least two members appointed by the governor.³³ The board selects an administrator who is confirmed by the state Senate.

Weaving bipartisanship throughout the election process promotes accountability and transparency and gives both parties a voice in the functioning of democracy.

— ***Nonpartisan election of chief state election officials.***

A less common option is to elect chief state election officials in a nonpartisan election. A nonpartisan election minimizes reliance on primaries, which tend to exacerbate partisan effects. Although parties would still likely endorse specific candidates, nonpartisan elections are a deterrent to partisan administration and hold the election director to a standard of nonpartisanship from the start.

The trade-off is that this option does not remove the concern that the chief state election official would occasionally administer an election in which they are running. Additionally, many Secretaries of State plan to run for higher office. Just because a Secretary of State position might be nonpartisan, a “nonpartisan” Secretary of State can still run for partisan office while acting as the state’s chief election official.

Recommendation 23: Election administrators should not face legal or criminal penalties for unintentional administrative mistakes.

From late 2020 through March 6, 2023, 226 state-level bills have been introduced, and 24 enacted, to increase or create civil and criminal penalties for good-faith errors by election officials. In some cases, the legislation criminalizes conduct that was previously legal. The trend in state legislatures to impose criminal and civil penalties might embolden bad actors to exploit these new punitive sanctions for partisan ends. Some of these efforts threaten local officials with felony-level criminal prosecution for distributing mail ballot applications or ballots to voters who do not first request them (Texas), even in circumstances when the ballot was distributed in error. Others impose fines of up to \$10,000 for “technical infractions” (Iowa).

Local officials will also face greater oversight of registered voter list maintenance, including the possibility of termination of their employment and civil penalties. Efforts have also been made to increase financial sanctions

³³ [Wisconsin Legislative Council Information Memorandum, Administration of Elections: Elections Commission and Local Governments](#): “[T]he Commission consists of the following members, who serve for five-year terms: (1) one member appointed by the Senate majority leader; (2) one member appointed by the Senate minority leader; (3) one member appointed by the Assembly speaker; (4) one member appointed by the Assembly minority leader; (5) two members who formerly served as county or municipal clerks and who are nominated by the governor and confirmed by a majority of the Senate; and (6) one member for each political party, other than the two major political parties, qualifying for a separate ballot whose candidate for governor received at least 10% of the vote in the most recent gubernatorial election and who is nominated by the governor and confirmed by a majority of the Senate.”

for unintentional administrative mistakes. The combination of civil financial penalties and threats of criminal sanctions could deter local officials from performing administrative actions that ensure voter access. This punitive trend might accelerate the exodus of highly qualified election administrators.

Many of the bills introduced and enacted are vague and subjective, which could lead to time consuming and costly litigation that will both instill fear in elections administrators and use up valuable personnel and financial resources in already overburdened election offices. Vague and subjective laws open the door for misinformation and allow baseless accusations to thrive. Election administrators are already spending more time and resources combating misinformation than ever before.

PRIOR TASK FORCE RECOMMENDATIONS: MITIGATING PARTISAN INCENTIVES

BPC conducted a [50-state analysis of current temporary election worker policy](#) in October of 2022. Recommendations from that report to mitigate concerns of insider threats among temporary election workers include:

- States should require that local jurisdictions strive for partisan parity in the makeup of their temporary election workers.
- States should require temporary election workers to sign terms of employment that include performance expectations and dismissal policies.

Recommendations from [Improving the Voting Experience after 2020](#):

- States should plan to enact legislative or administrative changes to standing election procedures outside the 90-day window before a general election.
- Challenges to standing election procedures within 90 days of an election should be considered by courts only for future elections.
- Courts should consider challenges to the merits of election administration changes in an election year on an expedited basis



Bipartisan Policy Center

1225 Eye St NW, Suite 1000
Washington, DC 20005

bipartisanpolicy.org

202 - 204 - 2400

The Bipartisan Policy Center helps policymakers work across party lines to craft bipartisan solutions. By connecting lawmakers across the entire political spectrum, delivering data and context, negotiating policy details, and creating space for bipartisan collaboration, we ensure democracy can function on behalf of all Americans.

 [@BPC_Bipartisan](https://twitter.com/BPC_Bipartisan)

 facebook.com/BipartisanPolicyCenter

 instagram.com/BPC_Bipartisan

Policy Areas

Business

Democracy

American Congressional Exchange

Campus Free Expression

Digital Democracy

Elections

Presidential Leadership

Structural Democracy

Early Childhood

Economy

Debt Limit

Higher Education

Immigration

Paid Family Leave

Energy

Health

Housing

Infrastructure

Technology



Bipartisan Policy Center

1225 Eye Street NW, Suite 1000
Washington, D.C. 20005

Where democracy gets to work