

## Special Circumstances Application for Absentee Ballot (Required after 10/28/2021)

### Instructions for Election Officials

Prepared by the Division of Elections – October 2021

In this mailing, you have been provided with a supply of the special circumstances application forms for absentee ballots **requested after** October 28, 2021.

The deadline to **request** an absentee ballot, except for certain special circumstances allowed by law, is the close of business on the Thursday prior to an election. This includes requests to vote the ballot in the presence of the Municipal Clerk. For the November 2, 2021 Referendum Election, the deadline to request an absentee ballot is **Thursday, October 28, 2021**. After this deadline, a voter may request an absentee ballot **only** if the voter completes a Special Circumstances Application and indicates one of four allowable reasons to request an absentee ballot after this deadline.

- ▶ For the purpose of this law, “close of business” means the time that the municipal office in each municipality closes on Thursday, (i.e. if your municipal office is open after 5 p.m. on that day, you can continue to issue absentee ballots without this application until you close for the day). The Secretary of State strongly recommends that each municipal office be open for at least a portion of the day on October 29<sup>th</sup> to allow voters to request an absentee ballot for any reason.
- ▶ **Absentee Ballot Request (ABR) service:** The ABR service, which voters use to request an absentee ballot by electronic means, has been programmed to shut down at 5 p.m. Thursday, October 28, 2021. Municipal Clerks must access the ABR site after 5 p.m. on October 28<sup>th</sup> or on Friday, October 29<sup>th</sup> to check for pending requests. Any pending requests must be accepted (as long as the voter is otherwise eligible to receive an absentee ballot).

**Special Circumstances Application.** Any voter requesting a ballot, including voters who request to vote in the clerk’s presence, after the deadline (close of business on October 28, 2021) must complete the Special Circumstances Application and indicate one of the 4 reasons allowed by statute: Title 21-A §753-B, sub-section 2(D):

- 1) Unexpected absence from the municipality during the entire time the polls are open on Election Day; or
  - 2) Physical disability; or
  - 3) Incapacity or illness that has resulted in the voter's being unable to leave home or a treatment facility; or
  - 4) Inability to travel to the polls if the voter is a resident of a coastal island ward or precinct.
- ▶ The application must be **signed by the voter**. An immediate family member cannot sign the Special Circumstances Application for the voter.
  - ▶ The voter must indicate in the application how the ballot is to be issued (i.e. to the voter -- either in person or by mail (not recommended due to time constraints), to an immediate family member designated by the voter, or to a 3<sup>rd</sup> person designated by the voter). Witness requirements are the same as for absentee ballots issued prior to the deadline.
  - ▶ **The Special Circumstances Application must be completed even if the voter wants to vote the ballot in the municipal office in your presence.** Prior to this deadline, a written application is not required when a voter requests to vote in the presence of the Municipal Clerk.

By signing the application, **the voter is making an unsworn oath** that all information in the application is true. Once the application is completed by the voter, the Municipal Clerk must issue the ballot in the manner requested by the voter.

**NOTE:** The deadline for **returning** absentee ballots has not changed. **You must continue to accept returned ballots until 8 p.m. on Election Day, November 2, 2021.**