ABSENTEE PROCESS

WV Office of the Secretary of State
Nathan Martin
Elections Division

Easy to Register, Hard to Cheat!
<table>
<thead>
<tr>
<th>Date Range</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan 1 – June 1</td>
<td>First day to receive absentee ballot applications from all voters</td>
</tr>
<tr>
<td>March 28</td>
<td>Deadline to estimate the number of absentee ballots needed</td>
</tr>
<tr>
<td>April 22</td>
<td>Absentee ballots must be delivered to the recorder</td>
</tr>
<tr>
<td>April 22-June 1</td>
<td>Mail absentee ballots with instructional material to voters whose applications have been received. For apps received on June 1, send ballots on June 2.</td>
</tr>
<tr>
<td>June 1</td>
<td>Deadline for absentee by mail application</td>
</tr>
<tr>
<td>June 6</td>
<td>Deadline to hand-deliver absentee ballots</td>
</tr>
<tr>
<td>May 31-June 7</td>
<td>Receive emergency absentee ballot application (request can be no later than noon Election Day)</td>
</tr>
<tr>
<td>June 7</td>
<td>Election Day</td>
</tr>
<tr>
<td>June 8</td>
<td>Absentee ballot without postmark accepted</td>
</tr>
<tr>
<td>June 13 (Canvass)</td>
<td>Absentee ballots postmarked by Election Day accepted if received by start of canvass</td>
</tr>
</tbody>
</table>
### Absentee Ballots – Calendar
**June 14, 2022 Election**

<table>
<thead>
<tr>
<th>Date Range</th>
<th>Event Description</th>
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<tbody>
<tr>
<td>Jan 1 – June 8</td>
<td>First day to receive absentee ballot applications from all voters</td>
</tr>
<tr>
<td>April 4</td>
<td>Deadline to estimate the number of absentee ballots needed</td>
</tr>
<tr>
<td>April 29</td>
<td>Absentee ballots must be delivered to the recorder</td>
</tr>
<tr>
<td>April 29 – June 8</td>
<td>Mail absentee ballots with instructional material to voters whose applications have been received. Apps received on June 8, send ballots on June 9.</td>
</tr>
<tr>
<td>June 8</td>
<td>Deadline for absentee by mail application</td>
</tr>
<tr>
<td>June 13</td>
<td>Deadline to hand-deliver absentee ballots</td>
</tr>
<tr>
<td>June 7 – June 14</td>
<td>Receive emergency absentee ballot application (request can be no later than noon Election Day)</td>
</tr>
<tr>
<td>June 14</td>
<td>Primary Election Day</td>
</tr>
<tr>
<td>June 15</td>
<td>Absentee ballot without postmark accepted</td>
</tr>
<tr>
<td>June 21 (Canvass)</td>
<td>Absentee ballots postmarked by Election Day accepted if received by start of canvass</td>
</tr>
</tbody>
</table>
Who can apply for an absentee ballot?
WV Code 3-3-1

Individuals not able to vote in person during early voting or on Election Day due to...

• Personal or business travel
• Attendance at college or other place of education or training
• Injury or illness that keeps one confined
• Disability
• Incarceration (except for individuals convicted of any felony, treason, or election bribery)
• Authorized late registrants

• UOCAVA status (military and overseas voters)
• Work hours and distance
• Participation in the Address Confidentiality Program
• Temporary residence outside of the county
• Inaccessible early voting site and polling place
1. **Regular absentee by mail**: applications accepted starting January 1 until 6 days before the election.

2. **Special absentee voting list**: participants in ACP or voters with permanent disability.

3. **Military and overseas**: applications accepted starting January 1 of the election year and are valid for all elections in that year – contact your county clerk to check for military and overseas voters applying for this election year.

4. **Emergency Absentee**: applications are accepted no earlier than the seventh day before the election and no later than noon Election Day.
West Virginia Absentee Ballot Application

Instructions: Eligible voters may apply for an absentee ballot beginning January 3rd or 64 days before the election, whichever is earlier. Voters may apply for the November 8, 2022 Statewide General Election beginning August 16, 2022. Voters must apply separately for each election. Voters must fill out this application in their own handwriting, unless eligible for an electronic absentee or receiving assistance. Complete all steps below, then mail, fax, or e-mail your application to your County Clerk. He or she must receive your application by the sixth day before the election. Visit dotlwv.wv.gov for contact information. Military and overseas voter should apply using the Federal Postcard Application.

1. Print your name
2. Your current WV residence address and date of birth
   - Street (not P.O. Box)
   - City, State, Zip Code
   - Date of Birth
3. Where should we mail your ballot?
   - Address
   - City, State, Zip Code
4. Eligibility: Choose one from section A or B
   A. I am applying for a paper ballot by mail because I am not able to vote in person during Early Voting or on Election Day due to:
      - Illness, injury or other medical reason which keeps me confined
      - Incarceration or detention in jail or home. I am not under conviction of any felony, of treason or of bribery in an election (including any period of probation or parole)
      - Employment which because of hours worked and distance from the county seat makes voting in person impossible
      - Personal business or travel. If selected, your ballot must be mailed outside of your county of residence
      - Attendance at college, university, or other place of education or training. If selected, your ballot must be mailed outside your county of residence
      - Temporarily living outside of the county due to serving as an elected or appointed federal or state officer. If selected, your ballot must be mailed outside of your county of residence
      - Temporarily living outside of the county due to a temporary assignment by my employer for a specific period of four years or less. If selected, your ballot must be mailed outside of your county of residence
   B. I am applying for an electronic absentee ballot due to:
      - A physical disability that prevents me from voting in person and from voting a paper ballot without assistance
   If selected, enter your email address:
5. Ballot Information
   - Election (choose one):
     - General
     - Special
     - From county election, submit to your city/town clerk (if available)
   - Election Type:
     - Which political party's ballot will I receive in a Primary Election?
     - I'm registered as:
       - Republican
       - Democrat
       - Non-Partisan
     - Ballot you will receive:
       - Republican
       - Democrat
       - Non-Partisan
     - I do hereby certify that the information given above is true to the best of my knowledge, that I reside at the address given, and that I am qualified and registered to vote in this county. I understand that I must vote in person if I can. I understand that making a false statement on this application is a crime punishable by a fine up to $1,000 and up to one-year imprisonment. If I require assistance with my ballot, the reason for the assistance is stated below and the person who will assist me has signed the oath on number 7 of this form.
6. Declaration
   - Signature/mark of voter (if mark, witness must sign):
   - Signature of witness to voter’s mark (if needed):
7. Oath of Voter's Assistant (if needed)
   - I, a person giving assistance to the voter above and signing below, hereby swear or affirm, under penalty of law, that I will not in any manner request, persuade or induce the voter I am assisting into voting for someone other than the candidate of the voter’s choice; and I will not keep or make any memorandum or entry of anything, directly or indirectly, nor reveal to any person the name of any candidate or issue voted for by the voter or which ticket he or she voted except when required pursuant to law to give testimony as to the matter in a judicial proceeding.

Voter's Change of Name/Address

If you changed your name and/or address and have not updated your voter registration, please make sure you have entered your new name and/or address on page 1, then enter your previous name and/or address below.

Previous name:
- Last
- First
- Middle
- Suffix

Previous address:
- Street (not P.O. Box)
- City, State, Zip Code

Statement of Sheriff, Chief of Police or Authorized Deputy

To be completed for applicants voting absentee because of incarceration or detention

I, __________________________________________, hereby declare that the applicant whose signature appears on this application will be confined in the county or city jail or other detention facility or home confinement on the ______ day of ______, 20__, the date of the election, and is not under conviction of treason, bribery in an election, or felony.

Name of Detention Facility
- City/County

Signature
- Title

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WV Absentee Ballot Application
Military and overseas voters may submit the WV Absentee Ballot application or the Federal Post Card Application (FPCA)

Military and overseas voters may choose to have their ballot mailed, faxed, e-mailed

Visit www.fvap.gov for information needed to assist individuals covered by The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)
Voter Registration and Absentee Ballot Request
Federal Post Card Application (FPCA)

This form is for absent Uniformed Service members, their families, and citizens residing outside the United States. It is used to register to vote, request an absentee ballot, and update your contact information. See your state’s instructions at FVAP.gov.

1. Who is your Picker?
I request an absentee ballot for all elections in which I am eligible to vote abroad.
- I am active duty in the Uniformed Services or Merchant Marine
- I am a U.S. citizen living outside the country, and I intend to return.
- I am a U.S. citizen living outside the country, and my intent to return is uncertain.
- I am a U.S. citizen living outside the country, and I have never lived in the United States.

Last name
Middle name
First name
Social Security Number

2. What is your address in the U.S. state or territory where you are registering to vote and requesting an absentee ballot?
Your voting materials will not be sent to this address. See instructions on other side of form.
Street address
Apt #
City, town, village
State
Zip

3. Where are you now? You must give your CURRENT address to receive your voting materials.
Your mailing address (different from above)

4. What is your contact information? This is so election officials can reach you about your request.
Provide the country code and area code with your phone and fax number. Do NOT use a Defense Switched Network (DSN) number.
Email:
Phone:
Alternate email:

5. What are your preferences for upcoming elections?
A. How do you want to receive voting materials from your election office? (Select one)
- Mail
- Fax
- Email or online
B. What is your political party for primary elections?
- A party affiliation is not required.

6. What additional information must you provide?
Puerto Rico and Virgin Islands require more information. See back for instructions. Additional state instructions may be found at FVAP.gov. You may also use this space to clarify your voter information.

7. You must read and sign this statement.
I swear or affirm under penalty of perjury that:
- The information on this form is true, accurate, and complete to the best of my knowledge.
- I understand that a material misstatement of fact in completion of this document may constitute grounds for conviction of perjury.
- I am a U.S. citizen, at least 18 years of age, or will be by the day of the election, eligible to vote in the requested jurisdiction, and
- I am not disqualified to vote due to having been convicted of a felony or other disqualifying offense, nor have I been adjudicated mentally incompetent, or I am, my voting rights have been reinstated, and
- I am not registering, requesting a ballot, or voting in any other jurisdiction in the United States, except the jurisdiction cited in this voting form.

Signature

FPCA

This form is for absent Uniformed Service members, their families, and citizens residing outside the United States. It is used to register to vote, request an absentee ballot, and update your contact information. See your state’s instructions at FVAP.gov.
Estimating the number of absentee ballots needed
WV Code 3-3-11(a)

• WV Code does not prescribe the number of ballots required for Early Voting and absentee voting
• The number of absentee and Early Voting ballots should be calculated separately from regular ballots for election day
• The recorder (or official designated to supervise and conduct absentee voting) estimates the number of absentee ballots needed at least 70 days before the election
• Absentee ballots must be delivered to the recorder 46 days before the election
• All absentee balloting materials, such as forms and envelopes, should be ordered early in the year
Mailing Absentee Ballots
WV Code 3-3-1 & 3-3-5

• The recorder begins mailing absentee ballots 46 days before the election up to, and including, the 6th day before the election
• Once absentee ballots are available, they must be mailed within one day of receiving a completed application
• All absentee voters must receive their ballots by mail except for military and overseas voters and voters with a physical disability that prevents them from voting in person and from voting a paper ballot without assistance
When the recorder determines that an absentee ballot application is complete, and the voter meets the requirements for voting, he or she mails...

- The official ballot
  - Two registered voters of opposite political parties sign the back of the official ballot
- Envelopes:
  - “Absent Voter’s Ballot Envelope No. 1” to contain the voted ballot
  - “Absent Voter’s Ballot Envelope No. 2” to contain Envelope No. 1 and the voter’s information
- Instructions for voting absentee by mail
- Notice that a list of write-in candidates is available upon request
- Any other supplies required for voting in the particular voting system
Transmitting Absentee Ballots to Military and Overseas Voters
WV Code 3-3-5

• Depending on the voter’s preference, the recorder mails, faxes, or emails...
  ✓ The official ballot
  ✓ Email, fax, and mail return instructions
  ✓ Return Envelope
  ✓ Security Envelope
  ✓ Oath of Voter
  ✓ Electronic Transmission Coversheet
## Absentee Ballot Return Deadlines

**WV Code 3-3-5**

<table>
<thead>
<tr>
<th>Method</th>
<th>Deadline</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hand-delivered (a person can deliver no more than two absentee ballots)</td>
<td>The day before the election</td>
</tr>
<tr>
<td>By mail, email, or fax</td>
<td>The close of polls on election day</td>
</tr>
<tr>
<td>By mail without postmark</td>
<td>The day after the election</td>
</tr>
<tr>
<td>By mail postmarked with a date on or before the date of the election</td>
<td>The start of canvass</td>
</tr>
<tr>
<td>Military and overseas absentee ballots regardless of postmark</td>
<td>The start of canvass</td>
</tr>
</tbody>
</table>
Emergency Absentee Voting

Who is eligible?

- A voter in the hospital on Election Day
- Depending on city policy, a voter who has resided in a nursing home within the county for less than 30 days
- A voter who becomes confined, on or after the seventh day preceding an election, to a specific location within the county because of illness, injury, physical disability, immobility due to advance age or other medical reason

Emergency Absentee Voter’s Ballot Application
A city may extend emergency absentee voting to nursing homes within the county and/or hospitals in surrounding counties within 35 miles.

On or before the 56 days preceding the election, the recorder (or person designated to supervise and conduct absentee voting) notifies the city council how many teams of emergency absentee ballot commissioners are necessary.

The city council appoints at least one team of emergency absentee ballot commissioners (two people of opposite political parties) at least 49 days before the election.

The emergency absentee ballot commissioners must be available the day before and the day of the election.

If the voter is assisted in voting his or her ballot, follow procedures for assisting voters as provided in WV Code 3-1-34(5).
Emergency Absent Voter’s Ballot Application

STATE OF WEST VIRGINIA
Application for Voting an Emergency Absent Voter’s Ballot
According to the Provision of W.Va. Code §3-3-5c

Name: ____________________________________________ Date: ____________________________
Residence Address: ______________________________________________________________
County of Residence: ________________________________ Date of Birth: _____________________
Political Party Affiliation: __________________________________________________________
Reason for Requesting an Emergency Absentee Ballot: (check one box)
☐ A. I am confined in a hospital or other health care facility within my county of residence or other authorized area on election day;
   Name of Attending Physician: ______________________________________________________
   Physical Address of Place of Confinement: __________________________________________
   Reason for Confinement: _________________________________________________________
☐ B. I have resided for less than 30 days in a nursing home within my county of residence and am unable to vote in person (provided the county commission has adopted a policy extending emergency absentee voting procedures to such situation).
☐ C. I have become confined, on or after the seventh day preceding an election, to a specific location within the county because of illness, injury, physical disability, immobility due to advanced age, or another medical reason (provided the county commission has adopted a policy extending emergency absentee voting procedures to such situation; if required by county policy, a licensed physician, physician’s assistant, or advanced practice registered nurse must sign to confirm you meet this criteria on page 2 of this form).
☐ D. I am working as a replacement poll worker and I am assigned to a precinct out of my voting district, and the assignment was made after the period for early voting in person.

Knowing that I can be fined up to $1000 or imprisoned in the county jail for up to one year or both such fine and imprisonment for knowingly making a false statement or representation herein, as provided in Section three, Article nine, Chapter three of the Code of West Virginia, I do hereby certify that the statements and declarations contained in this application are true and correct to the best of my knowledge and belief.

Signature/Mark of Voter (if mark, witness must sign this form) ____________________________
Signature of witness to voter’s mark (if needed) _________________________________________

Reason for assistance, if needed ______________________________________________________________________________________________________

Oath of Voter’s Assistant: I, a person giving assistance to a voter and signing below, hereby swear or affirm that: I will not in any manner request, persuade or induce the voter I am assisting into voting for someone other than the candidate of the voter’s choice; and I will not keep or make any memorandum or entry of anything, directly or indirectly, nor reveal to any person the name of any candidate or issue voted for by the voter or which ticket he or she voted except when required pursuant to law to give testimony as to the matter in a judicial proceeding.

Signature of person assisting voter ____________________________
DECLARATION OF EMERGENCY ABSENTEE BALLOT COMMISSIONERS
WV Code §3-3-5c(f)

We, ______________________ and ______________________ hereby declare that we are the duly appointed emergency absent voter’s ballot commissioners; that we received this application at _________ on the _________ day of __________, _________ and have met the applicant, whose name appears on the application (page 1), at his/her place of confinement on the _________ day of __________, _________ the date of the election.

We have determined that the applicant has been confined since ______________________ because of ______________________

Reason for Voting Emergency Absentee Ballot

We swear under oath that the ballot was voted by no one other than the absent voter him/herself.

______________________________
Emergency Absentee Ballot Commissioner’s signature

______________________________
Emergency Absentee Ballot Commissioner’s signature

______________
Date

______________
Date

(Voter or individual assisting voter must complete page 1, the Application for Voting an Emergency Absent Voter’s Ballot.)

Please Note: A voter who votes an absentee ballot is not permitted to vote in person at the polls on Election Day. (WV Code §3-3-9)

Emergency Absent Voter’s Ballot Application
• Absentee ballots and Early Voting ballots should be tracked separately
• In addition, ballots transmitted by email or fax should be tracked
• The recorder provides a list in each precinct box which includes the names of voters who voted at Early Voting and those to whom an absentee ballot was transmitted
• Unused and spoiled ballots, applications, rejected ballots, ballots received after the deadline, and voted ballots must be preserved for twenty-two months following the election
Early Voting begins the $13^{th}$ day before the election and ends the $3^{rd}$ day before the election, including Saturdays falling in that period.

It is conducted during regular business hours and from 9 AM to 5 PM on Saturdays.
Early Voting at the City Hall
WV Code 3-3-2a

• There must be at least two representatives of the recorder to assist with Early Voting; they must be of opposite political parties
  – Full-time employees
  – Temporary employees hired for Early Voting
  – Volunteers

• No person may do any electioneering on the property of the city hall during Early Voting
Early Voting Procedures
WV Code 3-3-3

- Like Election Day, the voter states his or her name and residence to the representative and signs the poll book.
- The two representatives will sign the places indicated on the back of the official ballot and provide it to the voter.
- If they determine a voter is not properly registered, the voter must vote a provisional ballot, which should not be signed (provisional ballot procedures are provided in WV Code 3-1-41).
- After the voter has voted the ballot, the representatives...
  - Remove the ballot stub.
  - Place ballots into one envelope which shall not have any marks except the precinct number.
  - Place those envelopes into a ballot box that is secured by two locks (the key to one lock is kept by the president of the city council and the key to the other lock is kept by the recorder).
Absentee and Early Voting ballots are processed at the close of the polls on Election Day.

Paper ballots are processed at the polling place; they are to be sealed in envelopes and included in the precinct supplies for the polling place.

Ballots cast using electronic voting systems are processed at the central counting center.