As fall 2020 election nears, states prepare for big changes in how people vote

Tim Anderson [1]

In the weeks leading up to Nov. 3, Illinois will be preparing for a general election expected to be like none other in the state’s history. That date will be a state holiday, in part to help secure alternative polling sites as some locations become unavailable due to pandemic-related health concerns. On Election Day, individuals as young as age 16 will be poll workers, and election officials will have the authority to administer curbside voting.

And perhaps most noteworthy of all, the state is likely to have a huge jump in the number of people who vote by mail. Every person who has voted over the past two years will receive a mailing to make them aware of this option, and then will receive an absentee-ballot application.

All of those changes are the result of SB 1863, legislation passed earlier this year to help authorities in Illinois conduct an election in the midst of a public health crisis, the COVID-19 pandemic. “The law is for one year only, and that gave people more comfort in knowing that it was a one-time change,” says Illinois Sen. Julie Morrison, who helped lead legislative efforts on SB 1863 [2].

Across the Midwest, big changes already have occurred in 2020, the result of primaries being held when people were being told to socially distance, avoid crowds and stay home whenever possible.

In Iowa, for example, the June 2 primary had record turnout — though a much smaller number of voters actually went to the polls.

“Close to 80 percent of the ballots cast came from absentee mailings; that is very, very high for us,” says Iowa Secretary of State Paul Pate, whose office sent absentee-ballot request forms to every active registered voter in advance of the June election. “Those high numbers [of absentee ballots] made our polling sites on the day of the election much more manageable, in terms of keeping voters and poll workers safe.”

Other states also were reporting historic numbers of votes cast via absentee ballot (mostly by mail) — three-quarters of the total votes in Nebraska and Wisconsin, for example, while all of North Dakota’s counties used their existing authority under state law to hold vote-by-mail elections.

“I think the big picture from the primaries is that vote-by-mail is inevitably going to increase,” says Amber McReynolds, CEO of the National Vote at Home Institute [3]. “It’s not up to politicians or elected officials at this point. People are choosing to vote this way.”

State policies, though, can make a big difference. McReynolds is a former local elections official in Colorado [4], one of a handful of states where every registered voter is mailed a ballot (not just an application). In 2016, close to 95 percent of the ballots cast in Colorado were done so by early, absentee or mail voting.

Sen. Morrison originally envisioned this kind of election process for Illinois.

“In a perfect world, I would have had a ballot mailed to all voters, with a return envelope and all the postage paid, in order to make it as absolutely seamless as possible,” she says.

But a mix of concerns about elections administration, fraud and costs led lawmakers to decide to send applications, rather than actual ballots, to all voters. (No state in the Midwest automatically sends ballots to all voters.) Illinois’ SB 1863 outlines some of the rules that local election authorities will use to process so many more mail ballots.

Morrison says a three-member, bipartisan team of local election judges will open ballots as they come in. If two of the three judges determine there is a problem with the ballot signature (it doesn’t match the signature on file, for example), the voter must be notified within two days. The voter must then submit a statement affirming that he or she did indeed...
cast the ballot.

In Illinois, postage on a mail-in ballot will not be prepaid, though any ballot with insufficient or no postage must be accepted. Local election authorities also may create drop boxes that allow ballots to be returned postage-free.

**States have options to help vote-by-mail run smoothly**

McReynolds recommends states take a series of actions to prepare for greater numbers of mail-in votes, so that the process is user-friendly, can be handled efficiently by local election officials and workers, and is trusted by the public at large. At or near the top of that list of actions, she says, should be implementation of ballot tracking: allow voters to follow the progress of their ballot much like they now do for an item they purchase online.

“That technical innovation is one of the most important things that states can do right now with an expansion of vote-by-mail,” she says. “That one tool increases the accountability of the print vendor and the post office, and it gives voters transparency of where the ballot is.”

The CARES Act [5], passed by the U.S. Congress earlier this year, includes federal funding (with a match of 20 percent by the states) for states to implement pandemic-related plans for the November election. That can include purchasing new equipment to more quickly process and verify mail-in ballots (for example, ballot sorters and software that can automatically verify signatures) or hiring temporary workers to handle the additional ballots.

In Minnesota, under a law passed earlier this year (HF 3429 [6]), the Legislature gave local election authorities a larger window to process absentee ballots — 14 days before the election (instead of seven), and then up to three days following it.

Other important policy considerations, McReynolds says, include making the design of mail-in ballots easy for voters to understand, strengthening penalties for tampering with ballots or drop-off boxes, and investing in additional voter-education campaigns.

In Iowa, Pate says, part of his focus over the next few months will be ensuring the state has enough poll workers so that enough polling sites can be up and running in November. Yes, many Iowans chose to vote by mail in June, he says, but that 80 percent figure might not be repeated in the fall.

“Iowans like choices, whether it’s absentee, whether it’s voting in person, whether it’s curbside voting,” he says. “We tried to make sure all of those choices were there for them [in the primary]. We want to make sure they have those choices again.”

As of June, it was not yet known whether the Iowa secretary of state’s office would again send absentee applications to all voters in advance of the 2020 general election (like it had done for the primary). Before it does, though, legislative approval of such a move will now be required. That is because of the passage in June of HF 2486 [7], which requires the state’s legislative leaders to agree to any election-related emergency actions taken by the secretary of state.