

POST ELECTION PROCESS MAPPING



This infographic provides a timeline of post-election processes for the 2020 presidential election from the close of polls on **Election Day, November 3, 2020, to Inauguration Day on January 20, 2021.**

ELECTION TIMEFRAME



Close of In-Person Voting

Poll workers cease in-person voting and close their polling locations at a prescribed time, which varies by state and local jurisdiction. Individuals in line at closing are permitted to remain in line and vote. Polls close between 6:00 - 9:00 p.m. local time, unless extended by court order. Final polls close in Alaska at 1:00 a.m. Eastern Time on November 4, 2020.¹



Inbound Mail Processing

Mail ballots must be returned using prescribed methods (i.e., by mail or dropped off at an approved location) and by a prescribed deadline, which vary by state. Some states require ballots be in the physical possession of election officials by the return deadline, which is typically Election Day, whereas others permit later receipt if mail ballots are postmarked by Election Day or meet other specified criteria. Mail-in ballot receipt deadlines range from 4:30 p.m. the day before Election Day in Louisiana to 17 days after Election Day in California.²

Military and overseas voters must also return Uniformed and Overseas Citizen Absentee Voting Act (UOCAVA) ballots using prescribed methods and deadlines, which can differ from those for mail ballot return.

ELECTION DAY



Tabulation

Tabulation is the process of totaling votes. Tabulation practices and timelines vary greatly by state and local jurisdiction. In some jurisdictions, tabulation concludes on election night. In others, tabulation continues for days or weeks. Tabulation can take place in multiple locations (e.g., at individual polling locations and/or central locations), often depending on the types of ballots being tabulated.

Ballots cast in-person are typically tabulated at voting locations using scanners or direct recording electronic voting equipment. Tabulation reports from a specific voting location or machine can be made available when polls close.

Mail-in ballots are typically tabulated at a central location. Some jurisdictions tabulate mail-in ballots at polling locations. Mail-in ballots are often tabulated on Election Day, though in some locations the process occurs only after Election Day. In many locations mail ballot envelopes are validated, opened, and scanned prior to Election Day.

Provisional ballots are tabulated centrally during the canvass period in most jurisdictions.



Unofficial Results Reporting (Election Night Reporting)

Aggregating tabulation data, many state and local election officials begin reporting unofficial election results at the close of polls on election night, known as Election Night Reporting (ENR). In most states and jurisdictions, these unofficial results are updated periodically as more ballots are tabulated in the days or weeks after Election Day. Media outlets rely on unofficial results to report preliminary results totals and project election outcomes.

Due to expected increases in mail ballot usage, the percentage of votes tabulated and unofficial results released on election night is expected to be substantially lower than previous presidential elections. Results are not final until certification.

V



The canvass process allows election officials to validate and count ballots that were not able to be counted on Election Day either because they were received after that, were cast provisionally, or otherwise needed additional adjudication. The canvass enables election officials to resolve discrepancies, validate vote counts, and take remedial actions to ensure completeness and accuracy before certification of election results. For each state, there are typically separate local and state deadlines by which a canvass must conclude and results are certified.



Provisional Ballot Adjudication

Nearly all states offer provisional ballots to individuals who claim registration and eligibility to vote but whose status cannot be confirmed at the time of voting. Provisional ballots are kept separate from other ballots until after the election when a determination can be made as to whether the ballot is counted (or partially counted). The timeline for adjudicating provisional ballots varies by state, but generally takes place within a few days after Election Day.

CANVASS



Cure Processes

Some states permit voters the opportunity to correct or "cure" deficiencies related to their submission of mail or provisional ballot packages, such as missing or mismatched signature, or lack of required ID or proof of residency at the polling location. Some jurisdictions proactively notify voters of the need to cure a discrepancy. Cure deadlines vary by state and can continue into the post-election period. The latest possible cure deadline is December 6 in New Jersey.³



Post-Election Audits

Some states require post-election audits as part of their canvass process. Such audits might include ballot reconciliation audits to account for ballots issued and cast, procedural audits to verify chain of custody or other procedures, and tabulation audits that validate the vote tallying equipment. Tabulation audits can vary from a traditional audit that examines how the voting equipment tallied a fixed percentage of ballots cast to a risk-limiting audit which provides human examination of a random sample of all voted ballots to statistically affirm election results.



Certification of Results

Certification is the act of confirming the official results. This event occurs after officials tally results from all valid ballots and validate and legally approve results. Certification is typically completed by the state chief election official, governor, or a board of canvassers. For the presidential election, each state certifies the election of presidential and vice-presidential candidates' electors to the Electoral College.⁴

State certification deadlines vary by state, ranging from a few days to several weeks after Election Day. The latest state certification deadline is December 18 in Arkansas.⁵



A recount is a process to determine the accuracy of an initial count. This can include a replication of the tabulation and/or a re-canvass of the election. Not all states offer a recount process. Twenty states and the District of Columbia provide for automatic recounts if the margin between the top two candidates is within certain parameters. In other states, specified people (e.g., candidates or voters) may request a recount.⁶ A recount may conclude with an updated certification of results.

STATE

DEPENDENT









POST ELECTION PROCESS MAPPING



APPOINTMENT OF PRESIDENT			
		Ascertainment of Electors Per Federal law, each state's chief executive creates and submits a Certificate of Ascertainment listing the persons appointed as presidential and vice-presidential electors to the Archivist of the United States (and others). This certificate must be submitted "as soon as practicable" after the "final ascertainment" of the appointment of the electors, or "as soon as practicable" after the "final determination of any controversy or contest" concerning such election under its statutory procedure for election contests.	STATE DEPENDENT
		Determination of Controversy Per Federal law, each state makes its final determination of any controversy or contest concerning the appointment of its electors "at least six days before the time fixed for the meeting of the electors."	DEC. 8, 2020
ELECTORAL COLLEGE	2003	Meeting and Vote of the Electoral College Per the Constitution and Federal law, each state's appointed electors are required to meet at a place designated by that state on the "first Monday after the second Wednesday in December next following their appointment" and cast their votes for president and vice president.8	DEC. 14, 2020
		Certificate of Vote Per Federal law each state's electors, after voting, create Certificates of Vote, listing the electors' votes for president and vice president, and submit them to the President of the Senate, the Archivist of United States, the state's secretary of state, and the federal judge in the district where the electors have assembled.9	(L)
		If no Certificates of Vote have been received by the President of the Senate or the Archivist from a state's electors by December 23, 2020, ("the fourth Wednesday in December"), Federal law requires the President of the Senate to request immediate submission of the certificates lodged with the state's secretary of state and federal district judge. ¹⁰	DEC.23, 2020
SWEARING IN OF CONGRESS		Swearing in of Congress Per the Constitution and Federal Law, the new congress is sworn in on January 3. Prior any other business, any Member of the House of Representatives administers the oath of office to the Speaker, after which the Speaker administers the oath of office to all the Members present; and to any Members who afterward appear, prior to Members taking their seats. 11	JAN. 3, 2021
JOINT MEETING OF CONGRESS		Joint Meeting of Congress Per the Constitution and Federal law, the U.S. Congress meets in joint session on "the sixth day of January succeeding every meeting of the electors" to count the electoral votes submitted by each state's electors and declare the winners of the presidential and vice-presidential election. Procedures for how Congress counts votes and addresses objections to state vote counts are detailed in the Constitution and Federal law.	JAN. 6, 2021
INAUGURATION DAY		Inauguration Day The President and Vice President's terms in office end at noon on January 20, 2021, as required by the Constitution. The new terms of the successor or re-elected president and vice president begin at the same time.	JAN. 20, 2021

- ⁷ 3 U.S.C. §5
- 8 3 U.S.C. §7
- ⁹ 3 U.S.C. §11
- ¹⁰ 3 U.S.C. §12-13
- $^{\rm 11}~$ U.S. Constitution, amend. 20, sec 1. 2 U.S.C. §25
- ¹² 3 USC §15

¹ https://www.elections.alaska.gov/Core/electiondatesandhours.php

 $^{^{2}\,\,}$ LSA-R.S. 18-1311. CA Elec Code \S 3020

⁴ Under Federal law, "electors of President and Vice President shall be appointed, in each State" on Election Day, that is, the "Tuesday next after the first Monday in November" every fourth year. 3 U.S.C. §1

⁵ https://www.nass.org/resources/2018-election-information/Canvassing-Timeframes-and-Recount-Thresholds

 $^{^{6} \}quad \underline{\text{https://www.ncsl.org/research/elections-and-campaigns/automatic-recount-thresholds.aspx} \\$

 $^{^{\}rm 13}$ U.S. Constitution, amend. 20, sec 1