**Absentee Ballot Board Recommended Challenge Process Guidelines**

- Challengers have a right to challenge accepted Absentee Ballots at the Absentee Ballot Board. (M.S. 204C.13 Subd. 6)
- Ballot Board meeting times should be posted so that challengers know when to be present for challenging. For example:
  - Monday, Wednesday and Fridays at 2 p.m.; or
  - Daily after 1 p.m.; or
  - Daily during business hours at call of county auditor; or
  - Other timeline convenient for particular AB Board situation.
- The statute only authorizes the challenge of accepted absentees ballots. A decision to reject a ballot may not be challenged.
- Accepting/Rejecting occurs throughout the entire absentee period. Ballots must be accepted/rejected within 5 days of receipt if received more than 14 days before the election; and within 3 days of receipt if received during the 14 days immediately before the election.
- Voters whose ballots are rejected more than 5 days before the election must be sent a replacement ballot; the election official must attempt to contact the voter if ballot is rejected within 5 days of the election. To ensure that voters have an opportunity to correct any errors that led to the rejection of their ballot, any challenge must be made at the time that the ballot is accepted/rejected.
- Challengers must provide a written letter from a political party, or nonpartisan candidate. (Note: M.S. 204C.07 challenge process is being used in lieu of other statutory guidance for an Absentee Ballot Board challenge process).
- Only one challenger for each major party (or one challenger for each nonpartisan candidate, or a challenger appointed for a question) is allowed per team of ballot board members who are accepting/rejecting ballots together.
- Challengers become part of the official process and are able to view private data only for purpose of determining a challenge.
- Challengers cannot keep a list of who they did or did not challenge, since challengers cannot prepare in any manner any list of who has or has not voted.
- Challenger must put the challenge in writing (see attached form).
- If challenged, a team of Election Judges of the board reviews the ballot envelope and if a majority agree that the ballot meets the legal requirements and should be accepted, then the voter's ballot has overcome the challenge and the ballot is accepted. Election Judges must document the result of the challenge in the "election judge use only" section of the challenge form.
- If the team of Election Judges agree that the ballot envelope does not meet the legal requirement and should be rejected, then the challenge is upheld and the ballot is rejected. The Election Judges must document the result of the challenge in the "election judge use only" section of the challenge form. The local election official must either send a replacement ballot or attempt to contact the voter.
- Counting of ballots after close of the polls on Tuesday is open to the public.

# Oath of Challenge to Acceptance of Absentee Ballot

I, _____ , do hereby state under oath, I am a challenger authorized by Minnesota Statutes,
Name of person making challenge

section 204C.07. I reside at _____, _____,
Street Address City or Township

Telephone number: _____

E-mail address (optional): _____

I challenge the acceptance of the absentee ballot of _____ whose residence address is
Name of challenged voter

listed as _____ _____.
Street Address City or Township

This ballot should be rejected for the following reason:

**Regular AB (M.S. 203B.121; M.R. 8210.2450)**

- ☐ Voter's Name/Address doesn't match application (Use of, or lack of, full names, nicknames, abbreviations, or initials not reason for rejection)
- ☐ Voter didn't sign ballot envelope
- ☐ MN DL/ID/last 4 SSN doesn't match and envelope signature doesn't match application signature
- ☐ Voter is not registered; did not include completed VRA
- ☐ Voter is known to have died
- ☐ Envelope not completed as prescribed in directions for casting AB
- ☐ Voter has already voted

**UOCAVA (M.S. 203B.24)**

- ☐ Voter's Name not substantially the same as application
- ☐ Voter didn't sign oath returned with ballot
- ☐ Passport, MN DL/ID/last 4 SSN doesn't match and other information is not satisfactory to establish the ballot was returned by the person to whom it was transmitted
- ☐ Voter is known to have died
- ☐ Voter has already voted

___/___/___ _____
Date Signature of Challenger

Signed and sworn to or affirmed before me

___/___/___ _____
Date Signature of Election Judge

**For Election Judge Use Only:**

Challenge was administered by Election Judges: _____ and

_____.

Time: _____

- ☐ Challenge was dismissed. Ballot continues to be marked as "accepted".
- ☐ Challenge was sustained. Ballot was marked as "rejected" for reason of _____ .

Additional comments: