RECOUNTS IN MASSACHUSETTS

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Recount Petitions

• All recounts require first that a petition be filed.
  ▪ Petitions must be filed by precinct in towns and by wards in cities.
  ▪ Each petitions for a ward or precinct must have the signature of one voter notarized.
• Statewide or District-Wide Recounts (for state elections and primaries only):
  • If the difference is less than \( \frac{1}{2} \) of 1%, a statewide or district-wide recount can be petitioned.
Scheduling Recounts

- Scheduling the recount is at discretion of the board of registrars or election commissioners.
- For local elections, there is no date by which the recount must occur.
- After state primaries, recounts must be completed within 6 days after the deadline for filing the recount petitions.
- After state elections, recounts must be completed within 10 days after the deadline for filing the recount petitions.
Conduct of the Recount

- Ballots are generally hand-counted.
- Candidates have “agents” that can challenge the way the ballot is read or recorded.
- Challenges are decided by the board of registrars or election commissioners.
- The law provides that only ballots that remain challenged can be brought before the court in an appeal.
Recounts: Standard for Counting

- Voter Intent
  - Who makes the determination?
  - How?
  - Is it reviewable?

- Issues
  - Way other parts of the ballot marked
  - Instructions on ballot
  - Write-Ins
Recounts: Issues

• Finding adequate space
  • Space used for recount must be accessible and large enough to accommodate equipment and people, including observers.

• Ballot boxes and transport cases
  • Ballots stored in boxes stacked upon each other in the vault may shift and seals may break.

• Missing ballots
  • Be prepared for the numbers not to match from election night for the number of ballots cast and/or votes.

• Timing
  • Must be sure that notice requirements are met and deadline to complete recount.
Contact

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