

Each local board of elections is required to implement contingency plans that ensure that voting during early voting and on election day can continue without interruption in the event of failure, inoperability, or unavailability of electronic pollbooks, voting units, or both.

General Contingency Requirements

1. Within 2 hours of the equipment failing or becoming inoperable or unavailable:
 - a. The equipment at issue must be functioning;
 - b. Replacement equipment must be delivered and functioning; or
 - c. The appropriate contingency supplies must be at the early voting center or polling place and used until the deployed or replacement equipment is functioning.
2. With the exception of the extended hours voting supplies, the local board can determine whether to distribute the contingency supplies to an early voting center or a polling place before voting starts (*i.e.*, with other election supplies) **or** wait to distribute if the need arises.
 - a. If the local board distributes before voting starts:
 - i. The local board must put an instruction on the supplies specifying the circumstances when the supplies are to be used; and
 - ii. The election judges must immediately use the contingency supplies and continue using them until the deployed or replacement equipment is functioning.
 - b. If the local board distributes the supplies only if needed, the election judges must use the provisional voting process to facilitate voting until one of the conditions in #1 above is met. All contingency supplies must be delivered within 1 hour during early voting and 2 hours on election day.
 - c. Extended voting hours supplies must be deployed with the election judges.
3. Most of the contingency plans require paper ballots. The following ballots can be used:
 - a. Surplus inventory of provisional ballots;
 - b. Surplus inventory of absentee ballots; or
 - c. Printing and copying the electronic version of the certified ballot.¹
4. The local board can determine whether chief judges must contact the local board before implementing a contingency plan. If the chief judges are not required to contact the local board before implementing, the chief judges **must** report the implementation immediately thereafter.

Early Voting Contingency Plans

1. *Electronic Pollbook Back-Up* – This contingency plan is implemented if **none** of the electronic pollbooks at an early voting center are functioning, and the plan remains in place until the deployed or replacement electronic pollbooks are functioning.
 - a. For a county with one early voting center:
 1. To check in voters, use:

¹ If used and voted, these ballots must be duplicated during the canvass process.

- a. At least one computer with: (1) the pollbook emulator software² to check in voters; and (2) a searchable list of registered voters to look up voters (*preferred option*); **or**
 - b. A paper precinct register (the ballot style number is printed in the precinct register); **and**
 - c. Blank voter authority cards.
 2. For voting, issue each voter a paper ballot³ and extended hours provisional voting envelope.
- b. For a county with more than one early voting center:
1. To check in voters, use:
 - a. At least one computer with: (1) the pollbook emulator software² to check in voters; and (2) a searchable list of registered voters to look up voters; and
 - b. Blank voter authority cards.
 2. For voting, issue each voter a paper ballot³ and extended hours provisional voting envelope.
- c. For each early voting center, the following supplies are needed to implement this contingency plan:
1. At least one computer (*preferred*) or one paper precinct register;
 2. Blank voter authority cards;
 3. Paper ballots;
 4. Extended hours provisional voting envelopes;
 5. Extra supplies (*i.e.*, pens, ballot receptacle, etc.); and
 6. Instructions for the election judges.
2. *Electronic Pollbook Network* – This contingency plan is implemented in a county with more than one early voting center only if the network connection for the electronic pollbooks is not functioning, and the plan remains in place until the network connection is functioning.
- a. To check in voters, use the electronic pollbooks.⁴
 - b. For voting, either issue a voter a voter access card and direct the voter to a voting unit or if the voter has to vote a provisional ballot, direct the voter to the provisional ballot judge.
3. *Voting System Back-Up* – This contingency plan is implemented if **none** of the voting units at an early voting center are functioning, and the plan remains in place until the deployed or replacement voting units are functioning.
- a. For all counties:

² SBE will provide pollbook emulator software, a searchable list of registered voters, and instructions for loading software and list onto the computer(s). The searchable list is a back-up to the emulator software in case the emulator software is experiencing the same issues as the software on the electronic pollbook.

³ Because one encoder cannot program all of a county's ballot styles, encoders will not be used to encode voter access cards for early voting. As a result, if the electronic pollbook contingency plan is implemented during early voting, paper ballots will be used.

⁴ If the network connection is not functioning, electronic pollbooks in the county's other early voting centers will not be updated as voters check in to vote. Once the network connection is functioning, these electronic pollbooks will be updated. If any voter voted more than once during this time, election officials will be alerted and be able to take the appropriate action.

1. To check in voters, use the electronic pollbooks.
2. For voting, issue each voter a paper ballot and extended hours provisional voting envelope.
- b. For a county with one early voting center, also provide voters with the following options:
 1. Go to the local board of elections to vote an absentee ballot;
 2. Return to the early voting center later that day or on another early voting day; or
 3. Vote on election day.
- c. For a county with more than one early voting center, also provide voters with the following options:
 1. Go to another early voting center;
 2. Go to the local board of elections to vote an absentee ballot;
 3. Return to the early voting center later that day or on another early voting day; or
 4. Vote on election day.
- d. For each early voting center, the following supplies are needed to implement this contingency plan:
 1. Paper ballots;
 2. Extended hours provisional voting envelopes;
 3. Extra supplies (*i.e.*, pens, ballot receptacle, etc.);
 4. Instructions for the election judges; and
 5. Handout with voters' options (as specified under 3(b) or 3(c)).

Election Day Contingency Plans

1. *Electronic Pollbook Back-Up* – This contingency plan is implemented if **none** of the electronic pollbooks in a precinct are functioning, and the plan remains in place until the deployed or replacement electronic pollbooks are functioning.
 - a. To check in voters, use a paper precinct register and blank voter authority cards.
 - b. For voting, issue each voter a paper ballot⁵ and extended hours provisional voting envelope.
 - c. For each polling place, the following supplies are needed to implement this contingency plan:
 1. Paper precinct register;
 2. Blank voter authority cards;
 3. Paper ballots;
 4. Extended hours provisional voting envelopes;
 5. Extra supplies (*i.e.*, pens, ballot receptacle, etc.); and
 6. Instructions for the election judges.
2. *Voting System Back-Up* – This contingency plan is implemented if **none** of the voting units in the precinct are functioning, and the plan remains in place until the deployed or replacement voting units are functioning.
 - a. To check in voters, use the electronic pollbooks.

⁵ Because of the limited number of encoders and encoder batteries, encoders will **not** be deployed as part of this contingency plan.

- b. For voting, issue each voter a paper ballot and extended hours provisional voting envelope.
 - c. For each polling place, the following supplies are needed to implement this contingency plan:
 - 1. Paper ballots;
 - 2. Extended hours provisional voting envelopes;
 - 3. Extra supplies (*i.e.*, pencils, ballot receptacle, etc.);
 - 4. Instructions for the election judges; and
 - 5. Forms for election judges to complete at the end of extended voting hours.
3. *Extended Voting Hours* – This plan is implemented if a court orders one or more polling places to remain open past 8 pm, and the plan remains in place until the time the court ordered the polling place(s) to close. This plan does not apply to early voting.
- a. The following policies apply to extended voting hours:
 - 1. The local boards of elections are required to prepare for and train election judges on extended hours voting.
 - 2. Extended voting hours supplies must be deployed with the election judges.
 - b. To check in voters, use the electronic pollbooks.
 - c. For voting:
 - 1. For voters who would have voted a regular ballot during normal voting hours, issue a paper ballot and extended hours provisional voting envelope stamped or marked with an “E.”
 - 2. For voters who would have voted a provisional ballot during normal voting hours, issue a provisional ballot and provisional ballot application stamped or marked with an “E.”
 - d. For each polling place, the following supplies are needed to implement extended voting hours:
 - 1. Extended hours provisional voting envelopes (stamped or marked with “E” written on the envelope) in a quantity to be determined by the State Administrator;
 - 2. Provisional voting applications (stamped or marked with “E” written on the application) in a quantity to be determined by the State Administrator; and
 - 3. Instructions for the election judges.