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An R Street Institute Election Explainer

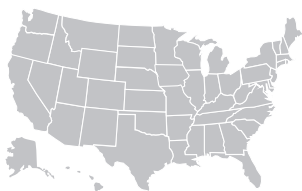
By Matt Germer and Chris McIsaac

October 2024

WHAT TO EXPECT ON ELECTION DAY IN...



THE UNITED STATES



● Candidates are raising concerns about noncitizen voting.

- Former President Donald J. Trump’s campaign and House Speaker Mike Johnson (R-La.) have spent the weeks leading up to Election Day [voicing concerns](#) that ballots submitted by immigrants will impact the outcome of the election.
- While states have found small numbers of noncitizen residents [who have registered](#)—or even [voted](#)—in the past, [the numbers are so small](#) that this issue is unlikely to matter at all but the closest of elections.

For example, North Carolina found that [41 lawfully present noncitizens](#) voted in the 2016 election [out of 4.8 million votes cast](#).

● Each cycle brings allegations of fraud or suppression in major metro areas.

- Each election cycle, partisans bring forward lawsuits, allegations, and complaints about [voter fraud](#) and [voter suppression](#) in major metropolitan areas.
- Such claims are likely to surface again in 2024, [particularly on social media](#).

WHAT TO EXPECT ON ELECTION DAY IN...



ARIZONA

● Absentee ballots dropped off at polling places will create delays.

- Arizona allows absentee ballots (known locally as “early ballots”) to be **dropped off at polling places** until 7:00 p.m. local time on Election Day. Despite the presence of voting equipment at the polling place, these ballots **must be processed in the same way** as other absentee ballots (e.g., sorting, handling, and signature verification).
- Maricopa County, where more than 60 percent of Arizonans reside, expects **nearly 500,000 absentee ballots** to be turned in at polling places on Election Day.
- The required processing steps will cause delays that may prevent media outlets from calling Arizona for one of the candidates until late into the night or the next day.

● Arizona will be one of the last states of consequence to close its polls.

- **Polls close** in Arizona at 7:00 p.m. MT/9:00 p.m. ET.
- With **tight expected margins** and an electorate eager for a resolution, Arizona will receive heightened attention and scrutiny online and in the media. As a result, it is likely to attract additional claims of fraud, suppression, or other malfeasance.

● Arizona maintains two voter registration lists: federal only and full ballot.

- Voting in state and local elections **requires a citizenship check**. Voters who fail to provide proof of citizenship (relying instead on an attestation of citizenship as required by the National Voter Registration Act) are permitted to vote in federal elections only.
- The vast majority of Arizona voters are “full-ballot” voters. **Just 35,000** of the state’s **4,109,270 registered voters**—0.8 percent—are restricted, “federal-only” voters.
- **One study shows** that federal-only voters are disproportionately college students and those without easy access to official documents.
- Officials recently discovered that nearly 218,000 voters with unconfirmed citizenship had erroneously been given access to the full ballot **due to database error**. The Arizona Supreme Court has confirmed they will be permitted to vote the full ballot in the upcoming election, citing due process and equal protection concerns.

● Maricopa County will have a two-page ballot.

- With roughly 80 races presented to voters, Maricopa County ballots will **extend onto a second sheet of paper**. This could lead to delays at polling places, cause confusion for absentee voters, or result in increased errors in ballot processing and tabulation.

WHAT TO EXPECT ON ELECTION DAY IN...



GEORGIA

● **New ballot counting procedures could create delays.**

- **UPDATE:** On Oct. 16, Judge Thomas A. Cox Jr. [struck down](#) the ballot hand-count rule. On Oct. 22, the Georgia Supreme Court rejected a “Republican request for a speedy appeal ... including a requirement for thousands of poll workers to hand count ballots.”
- The Georgia State Board of Elections [approved a new rule](#) in September requiring counties to [hand-count](#) the number of ballots cast and compare the result to the total from the electronic ballot scanner.
- While poll workers are not tallying votes by hand, hand-counting ballots introduces additional risk via [human error and reporting delays](#).

● **Rule changes around certification and canvassing procedures could create delays.**

- The Georgia State Board of Elections approved [new rules](#) in August requiring local election officials to conduct additional investigations into vote-count discrepancies before certifying the results.
- These changes could [disrupt the certification process](#) if the new requirements result in lengthy investigations.

● **Lawsuits challenging the new rules could result in last-minute procedural changes that cause confusion.**

- Democrats have [filed legal challenges](#) to both the hand-counting and certification changes recently approved by the State Board of Elections.



MICHIGAN

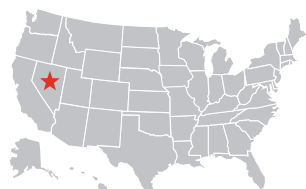
● **The timeline for reporting results will vary across cities and counties.**

- Michigan’s elections are [highly decentralized](#), and small cities and counties will likely report results faster than densely populated Metro Detroit and Wayne County due to more efficient processes that are not feasible in larger jurisdictions.
- These timing differences could result in large vote-total swings from one candidate to another, particularly when [late-reporting jurisdictions](#) are strongholds for one political party.

● **A new recount law could generate confusion and lawsuits.**

- Lawmakers [approved legislation](#) in July that seeks to reduce the number of frivolous recount requests by limiting them to discrepancies between ballots collected and ballots issued and moving fraud-claim investigations from the Board of State Canvassers to the county prosecutor or state attorney general.
- While the law goes into effect in early 2025, [Republicans allege](#) that new rules under consideration are an attempt to implement the new recount procedures before November.

WHAT TO EXPECT ON ELECTION DAY IN...



NEVADA

● Certification was an issue in Washoe County (Reno) in the primary.

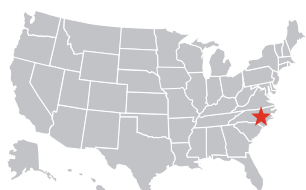
- A majority of the board [refused to certify the results](#), but the next day, when told they had no choice, enough members flipped to certify.
- If this becomes a trend among counties, it could disrupt statewide certification.

● Nevada will be one of the last states of consequence to close its polls.

- [Polls close](#) in Nevada at 7:00 p.m. PT/10:00 p.m. ET.
- With [tight expected margins](#) and an electorate eager for a resolution, Nevada will receive heightened attention and scrutiny online and in the media. As a result, it is likely to attract additional claims of fraud, suppression, or other malfeasance.

● Nevada is the only battleground state where mail-in ballots received after Election Day will be counted.

- Following statutory changes during the COVID-19 pandemic, Nevada [sends](#) mail-in ballots to all voters, while also offering robust [in-person](#) voting.
- Mail-in ballots [postmarked by Election Day](#) and received by Nevada election officials up to four days after Election Day will be counted, potentially contributing to delayed results in a tight race. **UPDATE:** On Oct. 28, the Nevada Supreme Court [ruled](#) that mail-in ballots with missing or illegible postmarks can still be counted if they are received up to three days after Election Day.
- This extended deadline is especially important because Nevada is one of eight states where elections are [conducted entirely by mail](#).



NORTH CAROLINA

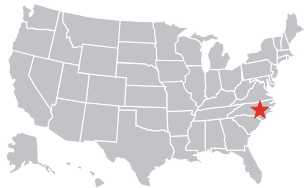
● New voter ID laws have taken effect.

- Voter ID requirements took effect in North Carolina in 2023 after [years of litigation](#). While these rules have been in place for local elections in 2023 and the primary election in 2024, this is the [first time they will be in effect](#) for a federal general election.
- While poll workers across the state seek uniformity in implementation, the new rules may result in instances where a voter claims to be disenfranchised or an observer claims improper identification was accepted.

● The destruction caused by Hurricane Helene may have lingering impacts.

- Hurricane Helene [caused substantial damage](#) in western North Carolina.
- Persistent infrastructure damage [may create headaches](#) for election administrators and hamper [get-out-the-vote efforts](#).
- The hurricane also [triggered an exception](#) to the new voter ID requirement for North Carolina voters living in declared disaster areas.

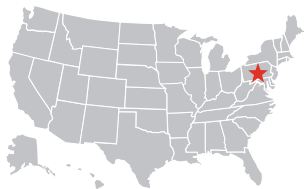
WHAT TO EXPECT ON ELECTION DAY IN...



NORTH CAROLINA (continued)

● A new Republican supermajority changed key election laws in 2023.

- Gridlock between the Republican legislature and Democratic executive leaders resolved in 2022 when a Democratic state representative [switched parties](#), giving the GOP a veto-proof supermajority.
- Among other changes, the new laws [amended the deadline](#) for receiving mailed-in absentee ballots, moving it from three days post-Election Day to Election Day.



PENNSYLVANIA

● Absentee ballot processing procedures will create delays.

- Pennsylvania is one of the seven states that does not permit the “pre-processing” of absentee ballots, meaning that election workers cannot begin verifying signatures, opening envelopes, or sorting ballots until Election Day. A [bill to allow pre-processing](#) failed during the 2024 legislative session.
- While the volume of absentee ballots should be lower than in 2020, the overall expansion of voting by mail attributable to Pennsylvania’s adoption of “no excuse” absentee voting in 2019 (combined with the lack of pre-processing) will still contribute to reporting delays in a state where [polls close at 8:00 p.m. ET](#). It will likely take days to count all the absentee ballots necessary to determine the winner in a state with such [close margins](#).

● Lack of uniform policies and procedures across counties will contribute to confusion and lawsuits.

- Policies governing absentee voting, such as whether to utilize drop boxes or allow ballot curing, vary from county to county.
- Not all counties offer drop boxes, and Luzerne County [discontinued drop boxes](#) due to cost concerns. The State Senate voted to [ban unstaffed drop boxes](#), but the bill did not pass the House.
- As of 2022, approximately 12 of Pennsylvania’s 67 counties allowed [ballot curing](#)—the process whereby voters can correct absentee ballots with flaws, such as a missing signature or date. Nine counties specifically forbid the practice. This disparity has led to claims of voters being disenfranchised in counties with more restrictive rules and a [number of lawsuits](#) challenging [different aspects](#) of these policies.

● Absentee voting changes approved in 2019 (Act 77) continue to spark lawsuits and implementation challenges.

- Voting rights groups are asking the [Pennsylvania Supreme Court](#) to determine whether dating requirements for absentee ballots are constitutional. **UPDATE:** On Nov. 1, the Pennsylvania State Supreme Court [ruled](#) that the dating requirements for absentee ballots will remain in effect for the 2024 election.
- Republicans are [challenging county rules](#) that allow voters to correct absentee ballot errors through ballot-curing policies, including [notifying voters](#) when ballots are rejected.

WHAT TO EXPECT ON ELECTION DAY IN...



WISCONSIN

● The timeline for reporting results will vary across cities.

- Wisconsin conducts elections at the municipal level, and small communities will likely report results faster than densely populated Metro Milwaukee due to smaller quantities of ballots to count.
- These timing differences can result in [large vote-total swings](#) from one candidate to another, particularly when late-reporting jurisdictions are strongholds for one political party.

● Metro Milwaukee results will be especially slow due to the use of central count for absentee ballots.

- Milwaukee is one of 38 Wisconsin cities that uses a [central count for absentee ballots](#). This means absentee ballots are all counted at a single location, which takes longer and creates a blue wave when results are posted.
- The rest of the state counts absentee ballots [at the precinct level](#), which is faster because poll workers process the ballots at polling sites throughout the day. However, the logistics become more complex as jurisdiction size increases.
- A bill to allow absentee ballots to be “[pre-processed](#)” (review of signatures and assignment of a voter number) before Election Day [did not pass](#), so absentee ballots will not start their process until 7:00 a.m. ET on Election Day.

● Drop boxes will be allowed after the Wisconsin Supreme Court reversed a 2022 ruling that would have limited their use.

- While this effectively means there will be [no change in policy](#) compared to the 2020 election, drop boxes remain controversial.
- A ballot drop box was [moved by a Wisconsin mayor](#) who opposed the decision amid a disagreement with the city clerk as to who could authorize a drop box.

For more information, please contact:

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