

2016 MUNICIPAL ELECTION CALENDAR

TIMETABLE FOR A REGULAR MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 1, 2016

NOTE: Bolded dates are deadlines. Blank lines below timeframes are for writing in your targeted dates for completion if different from the deadline dates.

TIME FRAME

ACTION

1. **Between Tuesday, November 10 and Tuesday, December 8**
(112-84 days prior to election)

Election Resolution

A. The governing body must adopt the election resolution calling for the election which must state the following: (§3-8-26A, B, & C)

1. the date when the election will be held;
2. the offices to be filled;
3. questions (if any) to be submitted to the voters;
4. the date and time of the closing of the registration books by the county clerk, as required by law (§1-4-8);
5. the date and time for filing the declarations of candidacy;
6. the dates and times for absentee voting;
7. the manner of casting and recording votes for absentee voting;
8. the location of polling places and consolidation of precincts (if any); and
9. In those municipalities allowed by law to use paper ballots (less than 1,500 pop.), whether paper ballots or voting machines/electronic vote tabulators will be used in the election.

B. Within 24 hours of adoption, post a copy of the Election Resolution in the Municipal Clerk's office and leave posted until election day.

~~November 10~~
~~December 8~~
~~November 10~~
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~~November 10~~
~~December 8~~

2. 1-15 days after adoption of election resolution

A. First (of two) publication of Election Resolution; resolution must be published in both English and Spanish. (§3-8-26A);

B. Municipal Clerk mails a copy of the Election Resolution to Secretary of State and County Clerk (§3-8-26A);

C. Municipal Clerk orders voting machines/electronic vote tabulators, including any needed for absentee voting, from the County Clerk (§3-8-14);

D. Municipal Clerk requests, in writing, from the County Clerk registered voter lists and signature rosters containing only the qualified electors eligible to vote in the municipal election. (§3-8-7B) (See Section 24B of this calendar)

NOTE: "Publish" or "publication" is defined as printing in a newspaper which maintains an office in the municipality and is of general circulation within the municipality or, if such newspaper is a nondaily paper which will not be circulated to the public in time to meet publication requirements or if there is no newspaper which maintains an office in the municipality and is of general circulation within the municipality, then "Publish" or "Publication" means posting in six public places within the municipality on the first day that publication is required in a newspaper which maintains an office in the municipality and is of general circulation within the municipality. One of the public places where posting shall be made is the office of the Municipal Clerk who shall maintain the posting during the length of time necessary to comply with the provisions relating to the number of times publication is required in a newspaper of general circulation within the municipality. The municipal clerk may, in addition to posting, publish one or more times in a newspaper of general circulation in the municipality. (§3-1-2J)

3. Between December 17 and January 1
(75 - 60 days prior to election)

Second publication of election resolution (§3-8-26A). If published by posting, check that resolution is still posted, prepare a certificate stating the date first posted and date checked, file with other election materials.

~~SECRET~~
~~1988~~

4. On January 5
(Between 8:00 a.m. and 5:00 p.m. on
the 56th day prior to election)

Candidate Filing Day (§3-8-27A-F)

A. On this date all candidates must file in person at the Municipal Clerk's office the following documents required by law for certification as a candidate: (§3-8-27B)

1. a declaration of candidacy; and,
2. a certified copy of the candidate's current affidavit of voter registration on file with the county clerk which has been certified by that office on a date not earlier than the adoption of the election resolution.
3. for home rule municipalities, a valid nominating petition if required by the home rule charter.

B. All the candidates' affidavits of voter registration must show their address as a street address or rural route number, not as a post office box. (§3-8-27C)

C. This is the only date and time on which a person may file to become a candidate for municipal office unless the person files to be a write-in candidate.

D. The Municipal Clerk shall provide a form for the declaration of candidacy and shall accept only those declarations which contain: (§3-8-27D)

1. the identical name and resident street address as shown on the affidavit of registration submitted with the declaration of candidacy;
2. the office and term to which the candidate seeks election and district designation, if appropriate;
3. a statement that the candidate is eligible and legally qualified to hold the office s/he is filing;
4. a statement that the candidate has not been convicted of a felony, or if s/he has a felony conviction, a statement that his/her elective franchise has been restored and has been granted a pardon or certificate by the Governor (see §31-13-1);
5. a statement that the candidate, or his/her authorized representative, shall contact the municipal clerk's office during normal business hours on the 54th day before the election to ascertain whether the Municipal Clerk has certified the declaration of candidacy as valid;

*Jan 11e
election supplies
delivered*

6. the contact information for how the candidate or authorized representative can be reached for purposes of giving notice;
7. a statement that the declaration of candidacy is an affidavit under oath and that any false statement knowingly made constitutes a fourth degree felony;
8. the notarized signature of the candidate on the declaration of candidacy.

E. Note that if a person desiring to be a candidate cannot personally appear on this day, a person acting solely on the candidate's behalf may, by a written affidavit signed by the candidate and notarized, file in the office of the Municipal Clerk all the required documents for the candidate. (§3-8-27A)

F. The Clerk shall not accept a declaration of candidacy for more than one municipal elected office per candidate - candidates may not run for more than one office. (§3-8-27E)

G. Once filed, the declaration of candidacy is a public record. (§3-8-27F)

Certification of Candidacy

A. The Municipal Clerk must have determined by this time whether the declaration of candidacy shall be certified. The documents submitted must prove that: (§3-8-27G)

1. the individual is a qualified elector as defined in §§3-1-2K & 3-8-2B; and
2. if the municipality is districted, that the individual resides in and is registered to vote in the district from which s/he seeks election.

B. If an individual fails to submit on filing day the required documents in the form and with the contents as required by §3-8-27B & G, then the Clerk shall not certify him/her as a candidate.

5. On January 6
(By 5:00 p.m. on the 55th day prior
to election)

6. On January 7
(54 days prior to election)

A. By 9:00 a.m., the Municipal Clerk posts in her/his office a list of the names of those individuals who have been certified as candidates as well as those who have not been certified with the reasons they have not. (§3-8-27H)

B. During normal business hours the candidate or authorized representative shall contact the Municipal Clerk's office to ascertain whether his/her declaration of candidacy has been certified as valid. (§3-8-27D(5))

C. At 5:01 p.m. the Municipal Clerk, in the presence of the certified candidates (or authorized representatives) who desire to be present, administers an impartial and fair drawing by lot to determine the order the candidates' names will appear on the ballot. The Clerk draws for any candidate or his/her representative who is not present. (§3-8-29A)

7. **By January 8**
(by 5:00 p.m. 53 days prior to election)

Ordering Election Supplies and Ballots (§3-8-18A & B)

- A. Municipal Clerk orders all election supplies including:
1. absentee ballots, applications, and absentee voting materials;
 2. ballots and sample ballots; and
 3. all other election supplies necessary to conduct the election.
- B. The ballot shall contain the following: (§3-8-29B, D & E)
1. the elective offices to be filled and each office's term in the following order:
 - a. candidates for mayor;
 - b. candidates for councilors, trustees, council members, or commissioners;
 - c. candidates for municipal judge
 2. the names of candidates running for office exactly as shown on their declaration of candidacy and in the order that was determined by the drawing by lot;
 3. the proper number of spaces to write in the name(s) of any declared write-in candidates. Spaces should not be provided for offices/positions that have no declared write-in candidate. (work with your printer on this since write-in candidates declare after this date);
 4. any necessary reference to districts, positions or other similar official designations for office;
 5. if two or more names are the same or so similar as to confuse the voter, the occupation and address of each such candidate shall be printed under the candidate's name on the ballot;
 6. any questions to be presented are placed in the order on the ballot as designated by the governing body.
- C. No ticket designations or party affiliations shall be shown on the ballot. Municipal elections shall be nonpartisan. (§3-8-29C)

8. By January 12
(By 5:00 p.m., 49 days
prior to election)

Withdrawal of Candidacy. Deadline for any candidate for municipal office to withdraw his/her candidacy by filing an affidavit in the Municipal Clerk's office on a form provided by the Clerk. The Municipal Clerk shall not place on the ballot the name of any person who has filed such an affidavit by this date. (§3-8-27I)

9. On January 12
(Between 8:00 a.m. and 5:00 p.m.,
49 days prior to election)

Write-In Candidate Filing Day

A. No person can be elected as a write-in candidate unless certified as such by the municipal clerk. All write-in candidates must file in person at the Municipal Clerk's office. This is the only date and time on which a write-in candidate may file for office. (§3-8-27L)

B. Write-in candidates shall file their declaration of write-in candidacy with the same documents and satisfy the same requirements as established for candidates in §3-8-27A-F. See Sections 4.A-G of this calendar. (§3-8-27L(2)).

10. By January 13
(By 10:00 a.m., 48 days
prior to election)

Municipal Clerk confirms with the printer on contract with the municipality and the county clerk the names of all candidates and their positions on the ballot. (§3-8-27J)

NOTE: It is important to inform the printer of anyone who has withdrawn his/her name from candidacy.

11. On January 13
(48 days prior to election)

Certification of Write-in Candidacy (§3-8-27L(3))

The Municipal Clerk shall certify those individuals who have satisfied the requirements for declared write-in candidates. See Sections 5A & B of this calendar (and §3-8-27G) and follow the same guidelines.

12. On January 14
(47 days prior to election)

A. By 9:00 a.m. the municipal clerk must post in his/her office the names of those individuals who have been certified as declared write-in candidates as well as those who have not been certified with the reasons they have not. (§3-8-27L(4))

*Before
January 14th
election supplies delivered*

13. By January 26
(by 35 days prior to election)

A. Governing body appoints a precinct board and translators for each polling place per §§3-8-19C and 3-8-22; (see §§3-8-19A & B for qualifications of precinct board)

B. Governing body appoints absent voter precinct boards (§3-9-9);

C. Municipal Clerk notifies the precinct boards in writing of their appointment and requests a written acceptance within 7 days after notice is sent (§3-8-19C); if appointment is not accepted within 7 days, the position is deemed vacant and is filled as provided in §3-8-19E;

D. Deadline for a declared write-in candidate to file an affidavit that s/he is no longer a write-in candidate for municipal office. In this event, any votes for such candidate shall not be counted and canvassed. (§3-8-27L(5))

E. Election supplies are delivered by printer, including ballots and sample ballots (§3-8-18C); Municipal Clerk should immediately examine the ballots to see that they are correct..

14. On January 26
(on 35th day prior to election)

A. Municipal Clerk shall post and maintain in the Clerk's office until election day the names of election judges, election clerks and alternates for each polling place. (§3-8-19C);

B. First day absentee ballots may be issued/mailed to voters, including Federal qualified electors and overseas voters, whose applications have been accepted and approved (§3-9-4L & M).

15. Immediately upon receipt of notice from County Clerk

Municipal Clerk shall: (1) post notice in her/his office of the date, time and place of inspection and certification of voting machines/electronic vote tabulators, and (2) attempt to contact the candidates to notify them of the date, time and place of inspection and certification. (§3-8-14D). Programming of machines/tabulators shall be performed under supervision of both the municipal and county clerk. (§3-8-14C). *NOTE: Inspection and certification of machines/tabulators used for early voting occurs not later than 7 days prior to start of early voting (§3-8-14E).*

16. On February 2
(28 days prior to election)

At 5:00 p.m. the County Clerk closes voter registration (§1-4-8).

17. Between February 2 and February 28
(28 - 2 days prior to election, once per week for 2 successive weeks)

A. Publish twice the names of candidates for each office to be filled, the order their names will appear on the ballot, polling place locations and addresses, precinct board members and alternates and their precincts; if districted, Municipal Clerk shall also publish the precincts or portion of precincts in each election district. (§3-8-30) May be combined with publication of notice of election school (See #23). *NOTE: Since March 2nd is a Sunday, if you cannot publish on that day, move the date back to Friday or Saturday, whichever is appropriate.*

B. At first publication, the above information is posted in Clerk's office until election day (§3-8-30).

18. By February 3
(7 days prior to start of early voting)

Deadline for inspection and certification of voting machines/electronic vote tabulators to be used for early voting (3-8-14E).

19. Between February 5 and Noon on February 9
(Between 5 days prior and Noon on day prior to start of early voting)

Voting machines/electronic vote tabulators to be used for early voting are delivered. (§3-8-14J).

20. By February 10
(20 days prior to election)

County Clerk must furnish to Municipal Clerk a printed registered voter list and the voter registration information in compatible electronic format containing only qualified electors eligible to vote in the election (§3-8-7B).

21. On February 10
(20 days prior to election)

First day for early voting using voting machines/electronic vote tabulators in Municipal Clerk's office (§3-8-37.1).

22. By February 18
(7 days prior to deadline to hold election training)

Mail notice of election training to precinct board and alternates - must be done no later than 7 days prior to day of training. Two or more municipalities may jointly conduct a combined election training; governing body may authorize payment of mileage to precinct board members who attend (§3-8-21B-D).

23. By February 21
(4 days prior to deadline to hold election school)

Publish notice of election school one time - must be done no later than 4 days prior to day of training; may be combined with #17 above (§3-8-21A).

24. By February 23
(7 days prior to election)

A. Municipal Clerk inspects and certifies voting machines/tabulators (§3-8-14E-G);
NOTE: Any objection to the use of any machine/tabulator must be filed with the District Court within 2 days after the machine has been certified. (§3-8-14J);

B. County Clerk furnishes voter registration list and signature roster containing only those qualified electors eligible to vote in the municipal election. (§3-8-7B)

25. By February 25
(5 days prior to election)

A. Municipal Clerk conducts or causes to be conducted an election training for precinct workers which shall be open to the public (§3-8-21A).

26. By February 26
(the Friday prior, or 4 days prior to election)

A. By 5:00 p.m. all absentee ballots must have been issued/mailed (§3-9-4M);

B. By 5:00 p.m. all Federal qualified elector and overseas absentee ballots must have been mailed (§3-9-4L);

C. By 5:00 p.m. - last day for early voting using voting machine/tabulator (§3-8-37.1);

D. By 5:00 p.m. - last day to issue replacement absentee ballots (§3-9-13B);

E. By 5:00 p.m. Deadline for candidates to file a petition for appointment of a challenger, watcher and alternates for each polling place. Municipal Clerk verifies that proposed appointees are qualified to serve. (§3-8-31B & C).

27. On February 26
(Friday prior to election)

After 5:00 p.m. and not later than 8:00 p.m. Municipal Clerk records numbers of and publicly destroys in her/his office unused absentee ballots, executes certificate of destruction which includes numbers on the ballots destroyed, and places the certificate in absentee ballot register (§3-9-8C).

28. By February 28
(2 days before election)

Deadline for second publication of names of candidates for each office to be filled, the order the names will appear on the ballot, location and address of polling places for each precinct, names of precinct board members and alternates for each polling place. If districted, the precincts or portions of precincts in each district (§3-8-30). If published by posting, check that notice is still posted, prepare a certificate stating date first posted and date checked, file with other election materials. *Since March 2nd is a Sunday, if you cannot publish on this day, move the date back to either Friday or Saturday, whichever is appropriate.*

29. By February 29
(day before the election)

A. Between 5 days prior to the election (February 25) and Noon on this day the certified voting machines/electronic vote tabulators are to be delivered to the assigned precinct polling place (§3-8-14J)

B. By 3:00 p.m. on this day the Municipal Clerk must have prepared official identification badges for the qualified challengers, watchers and alternates. They are responsible for obtaining their ID badges from the Municipal Clerk's office prior to the opening of the polls. (§3-8-31C)

C. 3:00 p.m. on this day is the deadline for the governing body, if they choose to do so, to appoint one qualified elector for each polling place to serve as an observer of the election. The governing body shall notify the Municipal Clerk of such appointment. Identification badges must also be issued to all observers. Observers have no powers other than to observe the conduct of the election, the counting and tallying of the votes and to report to the governing body. (§3-8-31K)

D. By 5:00 p.m. on this day, the Municipal Clerk must have verified absentee voters on the signature rosters and prepared the final absentee voter lists (§§3-9-4H & I).

30. Between February 29, NOON and March 1, 6:00 a.m.
(Between Noon, the day before election and one hour before polls open)

A. Municipal Clerk swears in presiding judge and causes election supplies, voting machine/tabulator keys, ballot box, ballot box keys, and other election materials to be delivered to the presiding judge; after receiving materials, presiding judge causes them to be delivered to the polling place (§3-8-38A & B);

B. Prior to the opening of the polls, Clerk notifies the absent voter precinct board, in writing, whether absentee ballots are to be counted and tallied or registered on a voting machine/tabulator. The procedures used must insure secrecy of the ballot (§3-9-11F).
NOTE: Clerk should hand deliver this written notice to the presiding judge after swearing her/him in.

31. March 1
(1st Tuesday in March
of even-numbered years
(§3-8-25))

ELECTION DAY

- A. 6:00 a.m. - Precinct board members must arrive by this time and are sworn in by presiding judge upon their arrival; precinct board must remain at polling place until their duties are properly completed (§3-8-38C & E);
- B. 7:00 a.m. - Polls shall be opened at 7:00 a.m. and closed at 7:00 p.m. (§3-8-38D);
- C. After 7:00 a.m. - Municipal Clerk delivers to the absent voter precinct board the absentee ballot register and absentee voter ballots received by the Clerk, any voting machines/electronic vote tabulators used and all early voting daily reports (§3-9-10);
- D. Prior to 7:00 p.m. - Clerk delivers any absentee ballots received this day to the absent voter precinct board (§3-9-10).
- E. At 7:00 p.m.
1. Municipal Clerk determines the number of absentee ballots that were mailed and have not been received and executes a "Certificate of Unreceived Absentee Ballots" (§3-9-8D);
 2. Clerk also shall destroy any other unused ballots in her/his control and make and file a written affidavit as to the number of ballots destroyed (there should be no ballots remaining in the clerk's possession; therefore, this affidavit should not be necessary). (§3-8-51C);
 3. Polls are closed and absent voter precinct polls are closed by the respective precinct boards. (§3-8-38D & 3-9-11G)
- F. After the last person has voted:
1. If voting machines/electronic vote tabulators are used:
 - a. precinct board counts and tallies the votes (§3-8-46E);

- b. election judge proclaims results of total votes cast for each candidate, for and against each question (if applicable) and shall complete an election return certificate in triplicate on which is recorded the total number of votes cast for each candidate and for and against each question (§3-8-46F & G);
- c. precinct board signs election return certificate & distributes per 3-8-46G; completes locking of each machine (§3-8-46H);
- d. precinct board immediately mails one copy each of voter checklist and machine/tabulator printed returns to district court (§3-8-47A).

2. If only paper ballots are used (no machines/tabulators):

- a. election judge shall prepare a certificate of destruction for unused ballots and precinct board shall destroy such ballots (§3-8-51A & B);
- b. precinct board counts and tallies votes (§3-8-51D);
- c. election judge proclaims results of total votes cast for each candidate, for and against each question (if applicable) and completes an election return certificate on which is recorded the total number of votes cast for each candidate and for and against each question; certificate shall be signed by precinct board (§3-8-51F);
- d. precinct board immediately mails one copy each of the voter checklist, all certificates and tally sheets to the district court (§3-8-52A).

32. By March 2
(By 7:00 p.m., 24 hours after polls close)

Precinct boards must deliver election returns and materials to municipal clerk by this time (3-8-47C); Clerk's office must remain open until all election returns are delivered.

33. By March 4
(Third day following election)

A. By 12:00 NOON on this day Municipal Clerk must have begun canvass of election returns; canvass may begin any time after election returns, etc. are received from a precinct board (§3-8-53A); all canvassing must be done in the office of the municipal clerk (§3-8-53D) (do not canvass any votes cast for write-in candidates who have officially withdrawn (3-8-27L(5)));

B. Not later than 5:00 p.m. on this date official canvass must be completed. (§3-8-53D);

C. Municipal Clerk shall prepare and sign a certificate of canvass and file it in the official minute book of the municipality (§3-8-53C);

D. After canvass, Municipal Clerk notifies the County Clerk in writing the names of all individuals voting on certificates (§3-8-40D);

E. County Clerk must take physical custody of and secure voting machines/electronic vote tabulators within three days after election; County Clerk must insure they are secure for 30 days after certificates of election are issued to candidates (§3-8-61D).

34. By March 7
(Between completion of canvass and the 6th day following the election)

A. Not later than 5:00 p.m., Municipal Clerk shall prepare a certificate of election for each elected candidate and post in her/his office the election results and date, time and place where the oath of office will be administered. (§3-8-33A);

B. After canvass and preparation of the certificate of election, and not later than 7:00 p.m. on this date, each elected candidate shall personally appear to sign a written statement acknowledging receipt of the certificate and that s/he is legally qualified to hold office; Municipal Clerk files a copy of the certificate of election and the written receipt and qualification statement in the official minute book (§3-8-33B);

C. Not later than 7:00 p.m. on this date, the Municipal Clerk or anyone authorized by law to administer oaths, administers the oath of office to each elected candidate. (§§3-8-33B & 14-13-3)

D. Deadline for any candidate to request a recount or recheck (§3-8-68). *Note: This date may be later if canvass is completed later than the day of election since the deadline for the recount is "within six days after completion of canvass".*

35. Between March 7 and March 22
(Between 6 and 21 days after the election)

The governing body must hold an organizational meeting. This may be a regular or special meeting. (§3-8-33H)

36. By March 11
(10 days after the election)

A. By 5:00 p.m. any elected candidate who failed to appear to take the oath of office, must file an affidavit with the Municipal Clerk stating that s/he was unable to appear at that time and the reasons therefor. This may also be done by an authorized representative. If such an affidavit is timely filed, the candidate has 30 days from election day to take the oath of office. (§3-8-33C) (See #37B).

B. Within 5 days of administering the oaths of office, the Municipal Clerk mails a copy of the certificates of election to the County Clerk and Secretary of State (§3-8-33F).

37. Between March 2 and March 31
(Within 30 days following the date of election)

A. Precinct Board shall be compensated for their election day services at the rate provided in §1-2-16, not less than the federal minimum hourly wage rate (currently \$7.25 per hour) nor more than \$150.00 for an election day (§§3-8-19F, G & 1-2-16);

NOTE: Governing body may authorize payment to alternates who are required by the precinct board or Municipal Clerk to stand by on election day at the rate of not more than \$20.00 for the day of the election (§3-8-19F).

B. By 5:00 p.m. on April 5 any elected candidate who has filed a timely affidavit of non-appearance must have received the election certificate and taken the oath of office (§3-8-33C). If a candidate fails to take the oath by this date, the governing body shall subsequently declare by resolution that the office is vacant. (§3-8-33D & E)

38. By March 16
(Within 15 days of the Election)

Forward to the County Clerk a list (signature roster) of all individuals voting in the municipal election (§3-8-7(7)). NOTE: This is done after the canvass is complete.

39. By April 6
(Within 30 days following issuance of certificates of election)

Any action to contest the election must be filed in District Court by this date (§3-8-63C). A copy of any such petition to contest the election must also be filed with the municipal clerk. *NOTE: When the 30 day deadline falls on a Saturday or Sunday, per District Court Rules, the deadline is moved forward to Monday. (District Court Rules of Civil Procedure, 1-006)*

40. After April 6
(After 30 days following issuance of certificates of election)

A. County Clerk may clear voting machines/electronic vote tabulators used in the election (§3-8-61D)

B. Ballots may be destroyed only if no challenge, contest or judicial inquiry has been filed or upon order of the District Court where a contest, recount or judicial inquiry was sought (§3-8-62B).

41. After April 15
(45 days following election)

If there has been no contest or other controversy, the District Court may destroy all municipal election materials in custody - records must be retained for at least 45 days after the election (§3-8-71B);

NOTE: Municipal Clerk shall retain election records for two years after the election per §3-8-71; the records shall be destroyed when the two year period is up per §3-8-71C. (March 1, 2018)