

Cherokee Nation Code Annotated

Title 26: Elections

Chapter 6: Conduct of Elections

Article IV. Count and Return of Votes—Recounts and Runoffs

§ 91. Processing of Absentee Ballot

Cite as: 26 CNCA § 91

A. Procedure. No earlier than 8:00 a.m. on the Monday immediately preceding the day of the General Election or Special Election, the Election Commissioners or the Election Commission's designees shall commence examination of the affidavits accompanying the Absentee Ballots. The Ballot Box containing the envelopes containing the affidavits and Absentee Ballots shall be opened and the said envelopes shall be removed. The outer envelope bar code will be scanned on all absentee envelopes and prepared for affidavit verification. For each affidavit verified as meeting the requirements of § 77 of this Title, the affidavit shall be removed and placed in the outer envelope, and the accompanying secrecy envelopes containing the Absentee Ballots shall be opened and the ballots ran through a secure voting machine into a secured Ballot Box provided the totaling of the voting machine shall not be completed until after the closing of the polls on Election Day. Each ballot rejected due to error(s) in the affidavit shall have a rejection reason attached to the affidavit without being opened. Said rejected affidavits and ballots shall be rejected in Chronicle, and labeled and placed in a separate locked box. The boxes containing the rejected Absentee Ballots shall be maintained at a secure location for two years following the General Election or Special Election. A letter will be generated in Chronicle to the Voter informing them that their ballot did not count and why, and will be transmitted to the Voter when General Election or Special Election is certified.

B. Watchers. Absentee Ballot Watchers selected in accordance with § 53 of this Title shall be present at all times during the processing of the aforementioned Affidavits and the counting of all the Absentee and early Walk-In Absentee Ballots.

Historical Data

LA 06–10, eff. February 23, 2010. Amended LA 46–12, eff. December 17, 2012; LA 04–14, eff. February 19, 2014; LA 12–16, eff. May 18, 2016. Amended LA 22–20, eff. October 13, 2020. Amended LA 14–22, eff. May 16, 2022.