

## CHAPTER 30. ABSENTEE VOTING

### SUBCHAPTER 1. GENERAL PROVISIONS

#### 230:30-1-2. Definitions

The following words or terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

**"Federal election"** means a regular or special election involving candidates for federal offices.

**"Member of the merchant marine"** means a person employed as an officer or crew member of a vessel as identified in ~~42~~ 52 U.S.C. ~~1973ff-6U~~ 20310.

**"MESA"** means the Modern Election Support Application software used by County Election Board personnel for voter registration, absentee voting, and election administration and maintenance.

**"Nursing home"** means a nursing facility as defined in Title ~~62~~ 63 O.S. ~~2001~~, Section 1-1902.

**"PDF"** means portable document format, a type of computer file used for document exchange.

**"Proof of identity"** means a form of personal identification that meets the requirements listed in 26 O.S., Section 7-114, ~~as amended by State Question 746~~.

**"Uniformed services"** means the United States Army, Navy, Air Force, Marine Corps, and Coast Guard, the merchant marine, the commissioned corps of the Public Health Service, the commissioned corps of the National Oceanic and Atmospheric Administration, and the Oklahoma National Guard.

**"Veteran center"** means a facility established as outlined in Title 72 O.S., Section 221 et seq of the Oklahoma Statutes.

### SUBCHAPTER 5. APPLICATIONS FOR ABSENTEE BALLOTS

#### 230:30-5-9. Rejected applications

(a) **Reasons for rejection.** An application for absentee ballots shall be rejected if any one of the following conditions, or combination of the following conditions, occurs.

- (1) The applicant is not a registered voter in the county.
- (2) The application is not properly signed, except as provided in (d) of this Section.
- (3) The applicant is not eligible to vote in the election for which ballots are requested.
- (4) The application does not contain sufficient information to determine which ballots to send.
- (5) The application is received ~~later than 5 p.m. on Wednesday preceding the election~~ after the deadline prescribed in 26 O.S. 14-103.
- (6) The application is illegible.

(b) **Processing rejected application.** In the event that a voter's application for absentee ballots must be rejected, the application shall be entered into MESA and the reason for the rejection shall be noted on the screen. MESA will create a Notice of Rejection of Absentee Ballot Application for the voter which will detail the reason the application was rejected. If an Application for In-Person Absentee Ballots has been rejected, the application shall not be entered into MESA and, therefore, no Notice of Rejection will be created.

(c) **Form of rejection.** In the event that a voter's application for regular mail absentee ballots must be rejected for any reason, the Secretary shall print the Notice of Rejection of Absentee Ballot Application created by MESA and mail it to the voter. [26:14-133] If there is sufficient time for the voter to return a corrected application, a new application form shall be enclosed with the notice. In the event that an emergency incapacitated voter's application for absentee ballots must be rejected, the Secretary shall so advise the voter's agent and shall provide the agent with a Notice of Rejection of Absentee Ballot Application form, which shall be completed by the Secretary.

(d) **Exception to signature requirements for some absentee ballot applications.** Generally, absentee ballot applications must be signed by the applicant. However, some exceptions to this requirement shall be granted to some applicants who submit their applications through certain electronic methods.

(1) Applications submitted by uniformed services and overseas voters on the Federal Post Card Application that are received by electronic mail may be accepted and processed without a physical, hand-written signature.

(2) Applications submitted with the online absentee ballot application on the State Election Board website may be signed digitally and a physical, handwritten signature is not required.

### **230:30-5-13. Application for absentee ballots may be submitted electronically**

(a) Any registered voter may apply for absentee ballots for any election for which he or she is eligible and may submit the application to the County Election Board in the county of his or her residence by United States mail, by electronic mail, by fax, or by other means of electronic communication designated by the Secretary of the State Election Board as provided by Title 26 O.S. 2014 Supp., Section 14-105.

(b) The Secretary of the State Election Board may establish an online absentee ballot application tool for the purpose of applying for and submitting applications for absentee ballots. Such an online application tool shall meet the following criteria.

(1) The online absentee ballot application tool shall require the applicant to provide the following information, which is necessary to confirm an applicant's status as a registered voter and to determine that the voter is eligible to receive ballots for an election, and to determine where the absentee ballots should be sent. See 26 O.S. Section 14-105.

(A) Voter's name

(B) Date of birth

(C) An identification number as required by 26 O.S. Section 14-105

~~(D)~~ (E) Address of voter registration

~~(D)~~(E) Address ballots should be sent

~~(E)~~(F) Other information deemed necessary by the Secretary of the State Election Board

(2) The application tool shall allow the voter to designate whether the application is for a single election or for all elections in which the voter may be eligible in a calendar year or for any other term permitted by law.

(3) The application tool shall allow an applicant to specify, if applicable, that he or she is physically incapacitated or confined to a nursing home.

(4) The application tool should direct an applicant who is a member of one of the uniformed services of the United States or an overseas citizen and therefore covered by the federal Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) to the Federal Voting Assistance Program website to complete a federal post-card application (FPCA) form.

(5) The online absentee ballot application tool should prepare a form containing all the required information and specifications named in (1) through (3) of this subsection.

(6) The online absentee ballot application tool may allow the applicant to sign the application digitally and submit it directly to the appropriate County Election Board through the online absentee ballot application tool.

(7) The website landing page for the online absentee ballot application tool shall display information about the statutory deadline for absentee applications preceding an election.

(8) The online application tool also shall meet any other criteria deemed necessary by the Secretary to ensure security and privacy of voter information and to prevent fraudulent use.

(c) Any organization, entity, or individual interested in promoting voter participation through absentee voting may link to the online absentee ballot application tool on the State Election Board's website.

(d) No online ballot application shall be accepted by the State Election Board or any County Election Board from any organization, entity or individual that creates its own absentee ballot application tool unless:

(1) The information described in (a) of this Section is required by its application tool;

(2) It provides to applicants the ability to sign the application digitally;

(3) It produces a written ballot request; and

(4) The written request is transmitted by facsimile or electronic ~~email~~mail by the applicant to the State Election Board or the appropriate County Election Board.

## **SUBCHAPTER 7. ABSENTEE VOTING BOARDS**

### **230:30-7-6. Scheduling Absentee Voting Boards for an election**

(a) Notification of Absentee Voting Board members. At least ten days before the election, the Secretary of the County Election Board shall notify the members of one or more Absentee Voting Boards of the day or days the services of the Absentee Voting Board will be required. The Secretary also shall request the members of the Absentee Voting Board to meet on Tuesday before the election to make plans for their work.

(b) Scheduling the nursing home Absentee Voting Board. On Tuesday before the election, the Secretary shall work with the Absentee Voting Board to schedule visits to each affected nursing home or veteran center. Visits must be scheduled ~~on Thursday, Friday, Saturday or Monday immediately preceding for any day following the deadline to request an absentee ballot as provided in 26 O.S. Section 14-103, but prior to the date of the election.~~ [26:14-115(1)] Visits shall be planned to all nursing homes or veteran centers in as few days as possible, preferably in a single day. The Secretary shall consult the administrator of each affected nursing home or veteran center to schedule a time that will be convenient for the Absentee Voting Board to visit.

(c) Scheduling the in-person Absentee Voting Board. An Absentee Voting Board is required to be on duty at the in-person absentee polling place ~~from 8 a.m. to 6 p.m. on Thursday and~~

~~Friday immediately preceding all elections and also from 9 a.m. to 2 p.m. on Saturday immediately preceding state and federal elections. [26:14-115.4] during the dates and time described in subsection A of 26 O.S. Section 4-115.4.~~

(d) Scheduling an in-person Absentee Voting Board for a second in-person absentee polling place. If the county meets the statutory requirements for a remote in-person absentee polling place, in addition to the in-person absentee polling place located at the County Election Board office, a second in-person Absentee Voting Board shall be scheduled. The Absentee Voting Board assigned to the remote early in-person absentee polling place shall be on duty on the same days and hours outlined in (c) of this Section.

(e) Notifying Sheriff of in-person absentee voting. The Secretary shall notify the County Sheriff of the dates for in-person absentee voting for an election and shall arrange for the Sheriff to provide security for the memory pack and the voted ballots as outlined in 230:30-7-11.3. In the event a secondary in-person absentee polling place is designated in the County, the Secretary also shall notify the Sheriff of the location and arrange for the Sheriff to provide security for the election results storage device and voted ballots from that location. See 230:30-7-11.3.

#### **230:30-7-11.1. Preparation of polling place and voting device for in-person absentee voting**

(a) **Receiving supplies and setting up polling place on first day.** On each in-person absentee voting day, the Absentee Voting Board members meet in the County Election Board office at the time set by the County Election Board Secretary to receive their supplies for the day. The Absentee Voting Board members then go together to the in-person absentee polling place. A table and chairs, one or more voting devices, voting booths, and a computer with access to the Internet and the MESA software or the Central File should already be in place at the in-person absentee polling place when the Absentee Voting Board members arrive. The Absentee Voting Board members unpack the supplies and prepare each voting device as outlined in (b) of this Section. The Absentee Voting Board members must be ready to receive applications from in-person absentee voters at 8 a.m.

(b) **Preparing voting device on first day.** The Absentee Voting Board shall turn on the voting device and prepare it to accept ballots as outlined in the voting device instructions section of the Precinct Official Notebook.

(c) **Receiving supplies and setting up polling place on ~~second and third~~ subsequent days.** ~~On the second and third subsequent days~~ of in-person absentee voting, the members of the Absentee Voting Board meet at the County Election Board office at the time specified by the Secretary to receive their supplies for the day. The Absentee Voting Board members also must receive the election results storage device for each voting device from the Sheriff no later than 7:45 a.m. [25:14-115.4] The Absentee Voting Board members then follow the instructions in the voting device instruction section of the Precinct Official Notebook and in (d) of this Section to prepare each voting device.

(d) **Preparing voting device on ~~second and third~~ subsequent days.** ~~On the second and/or third subsequent days~~ of in-person absentee voting, the Absentee Voting Board receives the election results storage device from the Sheriff and prepares the voting device as follows. Follow the procedure provided by the Secretary of the County Election Board to open the polls on each voting device designated for in-person absentee voting.

(e) **Supplies and voting devices for additional in-person absentee polling places.** In the event that in-person absentee polling places have been designated in the county in addition to the polling place located at the County Election Board office, all necessary supplies and materials may be delivered to the additional locations by County Election Board personnel and the in-person Absentee Voting Board members shall meet at the polling place location no later than thirty minutes prior to the start of voting to prepare the polling location and be ready to receive applications from voters at the appropriate time.

## **SUBCHAPTER 9. PROCESSING APPLICATIONS**

### **230:30-9-3. Processing applications for absentee ballots**

Applications from all absentee voters, except uniformed services voters and overseas voters, shall be processed according to the following procedures:

- (1) Indicate in the "For County Election Board Use" space the date on which the application is received at the County Election Board office.
- (2) Enter the application information into MESA. When applications from absentee voters, nursing home voters, physically incapacitated voters, voters charged with the care of physically incapacitated persons, emergency incapacitated voters, and veteran center voters are entered into MESA, the system automatically verifies the applicant's registration. If an applicant is not registered, see 230:30-9-4. Requirements for matching of name, birth date, and identification number established pursuant to 26 O.S. Section 14-105 shall apply to all types of applications for absentee ballots under this Chapter.
- (3) If a voter requests absentee ballots for a school district or municipality other than the one to which he or she is assigned, mark the appropriate field on the MESA screen. MESA will generate a notice that tells the voter that he or she is assigned to a different school district or municipality than the one for which ballots were requested and that ballots for the assigned district or municipality will be issued. If a voter is not assigned to a school district, the school district field will be empty. In this situation only, enter the appropriate code for the school district indicated by the voter on the absentee ballot application in the school district field. If a voter does not reside in a municipality, the municipality field will contain the word "None." If, however, a voter's municipal assignment cannot be determined, the municipal field will be blank. In this situation only, enter the code for the municipality indicated by the voter on the absentee ballot application.
- (4) If the application must be rejected for any reason, enter the reason for the rejection in the appropriate place on the screen. MESA will produce a Notice of Rejection of Absentee Ballot Application letter for the voter. However, in the event that an Application for In-Person Absentee Ballots has been rejected, it shall not be entered into MESA.
- (5) Designate the election or elections for which the voter is requesting ballots in the appropriate place on the screen.
- (6) Write the applicant's voter identification number and registration status (active or inactive) on the application form. File the application form in the appropriate absentee voting materials file. If the applicant is a restricted records status voter, file the application in the restricted records status file.
- (7) If the application is from an in-person absentee voter and ballots were issued by the Absentee Voting Board, enter the date the application was processed by the Absentee

Voting Board in the appropriate space on the screen to give the voter credit for voting. See 230:30-7-12. If the application was rejected, no entry shall be made in MESA. A rejected Application for In-Person Absentee Ballots shall be retained with other rejected applications.

(8) If ballots are available, immediately prepare the appropriate absentee voter packet with the correct ballots for the voter and mail it. See 230:30-9-1 and 230:30-9-2. If the letter "I" appears in the upper-right corner of the absentee mailing label, the voter is either an inactive voter or a voter unassigned to a school district due to insufficient address information. Enclose an Oklahoma Voter Registration Application form and an Absentee Voter Address Information Requested sheet with the absentee voter packet and ballots.

### **230:30-9-5. Processing applications from uniformed services and overseas voters**

(a) **Applications from uniformed services and overseas voters.** Applications for absentee ballots received from uniformed services voters and overseas voters are processed differently than applications from other absentee voters. Uniformed services voters and overseas voters are not required to be registered to vote in the county in order to apply to vote by absentee ballot. However, when an application for absentee ballots is received from a person who is not a registered voter in the county, information from the Federal Post Card Application form will be used to register that person in the county provided that the applicant's residence address is located within the county and contains all the required information in order to be registered. Provided, the application for a person not yet registered must meet the deadline to register for the next election pursuant to 26 O.S. Section 4-110.1. All applications received from uniformed services voters and overseas voters are considered to be applications for all elections in which the voter is eligible to vote, except as outlined in (c) of this Section. Applications from these voters shall be processed according to the procedures outlined in (b) of this Section.

(b) **Applications received by mail, by fax, or by electronic mail.** Uniformed services voters and overseas voters may submit applications for absentee ballots, usually the Federal Post Card Application (FPCA) form, to the County Election Board by mail, by fax, or by electronic mail. Upon receipt of an application for absentee ballots from a uniformed services or overseas voter, the Secretary of the County Election Board shall cause the application to be processed according to the following procedure.

- (1) If the application was received by electronic mail, take these steps.
  - (A) Print a copy of the electronic mail message and a copy of the attached FPCA form.
  - (B) Reply to the electronic mail message to notify the voter that the application was received.
- (2) Indicate on the application form the date on which it was received at the County Election Board office.
- (3) Indicate on the application form whether it was received by mail, by fax, or by electronic mail.
- (4) Enter the application information into MESA.
  - (A) If the voter's address is not located within the county, the application information shall not be entered. The printed application form shall be forwarded immediately to the correct County Election Board. The date the

application was received in the first county shall be the received date for the application.

(B) If the voter's address is located within the county, but the voter is not currently registered in the county, follow the appropriate software instructions to enter the application information in MESA to create both a new voter registration record and an absentee ballot application record for this individual.

(C) If the voter's address is located within the county and the voter is a currently registered voter in the county, follow the appropriate software instructions to enter the application information in MESA to create an absentee ballot application record.

(5) If the voter provided an expiration date or stated anywhere on the FPCA that ballots are requested for only a specific election, enter the expiration date or specific election date in MESA. If the voter did not provide an expiration date or a specific election date, the system will default to the appropriate date that includes the next two federal general elections.

(6) Determine the voter's preferred method of receiving absentee ballots.

(A) If the voter ranks "Email/Online" or "Mail" as first choice, check the "Mail" or "Online" box in MESA.

(B) If a voter ranks "Fax" as first choice, look at the voter's second choice and check the appropriate box in MESA. (Oklahoma no longer delivers absentee ballots by fax to uniformed services and overseas voters.)

(7) Write on the application form the voter identification number assigned by MESA.

(8) If ballots are available, immediately follow the appropriate steps.

(A) If the voter prefers to receive absentee ballots by mail, prepare a uniformed services/overseas voter packet with the correct ballots for the voter and mail it.

(B) If the voter prefers to receive absentee ballots online, see 230:30-9-5.2.

(9) If the absentee ballot application information was used to create a new voter registration record for the voter, print a file copy of the absentee ballot application information from MESA. File the copy in the appropriate absentee application file. File the voter's original FPCA in the Central File. See 230:15-9-18(b).

**(c) Validity of applications received from uniformed services and overseas**

**voters.** Applications for absentee ballots from uniformed services voters and overseas voters shall be considered valid through the next two federal General Elections as outlined in 230:30-5-8.2, unless the voter indicates that the request is for a specific election date or an earlier expiration date on the FPCA form. If ballots mailed to a uniformed services or overseas voter's address are returned undelivered to the County Election Board, the County Election Board Secretary shall be authorized to consider the application invalid and shall be authorized to delete the application from MESA. The Secretary shall indicate on the outside of the returned absentee ballot outer envelope that the voter's absentee ballot application has been cancelled as a result of the returned, undelivered ballots. The returned envelope shall be retained for 24 months.

**(d) Updating existing FPCA.** Upon receipt of an FPCA or other communication from a uniformed services voter or an overseas voter that includes an electronic mail address to be used for absentee voting purposes, the Secretary shall determine whether the voter has a currently valid application on file. If so, the Secretary shall update the voter's application information in MESA and shall remove the existing application form from the file and replace

it with the newly received form. [26:14-118(B)] The Secretary shall note on the removed form the reason for the removal and shall retain it for 24 months.

### **230:30-9-6. Processing requests from emergency incapacitated voters**

(a) **Requirements for requests.** The request for absentee ballots from an emergency incapacitated voter shall be in writing and shall be signed by the voter, *or signed by a witness at the voter's direction, if the voter is unable to sign.* [26:14-115.1] The request *must be accompanied by a sworn statement by a duly licensed physician.* [26:14-115.1] The statement must attest to the fact that the voter is unable to vote in person at his or her precinct on the day of the election because of a physical disability, which may include confinement for childbirth, and that the voter became incapacitated after 5 p.m. on Tuesday preceding the election the deadline to request an absentee ballot as provided in 26 O.S. Section 14-103. [26:14-115.1]

(b) **Form may be used.** The Request for Emergency Incapacitated Absentee Ballot and Sworn Statement by Physician form may be used to make the request for ballots. However, use of this form is not required.

(c) **Voter's agent.** An emergency incapacitated voter may designate an agent to represent him or her for purposes of absentee voting. The agent may be anyone of the voter's choosing at least 16 years of age, provided that person is not employed by nor related within the third degree by consanguinity or affinity to any person whose name appears on the ballot. The voter's agent must transmit the request to the Secretary of the County Election Board.

(d) **Person may be agent for only one voter.** No person may be the agent for more than one voter at any election.

(e) **Processing the request.** Upon receipt of the voter's request and accompanying sworn statement, the application information shall be entered into MESA. See 230:30-9-3. If the voter is an inactive voter, give the voter's agent an Oklahoma Voter Registration Application form and an Absentee Voter Address Information Requested sheet.

(f) **Issuing ballots and materials.** The Secretary shall indicate on the application form the ballots that shall be issued to the voter. The Secretary then shall issue to the voter's agent the appropriate ballots and a pink incapacitated voter packet.

(g) **Returning ballots.** The voter's agent must return the ballots, sealed in the appropriate envelopes, to the Secretary of the County Election Board no later than 7 p.m. on the day of the election. Upon receipt of the ballots, the Secretary shall record the date in the voter's application information in MESA. If the voter is inactive, the voter's agent may return the completed Oklahoma Voter Registration Application form with the voted ballots or the voter may mail the form at a later time.

### **230:30-9-8. Processing first responder/emergency worker emergency absentee applications, issuing ballots, and receiving voted ballots**

(a) **Who may apply.** First responders and emergency workers who are deployed to assist with rescue, recovery, and/or relief efforts in the wake of a declared natural disaster or a declared state of emergency within ten days ~~of an election after the deadline to request an absentee ballot as provided in 26 O.S. Section 14-103~~ may apply for an emergency absentee ballot. Such requests from first responders and emergency workers may be received and processed up to and even on election day, as long as the voted ballot is received by the County Election Board no later than 7 p.m. on election day.



**(b) Processing emergency absentee ballot applications and issuing ballots.** When a first responder or emergency worker is deployed within ten days ~~of an election~~ after the deadline to request an absentee ballot as provided in 26 O.S. Section 14-103 to assist with rescue, recovery, and/or relief efforts in the wake of a declared natural disaster or a declared state of emergency and requests an emergency absentee ballot, the Secretary of the County Election Board shall ensure the following procedure is observed.

(1) Give the voter a copy of the Application for Emergency Absentee Ballot - First Responders and Emergency Workers form. The form may be emailed or faxed to the voter or a copy may be printed in your office and given to the voter.

(2) Tell the voter to fill out the form and to provide all the requested information. The form must be signed and dated by the voter. Ask to see the voter's proof of identity. See 230:35-3-140 and 230:35-3-141.

(3) Upon receipt of the voter's completed and signed application, enter the application in MESA.

(4) Issue the appropriate absentee ballot or ballots and a standard/yellow absentee ballot packet and instructions to the voter. Make a notation on the outer envelope that this is an emergency absentee ballot.

(5) Tell the voter to fill out the affidavit envelope and to have his/her signature on the affidavit notarized. County Election Board personnel may not notarize the affidavit.

(6) Tell the voter that his or her voted ballot must be received by the County Election Board by 7 p.m. on the day of the election in order to be counted.

**(c) Returning voted emergency absentee ballots to the County Election Board.** First responders and emergency workers who apply for emergency absentee ballots as outlined in (a) and (b) of this Section have the options listed below for returning their voted absentee ballots to the County Election Board. The absentee ballot affidavit must be signed and notarized and must be sealed inside the appropriate absentee envelopes.

(1) The voter may return the voted ballot to the County Election Board office in person. If the voter returns his or her emergency absentee ballot in person, ask to see the voter's proof of identity.

(2) The voter may return the voted ballot by United States mail (including by USPS Express Mail™).

(3) The voter may return the voted ballot by a private delivery services (such as FedEx™) that provides delivery documentation.

**(d) Receiving voter emergency absentee ballots.** Upon receipt of an emergency absentee ballot in-person from the voter or by mail, follow the steps outlined below.

(1) Make the following notation on the outer envelope. "Emergency Absentee Ballot from First Responder/Emergency Worker received on (DATE) at (TIME)." Also note whether the ballot was received in person from the voter, by mail, or by private delivery service.

(2) Give the emergency voter credit for voting in MESA.

(3) Place the voted ballot, sealed inside the appropriate envelopes, in the absentee ballot box.

### SUBCHAPTER 13. FEDERAL WRITE-IN ABSENTEE BALLOT

**230:30-13-1. Voters permitted to use federal write-in absentee ballots [REVOKED]**

~~Absent uniformed services voters, those who are on active duty and absent from their voting residence, and overseas voters, those who are living outside the territorial limits of the United States, shall be permitted to use the federal write-in absentee ballot in Primary, Runoff Primary, Presidential Preferential Primary, and General Elections for statewide and federal offices. These absent uniformed services voters and overseas voters may use the federal write-in absentee ballot whether or not they have applied for regular absentee ballots.~~

### **230:30-13-2. Receiving and processing federal write-in absentee ballots**

Upon receipt of a federal write-in absentee ballot, the Secretary shall indicate the received date on the front of the envelope and then shall place the envelope in the absentee ballot box. When the County Election Board meets to open outer envelopes and examine affidavits as described in 230:30-11-2, the Secretary also shall take the following steps.

(1) After opening the outer envelope, attach the Voter's Declaration/Affirmation form to the secrecy envelope with a paper clip.

(2) Determine whether the voter is a uniformed services voter or an overseas voter by examining ~~item 1a on~~ the Voter's Declaration/Affirmation form.

(A) If the ballot is from an overseas voter, verify that the voter is located outside the United States by examining the information in item 4a "My Current Address (Where I live now)." This address should be located outside the United States. If this address is located within the United States and the voter is an overseas voter, the federal write-in absentee ballot cannot be counted.

(B) If the ballot is from a uniformed services voter, the ballot can be counted even if it was submitted from an address located within the United States.

(3) Examine item 3 "My Voting Residence Address" to determine the voter's correct precinct. Note the precinct number on the Voter's Declaration/Affirmation.

(4) Check the absentee information in MESA to determine whether the voter submitted an application for regular mail absentee ballots.

(A) If the voter submitted an application for regular mail absentee ballots, determine whether those ballots have been received.

(i) If the voter's regular absentee ballots have been received, the federal write-in absentee ballot shall not be counted. Note the reason the ballot cannot be counted on the Voter's Declaration/Affirmation and set it and the unopened secrecy envelope aside in a secure place.

(ii) If the voter's regular absentee ballots have not been received by 7 p.m. on election day, the federal write-in absentee ballot shall be counted.

(B) If the voter did not submit an application for regular mail absentee ballots, enter in MESA the information from the voter's affirmation as if it were a Federal Post Card Application. See 230:30-9-5. The federal write-in absentee ballot shall be counted.

(5) A covered voter may use the declaration accompanying a federal write-in absentee ballot as an application for a military-overseas ballot simultaneously with the submission of the federal write-in absentee ballot, if the declaration is received pursuant to the provisions of 26 O.S. Section 14-103. The covered voter must inform the appropriate election official that the voter is a covered voter by one of the methods set forth in 26 O.S. Section 14-142(E).

(6) In the event that a voter's federal write-in absentee ballot cannot be counted, the Secretary shall notify the voter in writing of the reason the ballot was rejected.

~~(6)~~(7) If a federal write-in absentee ballot is counted for a voter who had previously applied for regular absentee ballots, enter the date the federal write-in absentee ballot was received in the voter's absentee information in MESA.

~~(7)~~(8) Follow the instructions in 230:30-19-6 to count a federal write-in absentee ballot.