§ 84-b. Early mail ballots for special town elections; special provisions. 1. Early mail ballots shall be provided for all special town elections for which personal registration is required.

2. a. An applicant for such an early mail ballot shall submit an application setting forth (1) their name and residence address, including the street and number, if any, or town and rural delivery route, if any; (2) that they are or will be, on the day of the election, a qualified voter of the town in which they reside; and (3) that they are registered in the town. Such application must be received by the town clerk at least seven days before the election if the ballot is to be mailed to the voter, or the day before the election, if the ballot is to be delivered personally to the voter or their agent.

b. Such application shall include the following statement to be signed by the voter:

I hereby declare that the foregoing is a true statement to the best of my knowledge and belief, and I understand that if I make any material false statement in the foregoing statement of application for early mail ballots, I shall be guilty of a misdemeanor.
Date ..... Signature of Voter .....

3. If, upon examining the application required under the provisions of subdivision two of this section, and upon such inquiry as it deems proper, the board of inspectors shall be satisfied that the applicant is a qualified voter of the town, and entitled to vote by early mail ballot, such board of inspectors shall place their name upon a list, thereupon the applicant shall be issued or mailed an early mail ballot and the town clerk shall make an appropriate entry on the list indicating that an early mail ballot has been applied for by, and issued to, the applicant.

4. Ballots for early mail voters shall be, as nearly as practicable, in the same form as those to be voted at the town election. On the back of such early mail ballots shall be printed the words "Official Ballot, Early Mail Voter".

5. a. The board of registration shall enclose each early mail voter's ballot in an envelope which shall be labelled:

ELECTION MATERIAL

PLEASE EXPEDITE

On one side of such envelope shall be printed:

OFFICIAL BALLOT, EARLY MAIL VOTER

for

Special Town Election

Name of Voter .....

Residence (street and number, if any) .....

Town of .....

County of .....

The date of the election and name of the town shall be printed, and the name of the voter, residence and district shall be written in by the town clerk.

b. On the reverse side of such envelope shall be printed the following statement:

STATEMENT OF EARLY MAIL VOTER

I do declare that I will have been a citizen of the United States for thirty days, and will be at least eighteen years of age, on the date of the special town election; that I will have been a resident of this state and of the town shown on the reverse side of this envelope for thirty days next preceding the said election; that I am or on such date will be, a registered voter of said town; that I have not qualified, or do I intend to vote, elsewhere than as set forth on the reverse side of this envelope; that I have not received or offered, do not expect to receive, have not paid, offered or promised to pay, contributed, offered or promised to contribute to another to be paid or used, any money or other valuable thing, as a compensation or reward for the giving or withholding of a vote at this special town election, and have not made any promise to influence the giving or withholding of any such votes; that I have not made or become directly or indirectly interested in any bet or wager depending upon the result of this special town election;

and that I have not been convicted of bribery or any infamous crime, or, if so convicted, that I have been pardoned or restored to all the rights of a citizen, without restriction as to the right of suffrage, or received a certificate of relief from disabilities or a certificate of good conduct pursuant to article twenty-three of the correction law removing my disability to register and vote.

I hereby declare that the foregoing is a true statement to the best of my knowledge and belief, and I understand that if I make any material false statement in the foregoing statement of early mail voter, I shall be guilty of a misdemeanor.

Date.... Signature of Voter....

c. The envelope shall be gummed, ready for sealing, and shall have printed thereon, on the side opposite the statement, instructions as to the duties of the voter after the marking of the ballot, which instructions shall include a specific direction stating that the envelope must reach the office of the town clerk not later than five P.M. on the day of the election in order that their vote may be canvassed.

d. A person who shall make any material false statement in the statement of early mail voter appearing on the reverse side of the envelope as provided in this subdivision, shall be guilty of a misdemeanor.

6. a. The town clerk shall make a list of all persons to whom early mail voter's ballots shall have been issued and keep such list on file in their office where it shall be available for public inspection during regular office hours until the day of the election. Any qualified voter may, upon examination of such list, file a written challenge of the qualifications as a voter of any person whose name appears on such list, stating the reasons for such challenge. A challenge to an early mail ballot may not be made on the basis that the voter should have applied for an absentee ballot. Such written challenge shall be transmitted by the town clerk to the inspectors of election on election day.

b. Such list shall also be posted in a conspicuous place or places during the election, and any qualified voter may challenge the acceptance of the early mail voter's ballot of any person on such list, by making their challenge and the reasons therefor known to the inspectors of election before the close of the polls.

7. a. The town clerk shall be authorized to call upon the commissioner of police and the officers and members of the police force for such assistance in the enforcement of the provisions of this section as he shall require, and such commissioner and officers and members of the police force shall be authorized to render such assistance.

b. The board of inspectors may require any person to attend before it at the office of the town clerk of the district and be examined as to any matter in relation to which such board is charged with a duty under this section, and may issue a subpoena therefor. Each member of such board of inspectors district shall be authorized to administer any oath that may be required or authorized by law in this connection.

8. No early mail voter's ballot shall be canvassed, unless it shall have been received in the office of the town clerk not later than five P.M. on the day of the election.

9. The town clerk shall, on the day of the election, transmit all early mail voters' envelopes, received by him in accordance with subdivision eight of this section, to the inspectors of election.

10. If, at the election, any early mail voters' envelopes shall have been received at the polling place, the inspectors of election immediately after the closing of the polls shall examine them, and shall compare the signature, if any, on each envelope with the signature, if any, on the register, of the person of the same name who registered from the same address. If the signatures are found to correspond, the inspectors shall certify thereto by signing their initials opposite the name of the voter at the appropriate place in the register. If a person whose name is on an envelope as a voter, shall have already voted in

person at such special town election, or if their name, residence and signature, as stated on the envelope, are not on the register, or if there is no signature on the envelope, this envelope shall be laid aside unopened and be returned unopened to the town clerk. If such person is found to be registered and has not so voted in person, and if no objection is made, or if an objection made be not sustained, the envelope shall be opened and the ballot withdrawn without unfolding and deposited in the proper box or boxes. At the time of the deposit of such ballot, the inspectors shall enter the words "early mail vote" at an appropriate place in the register.

11. During such examination any qualified voter present in the polling place may object to the voting of the ballot contained in any envelope upon the ground or grounds that the person named thereon is not a qualified voter of the town. An inspector shall make such an objection if he shall know or suspect that the person named on such envelope is not such a qualified voter. The election inspectors shall forthwith proceed to determine each objection including any written challenge transmitted to them by the town clerk as provided in subdivision six of this section. Unless the inspectors, by majority vote, shall sustain the objection, the chairman, or if he refuses, another inspector shall endorse upon the envelope the objection and the words "not sustained," shall sign such endorsement, and shall open the envelope and deposit the ballot as provided in this section. Should the inspectors, by majority vote, sustain such objection, the objection and word "sustained" shall be similarly endorsed upon the envelope, the envelope shall not be opened nor the ballots therein canvassed, and such envelope shall be returned unopened to the town clerk. If the inspectors of election shall have received an envelope endorsed with the name of a person who to the knowledge of the inspectors is deceased on the day of the election, the inspectors shall return such envelope unopened to the town clerk with the words "deceased--objection sustained" endorsed on the envelope.

12. If the inspectors of election shall have received an envelope, and upon opening the same no ballot shall be found therein, the inspectors shall make a memorandum showing that the ballot is missing. When the casting of early mail voters' ballots shall have been completed, the

inspectors shall ascertain the number of such ballots which have been deposited in the ballot box by deducting from the number of envelopes opened the number of missing ballots, and shall make a separate return thereof in duplicate. The number of early mail voters' ballots deposited in the ballot box shall be added to the number of other ballots deposited in the ballot box in order to determine the number of all ballots to be accounted for in the ballot box. Such ballots shall then be counted or canvassed by the inspectors of election along with the other ballots cast at such district election, or, where voting machines are used, shall be added to the votes recorded on such machines.

13. The provisions of this section shall apply to early mail ballots in special town elections, notwithstanding any other provision of law. The provisions of any other law as they relate to special town elections not inconsistent herewith shall apply to the conduct of such elections.