

TOWN OF CHEVY CHASE **ELECTION PROCEDURES**

This is a summary level reference document that describes the procedures and systems for the conduct of elections for the Town Council. The relevant Town laws and regulations regarding elections that support this document can be found in Section 4 of the Town Charter and Chapter 8 of the Town Code.

I.	Election Date and Form of Balloting	1
	A. Annual Election Date	
	B. Number of Officials Elected in Each Term	
	C. Form of Balloting	
II.	Elections Board Appointment.....	1
	A. Appointment and Composition of Elections Board	
	B. Term of Elections Board Members and Vacancies	
III.	Elections Board Duties	1
	A. General Duties	
	B. Solicitation of Nominees	
	C. Selection of Election Service Provider	
	D. Public Outreach	
	E. Hosting and Format of Candidates’ Forum	
IV.	Summarized Election Calendar.....	2
V.	Election Calendar Details	2-3
	A. Public Notice and Communications	
	B. First Notice of Election	
	C. Second Notice of Election	
	D. Mailing of Balloting Materials	
	E. Notice of Write-In Candidates	
	F. Candidates’ Forum	
	G. Election Publicity	
	H. Mailing Labels for Candidates	
	I. Conduct of Candidate Campaigns	
	J. Certification and Announcement of Election Results	
	K. Elections Board Report	
VI.	Candidate Eligibility (Balloted and Write-In)	3
	A. Eligibility Criteria	
VII.	Nominating Procedures for Balloted Candidates.....	4
	A. Balloted Candidate Submission Requirements	
	B. Nominating Petition Form	
	C. Contents of Nominating Petition	
	D. Financial Disclosure Statement	

- E. Public Documents/Inspection
- F. Verification of Nominees and Nominating Petitions

- VIII. Write-In Candidate Procedures..... 4-5
 - A. Write-In Candidate Submission Requirements
 - B. Official Certificate of Candidacy
 - C. Financial Disclosure Statement
 - D. Public Documents/Inspection
 - E. Verification of Write-In Candidates
 - F. Public Notice of Write-In Candidates
 - G. Ballot Provision for Write-In Candidates

- IX. U.S. Citizen and Non-U.S. Citizen Registration Procedures5
 - A. U.S. Citizen Registration
 - B. Non-U.S. Citizen Registration
 - C. Maintenance of Non-U.S. Citizen Voter Registration List

- X. Qualifications of Voters5
 - A. Qualified Voters
 - B. Non-Qualified Voters

- XI. Replacement and Provisional Ballot Distribution Procedures..... 5-6
 - A. Blank Ballots Provided to Town Office
 - B. Issuance of Replacement Ballots
 - C. Issuance of Provisional Ballots

- XII. Ballot Acceptance Procedures6
 - A. Mail-In Ballots
 - B. Incomplete or Illegible Ballots
 - C. Resolution of Incomplete or Illegible Ballots
 - D. Returned Ballots

- XIII. Tied Votes 6-7
 - A. Tied Vote Procedures
 - B. Special Runoff Election

I. Election Date and Form of Balloting

- A. An election shall be held on the first Tuesday in May of each year to elect members of the Town Council.
- B. Three (3) Council members shall be elected in even-numbered years and two (2) members in odd-numbered years.
- C. Unless otherwise determined by the Town Council, balloting for Town elections shall be undertaken by mail and drop box only.

II. Elections Board Appointment

- A. The Town Council shall appoint an Elections Board to consist of three (3) residents who are qualified to vote in Town elections and who neither hold office in the Town at the time of such appointment, nor will become a candidate for such office during their service on such board.
- B. The members of the Elections Board shall be appointed to three (3)-year staggered terms. In the event of a vacancy, the Council shall appoint a replacement to complete the remainder of the term.

III. Elections Board Duties

- A. The Elections Board shall, in general, provide for the conduct of all elections, special or general. Such duties shall include making appropriate provisions for nominations, the printing of ballots, and the resolution of incomplete or illegible ballots.
- B. The Elections Board shall work with the Town Manager to select a qualified election service provider.
- C. The Elections Board may conduct outreach to residents to communicate the benefits of public service and encourage them to run for office. Outreach should begin by February and may include but is not limited to: *Public Awareness Campaigns* on the roles and responsibilities of the Town Council and the importance of local civic engagement; *Mentoring/Networking Events* consisting of pairing aspiring candidates with past Town Council members for information and advice; and *Education* about completing nomination forms and ballots.
- D. The Elections Board shall seek qualified nominees if it determines that there will not be enough names of candidates on the ballot to fill the offices being selected at the election. The Elections Board may solicit recommendations from Town committee chairs, from residents who have served on the Town Council in recent years but are not currently on the Council, and from residents at large.
- E. The Elections Board shall host and determine the format of a candidates' forum to be held shortly before the election to introduce candidates to Town voters.

IV. Summarized Election Calendar

The first notice of the Town election, included in the Town’s March newsletter, provides actual dates for the annual election. The Town Manager will provide the annual election calendar to the Elections Board by December 1 of each year.

At least two (2) months prior to election	<ul style="list-style-type: none"> • Election notice and voting guide sent to residents via Town Forecast.
At least three (3) weeks preceding election	<ul style="list-style-type: none"> • Voter registration list received by Town and sent to election service provider.
3 rd Tuesday preceding election	<ul style="list-style-type: none"> • Nomination petitions due by 5 p.m. • Financial disclosure statements due by 5 p.m. • Elections Board verifies qualifications of nominees after 5 p.m.
At least two (2) weeks prior to election	<ul style="list-style-type: none"> • Election notice and balloted candidate information mailed to residents • Balloting materials mailed to residents
Seven (7) days prior to election	<ul style="list-style-type: none"> • Write-in certificates due by 5 p.m.
Within 24 hours later	<ul style="list-style-type: none"> • Write-in candidate information sent to residents via email
Approximately one (1) week prior to election	<ul style="list-style-type: none"> • Candidate Forum held
First Tuesday of May	<ul style="list-style-type: none"> • Town Council Election • Ballots placed in drop box by 5 p.m. • Mailed ballots postmarked by this date
Seven (7) days after election	<ul style="list-style-type: none"> • Last day for mail in ballots to arrive to election service provider • Ballot issues resolved • Final count • Results announced
One (1) month after election	<ul style="list-style-type: none"> • Election report submitted by Elections Board

V. Election Calendar Details

- A. The Town Manager shall work with the Elections Board on the text of all notices or other communications the Town intends to send to residents.
- B. The Town shall mail to all residents, not less than eight (8) weeks prior to any election, a notice of the election. The notice shall include a description of the procedure for residents to nominate candidates for office.

- C. At least three (3) weeks before the election, the Montgomery County Board of Elections will provide a voter registration list to the Town, and the Town will provide this list to the election service provider for mailing of balloting materials.
- D. The Town shall mail to all residents, not later than the second Tuesday immediately preceding the election, a notice of the election containing the name and a short biographical sketch of each candidate. The notice shall contain a statement that there will be appropriate blanks on the printed ballot for the purpose of adding write-in candidates at the time of election and that write-in candidates must file a certificate of candidacy before 5 p.m. on the seventh calendar day preceding the election in order to be qualified for election.
- E. At least two (2) weeks before the election, the Town's election service provider will mail a ballot, a ballot envelope, and a return envelope to each eligible voter.
- F. Within 24 hours of receipt of a certificate of candidacy, the Elections Board, in coordination with the Town Manager, shall inform Town residents of the filing of the certificate of candidacy and the identity of such candidate.
- G. The candidates will be invited to participate in a forum with the community prior to the election. The Elections Board will accept questions in advance from Town residents submitted to the Town office.
- H. Town staff, in coordination with the Elections Board and the candidates themselves, will use multiple channels to disseminate information about candidates and to encourage people to vote, even if the election is uncontested. Town information channels include the Town Forecast, Town Crier, and social media. Private information channels include the Town Neighbors listserv.
- I. Upon request, the Town may provide one set of mailing labels to candidates to distribute their own campaign materials.
- J. The Elections Board has no direct responsibility or authority related to how candidates conduct their campaigns. However, the Elections Board may explain Town campaign "norms" and encourage candidates to conduct fair and positive campaigns.
- K. Within seven (7) days after election day, the Elections Board shall determine the vote cast for each candidate or question and shall certify the results to the council. The candidates for councilmember with the highest number of votes in the general election shall be declared as councilmembers. Election results will be announced after 5 p.m. on the seventh calendar day following the election.
- L. Following the holding of an election, the Elections Board shall submit to the Town council its written report thereon, including the voting results, together with recommendations for the future.

VI. Candidate Eligibility (Balloted and Write-In)

- A. To be eligible for office, a candidate must be a citizen of the United States; be at least 16 years old; have resided in the Town for at least one year immediately preceding the election; and be a registered voter of the State of Maryland in Montgomery County. (Prospective voters who are at least 16 years old may register to vote with the state although they may not vote in state or federal elections until age 18.)

VII. Nominating Procedures for Balloted Candidates

- A. A Town resident seeking election to the Town Council as a balloted candidate shall submit a nominating petition and a financial disclosure statement to the Town office before 5 p.m. on the third Tuesday before the election.
- B. The Town will provide a nominating petition form as a convenience to Town residents seeking election to the Town Council. A candidate for office is not required to use this form but must submit a petition containing the required information for the individual's name to be placed on the election ballot.
- C. The nominating petition must show the consent of the individual to become a candidate and hold office, and it must be supported by five qualified voters of the Town other than the candidate. Nominators may indicate their support by sending an email to the Town office. The email should state, "I hereby nominate (name) of (address) as a candidate for the Town Council of the Town of Chevy Chase." All nominating emails must also contain the name and address of the nominator.
- D. A candidate for office is required to submit a financial disclosure statement to the Town office at the time the candidate submits a nominating petition. The Town Ethics Board is responsible for certifying that candidate financial statements have been completed in a satisfactory manner. A candidate is not qualified for election unless a statement has been filed in proper form. Any deficiency in the statement must be promptly corrected after written notice of deficiency is provided by the Ethics Commission. If any deficiency is not corrected by April 30, the candidate shall be deemed to have withdrawn the candidacy and shall be ineligible for election.
- E. Nominating petitions and financial disclosure statements are considered public documents and are subject to public inspection.
- F. The Elections Board shall verify the qualifications of the nominees and verify signatures on nominating petitions after 5 p.m. on the third Tuesday preceding the election.

VIII. Write-In Candidate Procedures

- A. A Town resident seeking election to the Town Council as a write-in candidate shall submit a certificate of candidacy and a financial disclosure statement to the Town office by 5 p.m. on the seventh calendar day preceding the election.
- B. A Town resident seeking election to the Town Council as a write-in candidate shall use the Town's official certificate of candidacy.
- C. A write-in candidate is also required to submit a financial disclosure statement to the Town office at the time the candidate submits a certificate of candidacy. The Town Ethics Board is responsible for certifying that candidate financial statements have been completed in a satisfactory manner. A candidate is not qualified for election unless a statement has been filed in proper form. Any deficiency in the statement must be promptly corrected after written notice of deficiency is provided by the Ethics Commission. If any deficiency is not corrected by April 30, the candidate shall be deemed to have withdrawn the candidacy and shall be ineligible for election.
- D. Certificates of candidacy and financial disclosure statements are public documents and are subject to public inspection.

- E. The Elections Board shall verify the qualifications of write-in candidates within 24 hours of filing.
- F. Within 24 hours of receipt of a certificate of candidacy, the Elections Board, in coordination with the Town Manager, shall inform Town residents of the filing of the certificate of candidacy and the identity of such candidate.
- G. There will be appropriate blanks on the printed ballot for the purpose of adding write-in candidates at the time of the election.

IX. U.S. Citizen and Non-U.S. Citizen Registration Procedures

- A. A Town resident who is a citizen of the United States must be registered as a voter in the State of Maryland to be eligible to vote in a Town election. The Town shall accept registration as a voter in the State of Maryland for purposes of registration as a voter in the Town provided the statewide voter registration list reflects a home address within the Town for that voter.
- B. A Town resident who is not a citizen of the United States but who is at least sixteen years old, who has resided within the Town for at least thirty days, and who is not otherwise disqualified from voting pursuant to Section 401(b) of the Town Charter may register to vote in a Town election by submitting a completed *Town of Chevy Chase, Maryland Non-U.S. Citizen Resident Voter Registration Application* to the Town Office at any time up to and including election day. The Town staff will retain the completed non-U.S. citizen voter registration application forms.
- C. The Town Manager shall prepare and maintain a list of registered voters in the Town who are not U.S. citizens and will provide that list to the election service provider to assist with the conduct of the election.

X. Qualifications of Voters

- A. Except as provided below, every person who: (1) is a citizen of the United States or, if not a citizen, is legally authorized to reside in the United States; (2) is at least sixteen (16) years of age; (3) has resided within the corporate limits of the Town for thirty (30) days next preceding any Town election; and (4) is registered in accordance with the provisions of the Town charter, is a qualified voter of the Town. Every qualified voter of the Town is entitled to vote at all Town elections.
- B. A person is not qualified to be a voter if the person: (1) has been convicted of a felony and is currently serving a court-ordered sentence of imprisonment for the conviction; (2) is under guardianship for mental disability and a court of competent jurisdiction has specifically found by clear and convincing evidence that the person cannot communicate, with or without accommodations, a desire to participate in the voting process; or (3) has been convicted of buying or selling votes.

XI. Replacement & Provisional Ballot Distribution Procedures

- A. The election service provider will provide the Town with blank, numbered ballots at the time the ballots are printed so they may be utilized, if necessary, as replacement or provisional ballots.

- B. If a ballot is lost or missing, or to request a ballot be sent to a different mailing address, a voter may request a replacement ballot in writing from the Town office. Upon receipt of such a request, any previously issued balloting material for that voter will be voided by the election service provider at the direction of the Town Manager. Replacement ballots must be placed in the drop box or posted in the mail by 5 p.m. on the day of election.
- C. If a resident did not receive a ballot because the resident's name did not appear on the voter registration list or the resident is a non-U.S. citizen who did not register with the Town prior to the mailing of balloting materials, the resident may request a provisional ballot in writing from the Town office. Provisional ballots must be placed in the drop box or posted in the mail by 5 p.m. on the day of election. For the provisional ballot to be counted, the voter's registration must be reflected on the state's online voter registration list no later than election day, as determined by the election service provider in consultation with the Town Manager.

XII. Ballot Acceptance Procedures

- A. For a resident's vote to be counted, return envelopes must either be mailed by election day and received by the Town's election service provider within 7 calendar days or placed in the drop box outside the Town Hall by 5 p.m. on election day.
- B. Ballots enclosed in an incomplete, illegible, or unsigned ballot envelope, or in a return envelope whose control number does not correspond to the control number issued to that voter, shall not be counted. The Town will not accept copies of ballots or envelopes.
- C. Each year the election service provider is likely to identify ballots that are incomplete or illegible. The Elections Board shall review those ballots to determine whether they should be counted. The Elections Board may review physical ballots, or the election service provider may resolve ballot issues with the Elections Board by videoconference. If a majority of the Elections Board agrees that a ballot is legitimate, the ballot will be counted.
- D. Typically, numerous ballots will be returned by the Postal Service as "No longer at this address." The Town does not attempt to correct the statewide voter registration list because it does not have authority to do so and because the State has a separate process for keeping the registration list up to date.

XIII. Tied Votes

- A. The Elections Board shall apply the following procedures if two (2) or more candidates receive the same number of votes for the same office:
 - i. If the tie is between two (2) candidates who received the most votes cast in a two-candidate election, the tied candidates will be certified elected.
 - ii. If, in a two-candidate election, the tie is among those candidates other than the one who received the greatest number of votes, those two (2) receiving more votes than any other candidates shall participate in a special run-off election held by mail within ten (10) days.
 - iii. If the tie is among three (3) candidates who received the most votes cast in a three-candidate election, those tied candidates will be certified as elected.
 - iv. If the tie is between two (2) candidates for the second and third places on the ballot in a three-candidate election, those two (2) will be certified as elected.
 - v. If the tie is for the last place in a three-candidate election, a special run-off election will be held by mail among the tied candidates within ten (10) days.

- B. The call for a special run-off election distributed by hand or by mail will list tied candidates and set a ten-day date of return by mail or delivery to the town office. Absentee ballots will be permitted.