

§722. Secretary of State to tabulate and print results

Within 20 days after an election, the Secretary of State shall tabulate the election returns and submit a certified copy of the tabulation to the Governor. The tabulation of a candidate or referendum election is considered final as of the date the certified copy is submitted to the Governor, except for any contests in which a recount is pending. [PL 2019, c. 371, §26 (AMD).]

1. How tabulated. The Secretary of State shall tabulate all votes that appear by an election return to have been cast for each question or candidate whose name appeared on the ballot. For elections determined by ranked-choice voting, the Secretary of State shall tabulate the votes according to the ranked-choice voting method described in section 723-A. The Secretary of State shall tabulate the votes that appear by an election return to have been cast for a declared write-in candidate pursuant to section 722-A.

[PL 2019, c. 371, §26 (AMD).]

1-A. Form of tabulation. The tabulation must include the total votes for each question choice or candidate whose name appeared on the ballot. The tabulation also must include the total votes for any declared write-in candidates as follows.

A. For a write-in candidate who receives 5% or more of the votes cast for that office, the Secretary of State shall report the votes under the candidate's name. [PL 2009, c. 253, §36 (NEW).]

B. For a write-in candidate who receives less than 5% of the votes cast for that office, the Secretary of State shall report the votes under the designation "others." [PL 2009, c. 253, §36 (NEW).]

[PL 2019, c. 371, §26 (AMD).]

2. Correction of return. If it appears that an election return does not agree with the record of the vote at any voting place, the Secretary of State shall correct the tabulation by obtaining a certified copy of the record from the clerk.

[PL 1985, c. 161, §6 (NEW).]

3. Tabulation printed. The Secretary of State shall have copies of the tabulation printed and made available to the public.

[PL 1985, c. 161, §6 (NEW).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1993, c. 695, §30 (AMD). PL 1997, c. 436, §104 (AMD). PL 1999, c. 426, §23 (AMD). PL 2001, c. 516, §13 (AMD). PL 2009, c. 253, §36 (AMD). IB 2015, c. 3, §4 (AMD). PL 2017, c. 141, §2 (AMD). PL 2017, c. 316, §5 (AMD). PL 2019, c. 371, §26 (AMD).

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