



# Election Certification



## What is Election Certification?




**Election certification** refers to the process of election officials attesting that the tabulation and canvassing of the election are complete and accurate and that the election results are a true and accurate accounting of all votes cast in a particular election.

An election is not complete after the polls close on Election Day. There are several steps election officials must complete before they certify election results. The method, scope, and timing of post-election activities vary by state. Most states require a canvass, which is the process where election officials reconcile the number of ballots cast with the number of voters and ensure that the final results include every valid vote. The majority of states also require a post-election tabulation audit to verify voting equipment used during an election correctly counted every ballot cast. The timing of post-election audits differs among states. Some states require audits to be completed before certifying final election results, either before the canvass or before the certification deadline. Other states require election audits after final results have been certified. See the EAC report *Election Audits Across the United States* for more information about election audits:

[https://www.eac.gov/sites/default/files/bestpractices/Election Audits Across the United States.pdf](https://www.eac.gov/sites/default/files/bestpractices/Election%20Audits%20Across%20the%20United%20States.pdf).

## Local, State, and Federal Election Certification

Table 1

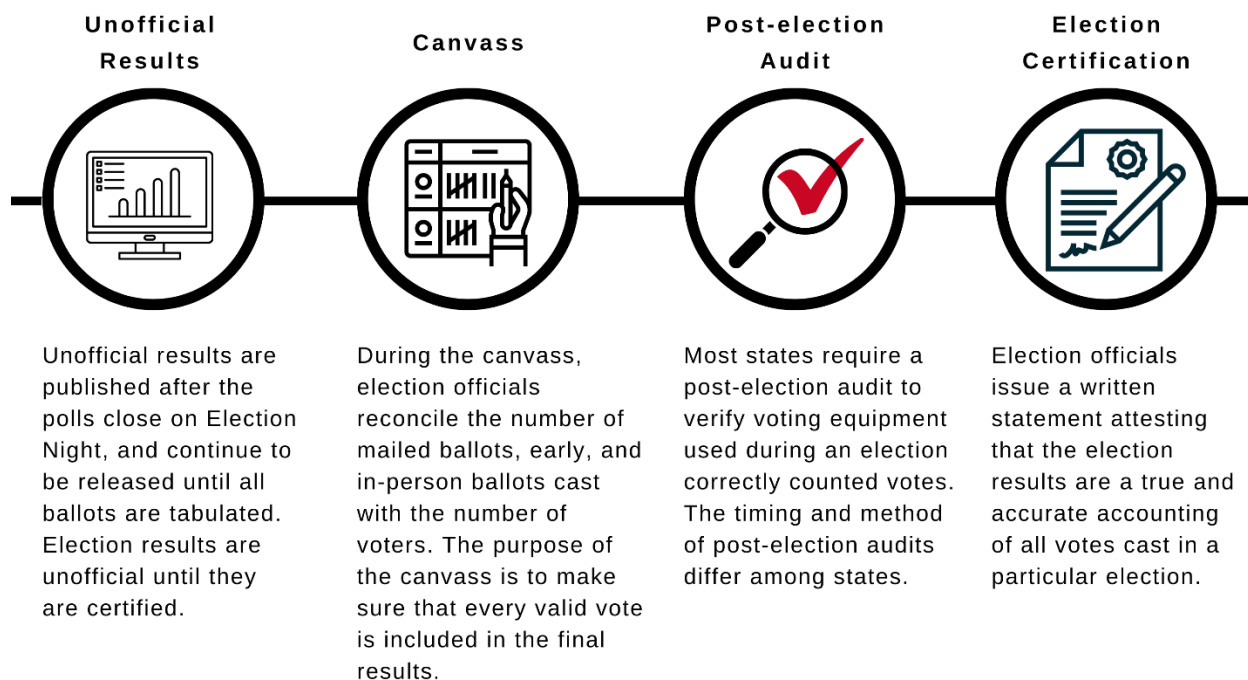
Local Certification	State Certification	Federal Certification
		
<p>State laws guide the certification process at the local level. Only after all eligible votes have been counted, and all post-election verification completed, can the local authority certify the election results. The local certification process is typically completed between 1 and 30 days after Election Day and often happens in conjunction with an official canvass, post-election audit, or both.</p>	<p>Certification of state and federal election results is conducted at the state level. The state certifying authority collects the finalized election results from local jurisdictions, compiles the results, and signs a certificate of election. In the case of presidential electors, a certificate of ascertainment for presidential results is signed.</p>	<p>In the United States, voters elect their President and Vice President indirectly through the Electoral College. After states certify their election results, they appoint electors. The electors meet in mid-December in their respective states to cast their votes. Congress meets in a joint session on January 6 after the Presidential election to count the electoral votes. Read more about the Electoral College here: <a href="https://www.eac.gov/voters/the-electoral-college">https://www.eac.gov/voters/the-electoral-college</a></p>



## Local Election Certification

Local election officials certify election results using a variety of methods, as outlined in state law. The timeframe for local election officials to complete the certification process ranges from one day after the election in New Hampshire to 30 days after the election in West Virginia. However, the majority of states require local election officials to certify the election no later than the second week following the election. For a complete list of local election certification deadlines, see *Figure 1 and Table 2*.

### Procedures after Election Day, prior to Election Certification\*



\*Not all jurisdictions follow all procedures listed above, nor in the order listed above

## Recounts

Especially in local contests, it is common for a handful of votes to determine the outcome of the election. After elections are certified, an additional count of the votes cast may be initiated to ensure that ballots cast were counted accurately and that the correct candidates or ballot issues won. Each state has its own laws regarding the process for initiating a recount. Typically, recounts are initiated in one of the following ways:

- A candidate for office requests a recount
- A voter who participated in the election requests a recount
- The vote margin falls within a legally required recount threshold
- A judge issues a court order to recount a contest

Although no federal uniform statutory timeline exists for recounts, any recount would need to be resolved before statutory deadlines for candidates taking office.

Figure 1 – Local Election Certification Deadline - Days After Election Day

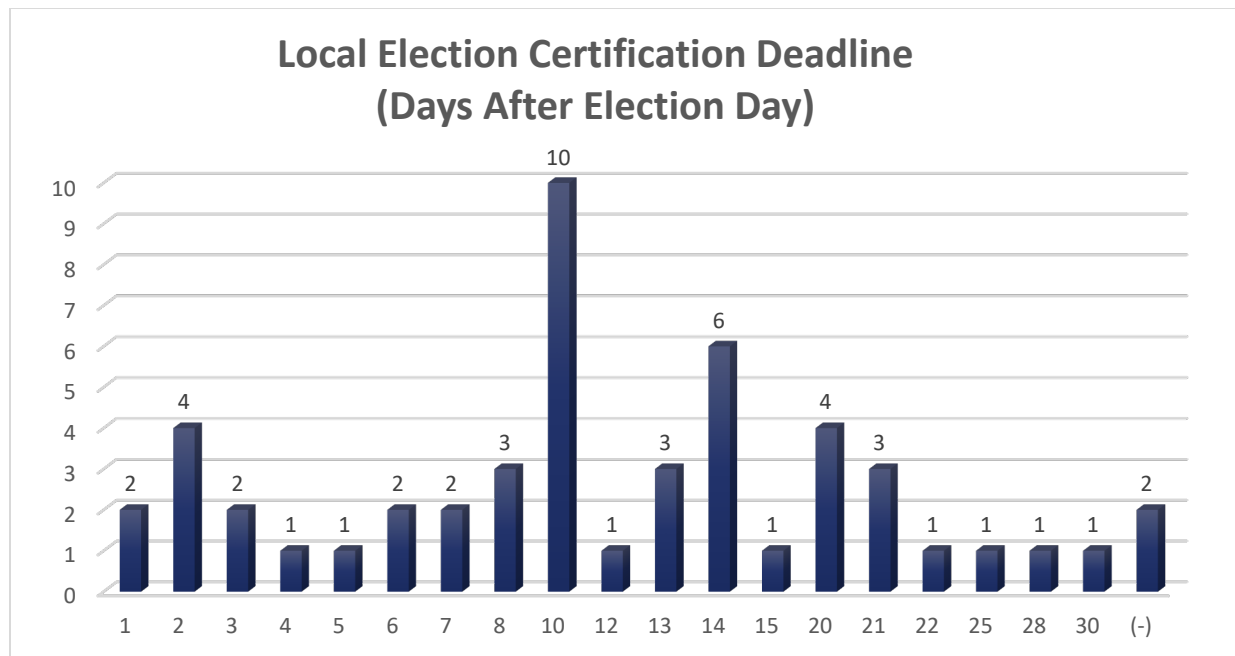


Table 2

States	Days After Election Day
Alaska; New Hampshire	1
Connecticut; Delaware; Maine; Vermont	2
Oklahoma; Wyoming	3
South Carolina	4
Pennsylvania	5
Louisiana; South Dakota	6
Hawaii; Virginia	7
Arkansas; Missouri; North Dakota	8
Alabama; Georgia; Idaho; Kentucky; Maryland; Minnesota; Mississippi; Nevada; New Mexico; North Carolina	10
Florida	12
Indiana; Iowa; New Jersey	13
Kansas; Michigan; Montana; Texas; Utah; Wisconsin	14
Massachusetts	15
Arizona; Nebraska; Oregon; Tennessee	20
Illinois; Ohio; Washington	21
Colorado	22
New York	25
California	28
West Virginia	30
District of Columbia	D.C. Official Code § 1-1001.05(a) (11)
Rhode Island	See R.I. Gen. Laws § 17-19-36

## Local Certification Spotlight

The individual or body authorized to certify local election results varies widely. Some states grant authority to a single local election official, such as a Town Clerk or County Auditor, some to Canvassing or Election Boards, and others to a third party such as the Superior Court. This section highlights examples of how states use different methods to certify local election results. For a complete list of statutory authority for local election certification in each state, see *Appendix 1*.

**Table 3**











State	Certifying Official	Local Certification Method
 <b>Colorado</b>	 <b>County Canvass Board</b>	<p><b>C.G.S.A. § 9-314, et. seq.</b> At least fifteen days before an election, the County Chairpersons of each of the two major political parties in each county shall certify to the County Clerk and Recorder, the appointment of one or more registered electors to serve as a member of the county canvass board. The appointees, together with the County Clerk and Recorder, constitute the county canvass board. Each minor political party whose candidate is on the ballot and each unaffiliated candidate whose name is on the ballot in such election may designate one watcher to observe the work of the county canvass board.</p> <p>No later than 22 days after the election, the county canvass board:</p> <ul style="list-style-type: none"> <li>• Reconciles the ballots cast in the election to confirm that the number of ballots counted does not exceed the number of ballots cast.</li> <li>• Reconciles the ballots cast in each precinct in the county to confirm that the number of ballots cast does not exceed the number of registered electors in the precinct.</li> <li>• Certifies the abstract of votes cast and transmits the certification of election to the Secretary of State. A majority of canvass board members' signatures are sufficient to certify the abstract of votes cast in any election.</li> </ul>
 <b>Delaware</b>	 <b>Superior Court</b>	<p><b>15 Del. C. § 5701 et. seq.</b> On the second day after the general election at 10:00 am, the Superior Court in each county convenes to aggregate the votes cast in each district of the county. The Court examines the voting machine recording tapes, voting machine certificates, absentee vote tally sheets, and write-in tally sheets for each contest.</p> <p>The Superior Court in each county acts as a board of canvass for the respective counties of the state. After the Courts have canvassed the election, they draft certificates of election results.</p> <p>The Court encloses and seals each certificate separately in an envelope, with an endorsement describing the certificate enclosed. Within three days after making the certificates of the results of the election, the Court transmits the certificates to the Governor.</p>

Table 3 Continued

State	Certifying Official	Local Certification Method
 <p>Iowa</p>	 <p>Board of County Canvassers</p>	<p><b>Iowa I.C.A. § 50 et. seq.</b> The County Auditor of each county is designated as the County Commissioner of Elections. The county Board of Supervisors of each county meets on the first Monday or Tuesday after the election to canvass vote totals and prepare abstracts of election for each office and question on the ballot for that election. Upon convening, the Board certifies an election canvass summary report prepared by the County Commissioner of Elections.</p> <p>All abstracts of votes cast in general elections, except the abstracts of votes for county officers, are made in duplicate and signed by the Board of County Canvassers. One abstract is forwarded to the State Commissioner of Elections within 13 days after the election, along with an election summary report certified by the County Board of Canvassers.</p>
 <p>Maine</p>	 <p>Municipal Clerk</p>	<p><b>21-A M.R.S.A. § 711 et. seq.</b> As soon as the results of the election have been declared, the warden at each ward or precinct completes an election return form and immediately delivers it to the municipal clerk, showing the number of votes cast for each candidate or question and recording the total number of state ballots cast in that ward or precinct. For elections determined by ranked choice voting, the warden reports only the first choice votes cast.</p> <p>Within two business days after the election, after correcting for any obvious errors, the clerk then files an attested copy of the election returns with the Secretary of State.</p>
 <p>Nevada</p>	 <p>County Clerk</p>	<p><b>N.R.S. 293.387 et. seq.</b> As soon as election results are declared, the County Clerk prepares an abstract of election results and submits it to the Board of County Commissioners. On or before the 10<sup>th</sup> day after the election, the Board of County Commissioners meet and canvass the returns. The Board then directs the County Clerk to certify the abstract and immediately transmit it to the Secretary of State.</p>

# State Election Certification

The individual or body authorized to certify state election results varies widely. Some states grant authority to a single election official such as the Secretary of State or Governor, others to state Canvassing or Election Boards, and others divide the authority between different officials, depending on the office or election year.

Most state election certification deadlines are not specified in statute but instead include language such as “no later than” or “within” a certain number of days after the election. In any given year, certification deadlines may shift based on weekends and holidays. All election results must be certified before the date newly elected officials take their oaths of office.

## Estimated Dates to Certify the November 8, 2022, General Election\*

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		<b>November 8</b> Election Day <input checked="" type="checkbox"/>	9	10 <a href="#">Delaware</a>	11	12
13	14	15 <a href="#">Oklahoma</a> <a href="#">Oregon</a> <a href="#">South Dakota</a> <a href="#">Vermont</a>	16 <a href="#">South Carolina</a> <a href="#">Wyoming</a>	17	18 <a href="#">Mississippi</a>	19
20	21 <a href="#">Indiana</a> <a href="#">Virginia</a>	22 <a href="#">Florida</a>	23 <a href="#">Arkansas</a> <a href="#">Idaho</a> <a href="#">Massachusetts</a>	24	25 <a href="#">Georgia</a> <a href="#">North Dakota</a>	26
27	28 <a href="#">D.C.</a> <a href="#">Hawaii</a> <a href="#">Kentucky</a> <a href="#">Maine</a> <a href="#">Michigan</a> <a href="#">Tennessee</a> <a href="#">Utah</a>	29 <a href="#">Alaska</a> <a href="#">Minnesota</a> <a href="#">Nevada</a> <a href="#">New Mexico</a> <a href="#">North Carolina</a>	30 <a href="#">Alabama</a> <a href="#">Colorado</a> <a href="#">Connecticut</a>	<b>December 1</b> <a href="#">Kansas</a> <a href="#">Wisconsin</a>	2	3
4	5 <a href="#">Iowa</a> <a href="#">Nebraska</a> <a href="#">Montana</a>	6	7	8 <a href="#">Louisiana</a> <a href="#">New Jersey</a> <a href="#">Washington</a>	9 <a href="#">Illinois</a> <a href="#">Ohio</a>	10
11 <a href="#">Texas</a>	12	13 <a href="#">Maryland</a> <a href="#">Missouri</a>	14	15 <a href="#">New York</a>	16 <a href="#">California</a>	<b>No date specified</b> <a href="#">Arizona</a> <a href="#">Rhode Island</a> <a href="#">Pennsylvania</a> <a href="#">West Virginia</a>

[New Hampshire – January 4, 2023](#)

\*Estimated dates are for general information only. The States’ Chief Election Official is the authority regarding election certification dates.



## State Certification Spotlights

This section highlights examples of how states use different methods to certify state election results. For a complete list of statutory authority for election certification in each state, see *Appendix 2*.

**Table 4**











State	Certifying Official	State Certification Method
 <p>Florida</p>	 <p>Elections Canvassing Commission</p>	<p><b>Florida Statutes § 102.111, et. seq.</b> The Florida Elections Canvassing Commission consists of the Governor and two members of the Cabinet selected by the Governor. The Commission meets at 9 a.m. on the 9<sup>th</sup> day after a primary election and the 14<sup>th</sup> day after a general election to certify the results of the election for each federal, state, and multicounty office.</p> <p>The Commission makes and signs separate certificates of the result of the election for federal and state officers. Each certificate contains the total number of votes cast for each candidate for that office. The certificates are recorded by the Department of State. The Commission canvasses the returns for presidential electors and representatives of Congress separately from their canvass of returns for state officers.</p> <p>If any results appear to be irregular or false and the Commission is unable to determine the true vote for any office, nomination, constitutional amendment, or other measure presented to the electors, the Commission will so certify and will not include the results in its final determination, canvass, and declaration. The Commission only has the authority to look at the county results in determining the true vote.</p>
 <p>Louisiana</p>	 <p>Secretary of State</p>	<p><b>Code § 18.513 et. seq.</b> The Parish Board of Election Supervisors, after the Clerk of the Court verifies the votes, prepares and compiles statements of election returns. No later than noon on the sixth day after the election, the Clerk of the Court transmits the statements of election returns to the Secretary of State.</p> <p>The Secretary of State verifies and compiles the results of the elections no later than noon on the seventh day after the election. These results are tentative. On or before the 14<sup>th</sup> day after the election, if no action has been taken to contest the tentative results, the Secretary of State promulgates the returns and either published them in the official journal or transmits a notice to be posted by the Clerk of the Court, depending on the office. If an action contesting a primary or general election is commenced timely, the final judgment in the action contesting the election determines the result of the election for that office.</p> <p>Within 30 days after a general election, the Secretary of State certifies election results to the appropriate body, as outlined in statute, depending on the office.</p>

Table 4 Continued

State	Certifying Official	State Certification Method
 <p data-bbox="269 520 326 548">Ohio</p>	 <p data-bbox="431 506 643 600">General Assembly and Secretary of State</p>	<p data-bbox="678 268 1422 600"><b>Ohio Revised Code § 3505.34 &amp; 3505.35</b> The Secretary of State receives and canvasses the abstract of votes for all statewide races. After the canvass, the Secretary declares the result of statewide elections. However, for the offices of Governor, Lieutenant Governor, Secretary of State, Auditor of State, Treasurer of State, and Attorney General, the declaration is only to set the deadline for a recount. Interested parties must request a recount within five days of the Secretary declaring the result. The General Assembly also canvasses the abstracts for these races and certifies the results.</p> <p data-bbox="678 642 1406 835">The president of the senate, in the presence of a majority of members of each house of the General Assembly, canvasses the abstracts, declares the results, and certifies the names of the elected persons to the Secretary. The Secretary issues a certificate of election, and the governor issues a commission to each person elected.</p>
 <p data-bbox="220 1087 375 1115">Rhode Island</p>	 <p data-bbox="464 1083 604 1110">State Board</p>	<p data-bbox="678 846 1430 1056"><b>Rhode Island Gen. Laws 1956, § 17-22-1, et. seq.</b> A State Board of Elections, made up of seven qualified electors is appointed by the Governor, counts, canvasses, and tabulates all votes cast. After the results have been determined, the State Board prepares certificates of elections and delivers them to the Governor and Secretary of State, relative to the office.</p> <p data-bbox="678 1087 1422 1283">At any time before the certification of the results of a particular election, the State Board of Elections may, upon its own motion, investigate any allegation of error, irregularity, or impropriety in the conduct of any facet of the election which comes to its attention and may, upon its own motion, take appropriate action based upon the findings of the investigation.</p>
 <p data-bbox="263 1528 326 1556">Texas</p>	 <p data-bbox="480 1528 594 1556">Governor</p>	<p data-bbox="678 1293 1422 1503"><b>Texas Election Code § 67.011 et. seq.</b> The Texas legislature canvasses county election returns for the office of Governor and Lieutenant Governor, and the Speaker of the House of Representatives declares the official results. If a county's election returns are incomplete or missing, the legislature may substitute the Secretary of State's tabulation for that county.</p> <p data-bbox="678 1535 1406 1860">All other offices are canvassed by the Governor at a time set by the Secretary of State not earlier than the 15th or later than the 33rd day after the election. The Secretary of State delivers the county returns to the Governor, then the Governor certifies the election results. The presiding officer of the local canvassing authority then prepares certificates of elections for each candidate elected to office. After the canvass of a presidential election, the Secretary of State prepares a certificate of election for each presidential elector candidate who is elected.</p>



## Appendix 1 – Local Statutory Citation

### Local Statutory Citation<sup>1</sup>

State	Statutory Citation
Alabama	Ala. Code 1975 § 17-12-15 and Ala. Code 1975 § 17-12-16
Alaska	AS § 15.15.3700
Arizona	A.R.S. § 16-642
Arkansas	A.C.A. § 7-8-304; A.C.A. § 7-5-701
California	Cal. Elec. Code § 15372
Colorado	C.R.S.A. § 1-10-102
Connecticut	C.G.S.A. § 9-314
Delaware	15 Del. C. § 5701
District of Columbia	D.C. Official Code § 1-1001.05(a) (11); 3 DCMR § 813.1
Florida	F.S.A. § 102.112(2)
Georgia	Ga. Code Ann., § 21-2-493(k)
Hawaii	HRS § 11-108(e)
Idaho	I.C. § 34-1205
Illinois	10 ILCS 5/21-3
Indiana	IC 3-12-5-5
Iowa	I.C.A. § 50.30
Kansas	K.S.A. 25-3203
Kentucky	KRS § 118.425(4)
Louisiana	LSA-R.S. 18:574(3)
Maine	21-A M.R.S.A. § 711
Maryland	MD Code, Election Law, § 11-401
Massachusetts	M.G.L.A. 54 § 112
Michigan	M.C.L.A. 168.842
Minnesota	M.S.A. § 204C.37
Mississippi	Miss. Code Ann. § 23-15-601
Missouri	V.A.M.S. 128.060 and V.A.M.S. 115.507
Montana	MCA 13-15-401
Nebraska	Neb.Rev.St. § 32-1035
Nevada	N.R.S. 293.387
New Hampshire	N.H. Rev. Stat. § 659:75
New Jersey	N.J.S.A. 19:19-1
New Mexico	N. M. S. A. 1978, § 1-13-2 and N. M. S. A. 1978, § 1-13-13
New York	McKinney's Election Law § 9-214
North Carolina	N.C.G.S.A. § 163-182.5
North Dakota	NDCC, 16.1-15-25

<sup>1</sup> Source: Information about Local Statutory Citations was compiled by the National Council of State Legislatures (NCSL) as of September 7, 2021



<b>Ohio</b>	R.C. § 3505.32
<b>Oklahoma</b>	26 Okl.St. Ann. § 7-136
<b>Oregon</b>	O.R.S. § 254.545
<b>Pennsylvania</b>	25 P.S. § 3154
<b>Rhode Island</b>	Rhode Island Gen. Laws 1956, § 17-8-5
<b>South Carolina</b>	SC ST § 7-17-20
<b>South Dakota</b>	SDCL § 12-20-36
<b>Tennessee</b>	T. C. A. § 2-8-101
<b>Texas</b>	V.T.C.A., Election Code § 67.003
<b>Utah</b>	U.C.A. 1953 § 20A-4-301
<b>Vermont</b>	17 V.S.A. § 2588
<b>Virginia</b>	VA Code Ann. § 24.2-671
<b>Washington</b>	RCWA 29A.60.190
<b>West Virginia</b>	W. Va. Code, § 3-6-11
<b>Wisconsin</b>	W.S.A. 7.60
<b>Wyoming</b>	W.S.1977 § 22-16-103

## Appendix 2 – State Statutory Citation

### State Statutory Citation<sup>2</sup>

<b>State</b>	<b>Statutory Citation</b>
<b>Alabama</b>	Ala. Code 1975 § 17-12-17
<b>Alaska</b>	AS § 15.15.440
<b>Arizona</b>	A.R.S. § 16-648
<b>Arkansas</b>	A.C.A. § 7-8-304 and -305; A.C.A. § 7-5-703
<b>California</b>	Cal. Elec. Code § 15505; Cal. Elec. Code § 15501(b)
<b>Colorado</b>	1-10-103(2), CRS 1-11-107
<b>Connecticut</b>	C.G.S.A. § 9-315 through C.G.S.A. § 318
<b>Delaware</b>	15 Del. C. 5710, 5711, 5712, 5713
<b>Florida</b>	F.S.A. § 102.111
<b>Georgia</b>	Ga. Code Ann., § 21-2-499
<b>Hawaii</b>	HRS § 11-155 and HRS § 11-174.5
<b>Idaho</b>	I.C. § 34-1211
<b>Illinois</b>	10 ILCS 5/22-7
<b>Indiana</b>	IC 3-12-5-7
<b>Iowa</b>	I.C.A. § 50.38
<b>Kansas</b>	K.S.A. 25-3206

<sup>2</sup> Source: Information about State Statutory Citations was compiled by the National Council of State Legislatures (NCSL) as of September 7, 2021



<b>Kentucky</b>	KRS § 118.425(5)
<b>Louisiana</b>	LSA-R.S. 18:574
<b>Maine</b>	21-A M.R.S.A. § 722
<b>Maryland</b>	MD Code, Election Law, § 11-503
<b>Massachusetts</b>	M.G.L.A. 54 § 118
<b>Michigan</b>	M.C.L.A. 168.842
<b>Minnesota</b>	M.S.A. § 204C.33
<b>Mississippi</b>	Miss. Code Ann. § 23-15-605
<b>Missouri</b>	V.A.M.S. 128.070 & V.A.M.S. 115.511
<b>Montana</b>	MCA 13-15-502
<b>Nebraska</b>	Neb.Rev.St. § 32-1037
<b>Nevada</b>	N.R.S. 293.395
<b>New Hampshire</b>	N.H. Rev. Stat. § 659:84 and N.H. Rev. Stat. § 660:1
<b>New Jersey</b>	N.J.S.A. 19:21-1
<b>New Mexico</b>	N. M. S. A. 1978, § 1-13-15
<b>New York</b>	McKinney's Election Law § 9-216
<b>North Carolina</b>	N.C.G.S.A. § 163-182.5
<b>North Dakota</b>	NDCC, 16.1-15-35
<b>Ohio</b>	R.C. § 3505.35
<b>Oklahoma</b>	26 Okl.St.Ann. § 7-136
<b>Oregon</b>	O.R.S. § 254.555
<b>Pennsylvania</b>	25 P.S. § 3159-3166
<b>Rhode Island</b>	Rhode Island Gen. Laws 1956, § 17-22-1
<b>South Carolina</b>	SC ST § 7-17-220 and SC ST § 7-17-230
<b>South Dakota</b>	SDCL § 12-20-47
<b>Tennessee</b>	T. C. A. § 2-8-110
<b>Texas</b>	V.T.C.A., Election Code § 67.012
<b>Utah</b>	U.C.A. 1953 § 20A-4-306
<b>Vermont</b>	17 V.S.A. § 2592
<b>Virginia</b>	VA Code Ann. § 24.2-679
<b>Washington</b>	RCWA 29A.60.250
<b>West Virginia</b>	W. Va. Code, § 3-6-11
<b>Wisconsin</b>	W.S.A. 7.70
<b>Wyoming</b>	W.S.1977 § 22-16-118

