

Indiana Voter's Bill of Rights

Polls are open 6:00 a.m. to 6:00 p.m., local time

You have the right to vote:

- in a free and fair election.
- privately and independently, in a voting booth that is free from any unauthorized materials.
- in an Indiana election, if:
 - You are a U.S. Citizen; AND
 - You are a resident of Indiana; AND
 - You will be at least 18 years of age at the next Special Election, November 4, 2025; AND
 - You are not currently in prison after being convicted of a crime;
 - You have lived in the precinct where you vote for at least 30 days before the election; AND
 - You are registered to vote.

Indiana's Photo ID Law:

- You must present a government-issued photo ID to verify your identity before signing the poll list and casting a ballot. The document must meet the following requirements to qualify as a valid ID:
 1. Show the name of the individual to whom the document was issued (The name on the photo ID must conform—but not necessarily be identical to - to the name on the individual's voter registration record.); AND
 2. Show a photograph of the individual to whom the document was issued; AND
 3. Except for certain military, veteran, or tribal documents, include an expiration date that shows the document: (A) is not expired; or (B) expired after November 5, 2024; AND
 4. Be issued by the State of Indiana or the U.S. Government. (IDs issued by state universities and colleges cannot be used as photo ID for voting purposes.)
- If: 1. You are unable or decline to present the photo ID -OR-
 2. A member of the precinct election board determines that the photo ID presented does not qualify as proof of identification; a member of the precinct election board will challenge you.
- After executing a challenged voter's affidavit, printed on the ballot security envelope (PRE-4 FORM and PRO-2 FORM), you must:
 1. Sign the poll list (paper or electronic poll book); AND
 2. Receive a provisional ballot.

Casting a Ballot:

Using a Paper Ballot

- If you are using a paper ballot for an election or using a paper ballot during an emergency repair of the voting system, the following apply:
1. Check your ballot to ensure that it has the initials of both poll clerks on the back and is not marked or damaged.
 2. Make a voting mark (an "X" or "✓") in the circle or square to indicate your response ("yes" or "no") to the public question. If you make a mistake, you should request a replacement ballot from the clerks.
 3. Fold the ballot so that your choices are secret and so that the initials of the poll clerks are visible.
 4. Deposit the paper ballot into the ballot box.

Using an Optical Scan Ballot:

1. Check your ballot to ensure it has the initials of both poll clerks on the back and is not marked or damaged.
2. Use the pen or pencil to shade in the oval, square, or circle (or connect the arrows) on the ballot to indicate your response ("yes" or "no") to the public question. or use a ballot marking device.
3. If you make a mistake request a replacement ballot from the clerks.
4. Check your ballot to ensure that you have completely shaded in the symbols or connected the arrows or the votes you have made using the ballot marking device are accurate.
5. Feed your ballot through the scanner, or place your ballot inside the envelope provided, so that your votes are secret.
6. If your ballot is in a secrecy envelope, deposit your ballot in the ballot box or direct the judge to deposit your ballot for you.

Using a Direct Record Electronic Voting Machine:

1. Touch the indicated location on the screen to indicate your response ("yes" or "no") to the public question. Check to make certain that you have reviewed and voted on the public question(s) for which you wish to do so.
2. Touch the indicated location on the screen to cast your ballot.
3. If you require the audio enabled features of the machine, please ask BOTH judges to assist you with activating those features.

Fail-Safe Procedures

If your name does not appear on the poll list, you are still allowed to vote if one of the following fail-safe procedures applies to you:

1. **Certificate of Error** – If your name does not appear on the poll list because of an error by the county, then the county must issue a Certificate of Error before you are allowed to cast a regular ballot.
2. **Written Affirmation** – If, at one time, you were registered to vote in this precinct, but your name no longer appears on the poll list, and you are willing to sign a written statement (or make an oral affirmation in the presence of the inspector or one of the judges) that you still live at the same address, then you may cast a regular ballot.
3. **Receipt from Voter Registration** – If your name does not appear on the poll list, but you have a receipt from a voter registration agency indicating that you applied to register while the registration period was still open (before the last 29 days before the election), and the county voter registration office does not have any record of receiving the application or has a record of approving the application, then you may vote a regular ballot after the information on your receipt is recorded on the poll list and you fill out a voter registration application.

More Fail-Safe Procedures:

If your name is on the poll list but the name or address listed does not match your current name or address, you may still qualify to vote if one of the following fail-safe procedures applies to you:

1. **Moved within the precinct** - If your name is on the poll list but you have moved within the same precinct, you may vote a regular ballot if you sign the poll book with the new address or if an electronic poll book is used, signing an affidavit provided by election officials.
2. **Name Changed** - If your name is on the poll list but it has changed (example: due to marriage, divorce or adoption), you may vote a regular ballot if you sign the poll book with the new name or if an electronic poll book is used, signing an affidavit provided by election officials.
3. **Moved but still live in the same county and congressional district** – If you moved to another precinct that is still in the same county and congressional district 30 days or more before the special election to approve or reject a school tax levy referendum you may vote a regular ballot at your old precinct one last time. You must sign an affidavit provided by local election officials or make an oral affirmation of these facts in the presence of the precinct election board before proceeding to vote.
4. **Moved within the State of Indiana less than 30 days before the election** - For the special election to approve or reject a school tax levy referendum, if you moved to another precinct in Indiana, outside the school's boundaries, less than 30 days before the election, you may not vote a regular ballot in your old precinct, where the special election is taking place.

Provisional Ballots:

What is a provisional ballot?

- There are several situations in which you may be required to cast a provisional ballot as a voter:
 1. You lack the requisite photo identification required by law to vote.
 2. Your name appears on the poll list, but you have been challenged as not eligible to vote at the precinct for some other reason sworn to in writing by the person who challenges your eligibility to vote.
 3. An order has been issued by a court extending the hours that the polls must remain open.
- A provisional ballot allows you to cast a vote if:
 1. There is a question about your qualification to vote in the precinct (for example, you are not on the poll book), which is not resolved by a fail-safe procedure and you believe you are qualified to vote in the precinct; or
 2. You have been challenged as not qualified to vote in your precinct (for example, you did not have photo identification).
- A person may not challenge the right of an individual to vote at an election in the precinct solely on the basis of the individual's:
 1. Enrollment in an educational institution; or
 2. Being adjudged mentally ill and committed to an institution; or
 3. Registration to vote at an address that is housing provided for students by the educational institution; or
 4. Actual or perceived affiliation with a political party; or
 5. Support or opposition to a candidate or the adoption of a public question.
- Your provisional ballot will be kept separate from the other ballots cast in that precinct. After Election Day, the county election board will decide whether you were qualified to vote in that precinct and whether your ballot should be counted.
- If you cast a provisional ballot, you have until noon, 10 days after the election to follow up with the county election board and either provide the necessary documentation or affirm one of the photo ID law's exemptions applies to you.
- You may contact your county election board after Election Day to find out whether your ballot was counted, and if it was not counted, why not, or visit indianavoters.IN.gov and log into your voter portal page to find this information.

How do you cast a provisional ballot?

Generally, the same rules and procedures that apply to casting a traditional paper ballot apply to casting a provisional ballot, but there are some special procedures that are similar to casting an absentee ballot:

1. You must mark the provisional ballot privately, unless you are entitled to assistance and request it.
2. You enclose the provisional ballot inside a provisional ballot secrecy envelope provided for this purpose (Form PRO-2) and seal the envelope.
3. You return the sealed envelope, with the ballot inside, to the inspector.
4. It is important for both the voter and the challenger to complete both sides of the provisional ballot envelope (PRE-4 FORM, PRO-2 FORM). This information is used by the county election board to determine whether or not your vote will count. Inaccurate or missing information may prevent a properly cast ballot from being counted.

Please note: If you have a spoiled provisional ballot, the spoiled ballot must also be returned to the inspector before you can receive a replacement provisional ballot.

Other Voter Protections:

Voters Needing Assistance

- **A voter may be assisted in the voting booth ONLY IF:**
 1. You have a disability (permanent or temporary) or are unable to read or write the English language -AND-
 2. Before entering the voting booth, you request assistance.
- **If requested, the following individuals may assist a voter:**
 1. The voter may designate anyone to assist the voter (a relative or friend). However, you may NOT designate your employer or union representative.
 2. If you request assistance but do not designate someone else to help you, BOTH judges must accompany the voter into the voting booth to assist the voter.
- **Completing the Affidavit of Voter Assistance at the Polls** - Any person providing assistance to a voter (including the judges) must complete the Affidavit of Voter Assistance at the Polls (PRE-3) BEFORE entering the voting booth to assist a voter.

Accessible Polls: You have the right to a polling place that is accessible to a person with disabilities.

Traveling Voting Boards: If you are confined due to illness or disability, you have the right to vote absentee at your place of confinement before a traveling absentee voting board.

Spoiled Ballots: Your ballot is "spoiled" if you vote for too many candidates running for the same office or if you vote by mistake for a candidate for whom you did not intend to vote. If you spoil your ballot, you have the right to return the spoiled ballot to the inspector and receive another ballot in order to cast a vote in that election.

Overvoting: If you vote for too many candidates in a single office, then your vote for that particular office will not be counted; however, any valid marks remaining on your ballot will be counted. If you cast more than one "straight party" vote in the general election, your vote will not be counted for any candidates for any office listed under any party ticket. Please follow instructions under the Spoiled Ballot section above if you require a replacement ballot before casting your ballot.

Waiting at the Polls at Closing – If you have begun the process of voting, or are in line waiting to vote at 6:00 p.m. as determined by a precinct election official designated by the circuit court clerk, you have the right to cast a regular ballot in that election, if otherwise qualified.

First-Time Voters and Additional Residency Documentation:

- If you submitted an application to register to vote **between January 1, 2003, and January 1, 2006, and have not previously voted in a federal election in the county**, you must provide additional residence documentation to the county voter registration office prior to voting to verify your residence.
- If you submitted an application to register to vote **after January 1, 2006, and have not previously voted in a federal election in Indiana**, you must provide additional residence documentation to the county voter registration office prior to voting to verify your residence.
- The identification documentation required may be either (1) a current and valid photo identification **or** (2) a current utility bill, bank statement, government check, paycheck, or other government document that shows your name and address (at the address shown on the your registration).
- Identification documents may be submitted with the registration application, in person at the county voter registration office, or at the polls, **not later than the close of polls on Election Day**.
- The additional documentation requirement does not apply to a person who submits their Indiana driver's license number or last four digits of their Social Security number on their voter registration application, and the county voter registration office matches this information with an existing Indiana identification record that bears the same identification number, name, and date of birth that is provided on the voter registration application, an absent uniformed services voter or overseas voter, or to an individual entitled to vote an absentee ballot under federal law due to a determination by the election division that a permanent or temporarily accessible polling place cannot be provided for that individual or for any other reason under federal law.

You have the right to free and fair elections:

Vote Fraud: If you knowingly vote at an election when you are not authorized to vote, you are committing a felony and can be fined up to \$10,000, jailed for up to two and one-half years, or both. Please be aware of the following prohibited acts of fraud and misrepresentation:

- You must not vote more than once in any election (please note that this does not include voting a replacement ballot after a spoiled ballot was invalidated).
- You must not procure or submit materially false or fraudulent voter registration applications in any election.
- You must not procure, cast or tabulate materially false, fraudulent, or fictitious ballots in any election.
- You must not pay, offer to pay or accept payment for voting, registering to vote, withholding a vote, or voting for or against any candidate in any election.
- You may not make any false statement of claim that you are a citizen of the United States in order to register or vote in any federal, state, or local election.

Who to Contact If Your Rights Have Been Violated:

If you feel your rights have been violated or if you have been witness to any form of voter fraud, please contact any of the following local, state, or federal offices:

Indiana Secretary of State and Indiana Election Division HAVA Fraud and Accessibility Grievance Line
(866)-IN-1-VOTE (866-461-8683). HAVA staff will be on hand to answer calls from 6:00 AM to 7:00 PM (Indianapolis time) on Election Day and from 8:00 AM to 4:30 PM on regular business days.

Indiana Disability Rights

Voters with disabilities needing assistance regarding accessibility issues may also contact Indiana Disability Rights at:
4755 North Keystone Avenue, Suite 100, Indianapolis, IN 46205
Voice (317) 722-5555 | Toll Free (800) 622-4845

Indiana Election Division

Direct (317) 232-3939 | Toll Free (800) 622-4941

Federal Department of Justice

Civil Rights Division (202) 307-2767 or (800) 253-3931
Public Integrity Section, Election Crimes Branch (202) 514-1178

Indiana State Police

Criminal Investigation Division
(317) 232-4338

County Election Board (to be filled in by the county)