

THE ABSENTEE VOTER'S BILL OF RIGHTS

Last revised August 24, 2023; Indiana Code 3-11-10-25(g)

INSTRUCTIONS: The County Election Board is to update this form to include their contact information on the second page and then must mail a copy of this document to the voter with the voter's absentee ballot. For military and overseas voters, please use the MOVE information sheet.

Fellow Voter: Every voter casting an absentee ballot has the following rights and responsibilities as part of absentee voting.

- You have the right to mark your absentee ballot secretly, without anyone else being present when you mark the ballot or seal the ballot in the envelope.
- You have the right to mark your ballot without anyone engaging in “electioneering” in your presence if that person knows that you have an unmarked absentee ballot.
 - “Electioneering” means expressing support or opposition to a candidate, a political party, or public question. However, your spouse, a member of your household (*or your guardian, if you are incapacitated*) may express this support or opposition to you without violating the “electioneering law.”
- **IT IS A VIOLATION OF FEDERAL LAW AND INDIANA LAW FOR ANYONE TO ATTEMPT TO FORCE YOU TO MARK YOUR ABSENTEE BALLOT IN ANY PARTICULAR WAY.**
- **IT IS A VIOLATION OF INDIANA LAW FOR A PERSON TO PAY OR OFFER TO PAY AN INDIVIDUAL FOR CASTING AN ABSENTEE BALLOT, AND A VIOLATION OF INDIANA LAW FOR A PERSON TO ACCEPT ANY PAYMENT OR PROPERTY FOR CASTING AN ABSENTEE BALLOT.**
- If you are voting absentee by mail, then you must personally mark your ballot. A person with disabilities and a voter with print disabilities who is unable to make a voting mark on the ballot or sign the absentee ballot security envelope must vote before an absentee voter board. However, a “voter with print disabilities,” meaning an individual who is unable to independently mark a paper ballot or ballot card due to blindness, low vision, or physical disability that impairs manual dexterity, may request an accessible absentee ballot by using the ABS-VPD application. This allows a voter with print disabilities to receive and return an absentee ballot by fax or receive an absentee ballot by email and use assistive technology to complete and return your ballot. Please contact your county election board for more information.
- **CHECK YOUR BALLOT FOR 2 SETS OF INITIALS.** In order for an absentee ballot to be counted, it must contain two (2) sets of initials on the back of the ballot. Please inspect your ballot before mailing. If your ballot does not contain the initials, you have the right to request a replacement ballot. Please contact your county election board at the number provided on the bottom of this form and ask for an ABS-5 Affidavit or “Statement Concerning Defective, Lost, Destroyed, or Spoiled Absentee Ballot.”

After you mark and seal your absentee ballot inside the security envelope used to return your marked ballot, you have the responsibility to completely fill out and sign the affidavit on the back of the security envelope. By signing the affidavit, you are swearing or affirming that the information on your affidavit is true. This information includes your name, complete residence address, and that you are eligible to vote in this election. If you are a voter with print disabilities, you may return absentee ballot by fax or electronic return and will not use a security envelope. Instead, you must complete the ABS-25 Secrecy Waiver and return it with your absentee ballot by fax or electronic return.

- You must also swear or affirm that you voted your absentee ballot in secret and sealed the ballot in the envelope without any other person seeing how you voted. (*If you are voting by mail and another person provided verbal assistance to you or assisted you in sealing your ballot in the*

envelope (if applicable), that person must also swear or affirm that they did not coerce or improperly influence you by completing the affidavit of assistance.)

- Failure to sign an absentee ballot envelope or signing an absentee ballot envelope in a manner that does not match the most recent signature contained in your voter registration record may result in your absentee ballot being rejected. If your absentee ballot envelope is not signed or is found to have a mismatched signature, you will be notified by the county election board and will be given an opportunity to cure this defect. The cure process will require you to complete and sign an affidavit (either the ABS-18A or the ABS-18B) stating that the voted absentee ballot you returned was indeed your ballot and the affidavit was signed by you. The signature on the affidavit will then be compared with the most recent signature on your voter registration record. You will have until noon, local prevailing time, eight (8) days after election day to submit the affidavit to your county election official by mail, hand-delivery, fax, or email. The cure procedure can be reviewed in its entirety on IndianaVoters.com.
- After you have sealed your absentee ballot inside the envelope (if applicable) you must return the envelope to the county election board in one of the following ways: 1) by U.S. mail or a bonded courier company; 2) by hand-delivering the envelope yourself to the county election board; 3) by delivering the envelope to a member of your household, a family member as defined in state law, or to a person to whom you have given your power of attorney. If a member of your household, a family member, or your power of attorney hand delivers your completed absentee ballot on your behalf to the county election board or to an absentee voter board at an in-person absentee voting location (“early voting site”), then that person must complete an affidavit at the time of delivery.
- **IT IS A VIOLATION OF INDIANA LAW FOR YOU TO DELIVER THE SEALED ENVELOPE CONTAINING YOUR MARKED ABSENTEE BALLOT TO ANY PERSON OTHER THAN THOSE PERSONS IDENTIFIED ABOVE, OR FOR THAT PERSON TO ACCEPT THIS ENVELOPE.**
- Even if you mail your ballot before election day, it will not count unless it is received by your county election board not later than 6 PM (local prevailing time) on election day.

If you believe that a violation of Indiana election law has occurred, contact your county election board immediately at the telephone number, email, or mailing address below to provide all the information you have about this violation.

You may also contact your county prosecuting attorney’s office, the Indiana State Police Bureau of Criminal Investigation at (317) 232-4338, or the Indiana Election Division of the Office of the Secretary of State at (800) 622-4941. The county prosecuting attorney and Indiana State Police can investigate election crimes. The Election Division is not a law enforcement agency but can provide you with information about Indiana election laws and refer you to law enforcement agencies.

Thank you again for exercising your right to vote.

<NAME> COUNTY ELECTION BOARD
Phone number <xxx-xxx-xxxx> | Email Address <xxx@xxx.xxx>
Mailing address:
<street address, city, IN, zip code>