

# VOTING RIGHTS INFORMATION

## Voters' Rights

1. Voters whose names do not appear on the poll list in an election, or who are unable to comply with identification requirements, are entitled to vote by provisional ballot if they declare they are registered to vote in the jurisdiction and eligible to vote in the election. *[52 U.S.C. 21082(a), 21083(b); R.C. 3505.181]*
2. Voters in an election who vote by provisional ballot are entitled to written information describing how they may learn, through a free access system, whether their provisional ballots were counted by election officials, and if they were not counted, why not. This is known as the "Provisional Ballot Notice," and it is required to be given to every person who votes a provisional ballot. *[52 U.S.C. 21082(a); R.C. 3505.181]*
3. Voters who vote in an election for federal office after the established time for polls to close due to a court order or other order requiring the polls to remain open for extended hours will have to vote by provisional ballot (unless those voters were in line at the time polls closed). *[52 U.S.C. 21082(c)]*
4. Voters may have to show identification the first time they vote in an election for federal office after January 1, 2004, if they registered to vote for the first time in a state or jurisdiction by mail after January 1, 2003, and have not provided identification or identifying information to the registrar prior to Election Day, unless they are entitled to vote absentee under federal law. *[52 U.S.C. 21083(b)]*
5. Voters who are registered to vote in Ohio and who have moved within the State before an election are entitled to vote in that election under failsafe procedures, even if they did not previously advise election officials of the move. *[52 U.S.C. 20507(f); R.C. 3503.16]*
6. Voters who have submitted to appropriate officials (or mailed and postmarked) their completed and valid registration application by the 30<sup>th</sup> day before an election, and whom the county board of elections has determined are eligible, are entitled to be registered and to vote in that election. *[52 U.S.C. 20507(a)(1)]*
7. Voters are entitled to notice of the disposition of their voter registration application. *[52 U.S.C. 20507(a)(2); R.C. 3503.19]*
8. Voters otherwise qualified to vote in an election for President and Vice-President may not be denied the right to vote for those offices due solely to a failure to satisfy a durational residency requirement. *[52 U.S.C. 10502; R.C. 3504.01 et seq.]*
9. Voters who are otherwise qualified to register and vote may be entitled to register and vote absentee in an election if they are in the uniformed services or are residing overseas. *[52 U.S.C. 20302; R.C. 3511.02]*
10. Voters who require assistance in voting due to blindness, disability or inability to read or write may receive assistance from a person of the voter's choice other than the voter's employer (or agent thereof), an officer of the voter's union (or agent thereof) or a candidate whose name appears on the ballot. *[52 U.S.C. 10508; R.C. 3505.24]*
11. Jurisdictions must not apply standards or practices which deny or abridge the right to vote on account of race, must not deny any individual the right to vote on account of errors or omissions in registration applications which are not material to determining whether such individual is qualified to vote, and must not apply different standards and procedures to voters in determining whether they are qualified to vote. *[52 U.S.C. 10101(a)]*
12. Jurisdictions must take steps to make the registration and voting process accessible to the elderly and to individuals with disabilities. *[52 U.S.C. 20102, 20103, 20104; R.C. 3501.29, 3503.10, .14.]*
13. Persons must not intimidate, threaten or coerce any other person for doing the following: registering or voting or urging or aiding persons in registering or voting. Persons must not intimidate, threaten or coerce any other person for purposes of: interfering or influencing how a person chooses to vote or not vote; or preventing a person from voting. *[52 U.S.C. 10101(b), 10307(b), 20511(1); 18 U.S.C. 241, 242, 245, 594; R.C. 3599.01, .02, .06, .18, .19, .24, .25, .38]*

14. An elector or voter may commence civil action if the elector has experienced harassment in violation of the election law. *[R.C. 3501.90]*
15. Election officials must not fail or refuse to permit a person to vote who is entitled to vote and must not refuse to tabulate, count and report such person's vote. *[52 U.S.C. 10307(a); 18 U.S.C. 241, 242, 608(a), R.C. 3599.19]*
16. Election officials must not deny persons of any right secured by the 26<sup>th</sup> Amendment to the U.S. Constitution (regarding not denying the right to vote to citizens 18 years of age and older on account of age). *[52 U.S.C. 10701; R.C. 3599.18, .19]*
17. Election officials must retain and preserve for 22 months after any election that includes a federal candidate all records and papers relating to registration and voting in that election. *[52 U.S.C. 20701; R.C. 3505.31]*

## Prohibited Acts of Fraud and Misrepresentation

1. Persons must not make any false statement or claim that they are citizens of the United States in order to register or vote in any federal, state, or local election. *[52 U.S.C. 21144(b); 18 U.S.C. 611, 911, 1015(f); R.C. 3599.11]*
2. Persons must not vote more than once in any election (but this does not include voting a replacement ballot after a spoiled ballot was invalidated). *[52 U.S.C. 10307(e); R.C. 3599.12]*
3. Persons must not procure or submit materially false, fraudulent or fictitious voter registration applications in any election. *[52 U.S.C. 20511(2)(A); R.C. 3599.11]*
4. Persons must not submit false information as to name, address or period of residence in a voting district for the purpose of establishing eligibility to register or vote in any election. *[52 U.S.C. 10307(c), 21144(a); 18 U.S.C. 608(b); R.C. 3599.11]*
5. Persons must not procure, cast or tabulate materially false, fraudulent or fictitious ballots in any election. *[52 U.S.C. 10307(c),(e), 20511(2)(B); 18 U.S.C. 242; R.C. 3599.12, .19, .21, .22, .23, .26, .27]*
6. Persons must not pay, offer to pay or accept payment for voting, registering to vote, withholding their vote, or voting for or against any candidate in any election. *[52 U.S.C. 10307(c), 18 U.S.C. 597, 608(b); R.C. 3599.11, .25]*

## What to Do If You Believe Any Voting Laws Have Been Violated

If you have witnessed efforts to commit any kind of fraud or corruption in the voting process, you may report this to any one or all of the following:

(Name of County)	County Prosecuting Attorney	
(Address of County Prosecuting Attorney)	(City)	(Zip Code)
(Telephone number)	(Email address, if any)	

- or** Ohio Secretary of State – Division of Elections  
180 E. Broad Street, 15th Floor  
Columbus, OH 43215-3726  
Tel: 614-466-2585 or 1-877-SOS-OHIO(767-6446) ext. 2 Email: [election@ohiosecretaryofstate.gov](mailto:election@ohiosecretaryofstate.gov)
- or** Ohio Attorney General  
30 E. Broad Street, 14<sup>th</sup> Floor  
Columbus, OH 43215-3428  
Tel: 614-466-4986 or 1-800-282-0515  
Email: [constituent.services@ohioattorneygeneral.gov](mailto:constituent.services@ohioattorneygeneral.gov)
- or** Local United States Attorney's Office or the nearest office of the Federal Bureau of Investigation

If you have witnessed actual or attempted acts of discrimination or intimidation in the voting process, you may report this to the Civil Rights Division of the United States Department of Justice at 1-800-253-3931.