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Note: This FAQ is not exhaustive. Situations or inquiries may arise that are not answered below. In those circumstances, contact your hotline captain or command center for assistance. Please make sure to record all of the voter's contact information should follow-up be necessary.

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REGISTERING TO VOTE

1. STATUS: Am I registered to vote?

Voter registration can be determined by checking the West Virginia Secretary of State's website (<https://services.sos.wv.gov/Elections/Voter/AmIRegisteredToVote>).

2. HOW: How do I register to vote? What if I don't have access to a computer and/or printer?

Voters can register to vote online at (<https://sos.wv.gov/elections/Pages/GoVoteWV.aspx>). To register to vote or update your voter registration online, you must provide the following information:

- Your name as it appears on your West Virginia driver's license or ID card
- Your date of birth
- Your West Virginia driver's license or ID card number
- Your last four digits of your Social Security Number

If you do not have a West Virginia driver's license or ID card number and the last four digits of your Social Security Number, you may not submit your form online, but you may enter your information online to be auto-filled in a voter registration application. Once you create your application online, you may print, sign and deliver it to your County Clerk by mail or in person.

If you prefer to complete your voter registration form by hand, you may download a blank voter registration form to mail or deliver in-person to your County Clerk or the Secretary of State's Office.

OR In person: You may register to vote in person at any of the following locations:

- Your County Clerk's Office
- The Secretary of State's Office
- The Division of Motor Vehicles (DMV)
- Public assistance offices
- Agencies who serve people with disabilities
- Marriage license offices
- Military recruiting agencies

3. IDENTIFICATION: What ID is required to register to vote?

If you are registering to vote for the first time in West Virginia or your county, and you have not voted in a federal election in this state, you must show a valid ID with your application or the first time you vote. If you mail your application, you may send a copy of a valid ID. WV accepts the following documents that show your current name and address:

- Valid photo identification
- Utility bill
- Bank statement
- Government check
- Paycheck
- Any other official government document

4. DEADLINES: When is/was the voter registration deadline? Are there different deadlines whether I register by mail, in-person, online or on Election Day?

To vote in the next election, you must register at least 21 days before the date of the election.

The deadline to register online is Tuesday, October 13, 2020.

The deadline for registering by mail to vote is (postmarked by) Tuesday, October 13, 2020.

The deadline to register in person to vote is Tuesday, October 13, 2020.

Exception: Authorized late voter registration from certain uniformed and overseas voters accepted from Wednesday, October 14, 2020 to Monday, November 2, 2020

5. SAME DAY: Does my state have Same Day Registration (i.e. I can register to vote the same day I vote)? If so, what is the process?

No, West Virginia does not have same day registration.

6. PERMANENT MOVE: I have moved permanently and I didn't update my voter registration, can I vote?

Refer to the table below. The answer to this question depends on whether the voter moved within the same county/election jurisdiction or moved to a new county.

Moved within the same precinct	Moved to a different precinct but within the same county	Moved to a different election jurisdiction (typically county)	Moved from a different state
Because the polling place will be the same for the new and old address, voters should go to that polling place and complete a change of address form. They will be able to cast a regular Ballot. ¹	Voters who have moved to a new precinct within the county should go to the polling place for their new address and complete a change of address form. They will be able to cast a provisional ballot, which will be counted if the voters are found in the county's registration records during the canvass. ²	Voters who have moved to a new county must change their registration before the deadline. They may otherwise cast a provisional ballot, but that ballot will probably not be counted. ³	Voters moving into West Virginia from another state after the voter registration deadline may not vote on Election Day in West Virginia, but should contact state election officials in the state where they moved from, to see if they can vote in their former state for president and vice president.

7. TEMPORARY MOVE: I have moved temporarily due to Covid-19 or some other reason. Where can I vote?

You can register to vote at whatever address you consider your primary residence.

8. STUDENT: I am a college student. Can I register to vote where I go to school? What if I am taking classes remotely? Where can I vote?

Students may register to vote if they consider where they live for school to be their principal home and they intend to stay there for the time being (in other words, they plan to return to their school address after temporary absences like spring break or summer vacation).⁴ Students do not need to plan to live at their school address permanently or after graduation.

9. LIVING ABROAD: I am living abroad and/or am serving in the military. How can I register and/or vote?

The Uniformed and Overseas Citizens Absentee Voting Act is commonly referred to as UOCAVA. UOCAVA citizens are U.S. citizens who are active members of the Uniformed Services, the Merchant Marine, and the commissioned corps of the Public Health Service and the National Oceanic and Atmospheric Administration, their eligible family members and U.S. citizens residing outside the United States.

UOCAVA voters are permitted to use an online ballot system. Voters who choose this option will receive login credentials from their county clerk to access their ballot through the secure Omni Ballot portal using a computer or smart device. Once the voter's selections are made, they have the opportunity to review their ballot to ensure it was marked correctly. Similar to traditional absentee voting in West Virginia, all voters must sign their name before returning their ballot. The signature and ballot may then be submitted by mail, email, fax or through the portal.

To apply to use the electronic ballot transfer method:

1. Download the Federal Post Card Application and select "email or online" for how you would like to receive your voting materials.
2. Email, fax, or mail the completed form to your county clerk.

If applicants have not received an absentee ballot 30 days before the election, they should complete and submit the Federal Write-In Absentee Ballot (FWAB) to ensure their vote is received in time to be counted.

The forms can be found at: <https://sos.wv.gov/elections/Pages/UOCAVA.aspx>

10. CRIMINAL CONVICTION: I have a criminal conviction. Can I vote?

If a voter has been convicted of a felony, the voter may not vote while he or she is still serving a term of incarceration, is released on parole, or is on probation.⁵ **After all terms of incarceration, parole, and probation have been served, the voter may re-register.**⁶ If the voter has only a misdemeanor conviction, the voter may still vote if the voter meets the other requirements and registers in time.

11. INCARCERATED: I am currently in jail. Can I vote?

A person in jail for a felony, treason or bribery in an election may not vote. A person in jail for a misdemeanor conviction may apply for an absentee ballot by mail or vote in person (if circumstances permit). Jails must take steps to facilitate prisoners' rights to vote, but which steps are not clearly defined.⁷

12. NOT ON ROLLS AT POLLING PLACE: I am at my polling place and am not on the voter registration roll. Can I vote where I am?

If a voter is not found on the rolls of the polling place where the voter is attempting to vote, the precinct should call the County Clerk to make sure the voter is registered and is in the correct precinct.

If it is determined that the voter is registered and in the correct precinct, he or she will be able to vote a regular ballot. If the voter is in the wrong precinct, the poll worker should give the voter adequate information in order to direct the person to the proper voting place. The poll worker should also offer, and the voter may request, a provisional ballot.

If the poll worker says the voter is not eligible to vote at a particular precinct, but the voter believes he or she is eligible, that voter may cast a provisional ballot. However, if it is later determined that the voter was not registered in the county, then the provisional ballot will not count.⁸

13. THOUGHT WAS REGISTERED: My name isn't on the voter registration roll but I thought I was registered. Could it have been removed? What do I do?

A voter's name can be removed from the voter list if the voter has cancelled his or her registration or has become ineligible to vote. A voter can become ineligible while, for example, serving a sentence for conviction of a felony (this includes the period of incarceration, parole, and probation following conviction) or being declared mentally incompetent by a court.⁹ A voter may also be removed from the voter rolls if he or she has moved, not responded to an address verification notice, not updated his or her registration, AND failed to vote in the prior two federal elections.¹⁰

A voter whose name was removed from the voter registration list because of a determination of ineligibility but who later becomes eligible to vote must re-register. A voter whose registration is rejected for any reason (including ineligibility) may write his or her County Clerk to provide evidence that he or she is eligible and ask for reconsideration. If this fails, the voter can then appeal the clerk's decision to the County Commission, then the county's circuit court, then the Supreme Court of Appeals of West Virginia.¹¹

A voter who has not responded to confirmation notices sent by the County Clerk, and is on the inactive list, may show up at his or her polling place to vote but will be required to affirm his or her residence address under penalty of perjury before voting.¹²

Note that one can take steps to help to determine why a voter's name is not popping up on the list of registered voters:

- Check the voter's registration status using the registration lookup tool to make sure he or she is registered to vote and at the right place. (See Question #1.)
- Has the voter moved recently? Could the voter be registered at an old address? Check that address in the registration lookup tool. (See Question #1 and Question #6.)

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- Has the voter changed his or her name recently, or could he or she be registered under a different name? Check that name (and any variations of the voter’s name, especially for hyphenated names, which sometimes trip up databases) in the registration lookup tool. (See Question #1.)
- When/where did the voter register to vote? Was that before the deadline?

If the voter does not appear to be registered and it is before the registration deadline (See Question #4), the vote should re-register. (See Question #2).

HOW TO VOTE: EARLY VOTING

14. AVAILABILITY: Is there early voting in my state (whether called early voting or in person absentee voting)? When is it?

Yes, early voting in West Virginia begins October 21 and ends October 31, 2020 at the county courthouse, annex or designated community voting location during normal business hours and Saturdays 9AM to 5PM.

15. ELIGIBILITY: Do I have to have a reason to vote early?

No, anyone can vote during the early voting period.

16. WHEN: When do the polls open/close during early voting?

Early voting is held “during normal business hours” during the week and Saturdays from 9AM to 5PM.¹³

17. WHERE: Where do I vote during early voting?

Early voting is held at the county courthouse, annex or designated community voting location. Some counties offer additional locations for early voting. These locations must be announced at least 30 days prior to designation of an early voting location.¹⁴

Check with your county clerk for additional early voting locations by contacting the county clerk’s office. (See <https://sos.wv.gov/elections/Pages/CountyClerkDirectory.aspx> to find your county clerk).

18. IDENTIFICATION: What identification is required for early voting? Can I vote without providing identification?

Voters must present identification at the polling place in order to vote. Identification issued by the state of West Virginia, by one of its subsidiaries, or by the United States government are generally considered valid.

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Accepted identification includes:

- West Virginia license or identification card;
- Other state license or identification card;
- US passport or passport card;
- US or West Virginia state or local government employment ID with photo;
- High school ID card or higher education photo ID issued by a high school or institution of higher education in West Virginia;
- US military photo ID;
- Concealed carry permit with photo, issued by the sheriff of the county;
- Medicare card or Social Security card;
- Birth certificate;
- West Virginia voter registration card;
- West Virginia hunting or fishing license;
- West Virginia SNAP, TANF, or Medicaid ID;
- Bank or debit card;
- Utility bill or bank statement issued within 6 months of election; or
- Health insurance card.

Poll workers may allow voters without identification to vote if the poll worker has known the voter for more than 6 months, or if the voter is accompanied by an adult with an ID who is willing to sign an affidavit that they have known the voter for more than 6 months. Otherwise, voters may vote by provisional ballot after signing an affidavit affirming their identity. The provisional ballot will count if the voter was eligible to vote and their signature matches the signature on file with the election authority.

Voters who did not show proof of residency when registering to vote must include a copy of one of the following documents with their absentee ballot:

- Valid photo identification;
- Utility bill;
- Bank statement;
- Government check;
- Paycheck;
- Any other official government document.

HOW TO VOTE: ABSENTEE AND/OR VOTE BY MAIL

19. AUTOMATIC: Do I have to request an absentee ballot or will my state mail me one automatically? How do I request one?

Yes, ballot applications will NOT be mailed to all voters for the 2020 general election. You must request an absentee ballot by October 28, 2020.

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To apply to vote absentee online, you must provide the following information:

- First Name
- Last Name
- Birth Date
- DMV ID # or Last Four of SSN (whichever is on file, or if you have both on file you may choose one to enter)
- County

(<https://sites.omniballot.us/54/absentee/app/home>)

If you prefer to complete your absentee ballot application by hand, you may download a blank Absentee Ballot Application and mail, fax, or email it to your county clerk. Find your county clerk at:

<https://sos.wv.gov/elections/Pages/CountyClerkDirectory.aspx>

20. APPLICATION DEADLINE: What is the deadline for requesting an absentee ballot?

You must be registered to vote in your county before you apply for an absentee ballot. You must apply separately in each election, and the last day to apply for the General Election is October 28, 2020. Absentee applications received after October 28, even if postmarked, cannot be accepted by law.

Emergency absentee ballots: Eligible voters may apply for an emergency absentee ballot between October 27, 2020 and noon on Election Day, November 3, 2020. An application for an emergency absentee ballot is available at

<https://sos.wv.gov/FormSearch/Elections/Voter/Absentee%20Ballot%20Application.pdf>. Immediate family members may request an emergency absentee ballot on the voter's behalf. Two election officials will deliver your ballot. Emergency absentee ballot requests are granted if:

- You are in a hospital or other health care facility in your county on Election Day;
- You are a poll worker appointed to a precinct other than your own after the Early Voting period.

Some counties also allow emergency absentee voting in the following situations:

- You are in a nursing home in your county, and you have resided here less than 30 days (in this case, a staff member of the nursing home may also request a ballot for you);
- You are in a hospital or other health care facility in a surrounding county or within 30 miles of your county seat.

21. APPLICATION RETURN: Where and/or how can I return my absentee ballot application? Can someone return it for me?

The absentee ballot application must be received in your county clerk's office by the 6th day before each election. Applications may be submitted to your county clerk via fax, U.S. mail, email, or in-person by hand delivery.

The last day to apply for the General Election is October 28, 2020. Absentee applications received after October 28, even if postmarked, cannot be accepted by law.

22. DIDN'T REQUEST IN TIME: What if I have not requested an absentee ballot by the deadline?

Emergency absentee ballots: Eligible voters may apply for an emergency absentee ballot between October 27, 2020 and noon on Election Day, November 3, 2020. An application for an emergency absentee ballot is available at <https://sos.wv.gov/FormSearch/Elections/Voter/Absentee%20Ballot%20Application.pdf>. Immediate family members may request an emergency absentee ballot on the voter's behalf. Two election officials will deliver your ballot. Emergency absentee ballot requests are granted if:

- You are in a hospital or other health care facility in your county on Election Day;
- You are a poll worker appointed to a precinct other than your own after the Early Voting period.

Some counties also allow emergency absentee voting in the following situations:

- You are in a nursing home in your county, and you have resided here less than 30 days (in this case, a staff member of the nursing home may also request a ballot for you);
- You are in a hospital or other health care facility in a surrounding county or within 30 miles of your county seat.

23. ELIGIBILITY: Do I have to have a specific reason for requesting to vote by absentee ballot?

Generally, voters must have a valid excuse under state law to be eligible to vote absentee by mail. A voter was previously eligible to vote absentee if he or she:¹⁵

- Is confined to a particular location and cannot vote in person during the period of in-person voting due to illness, injury, disability, immobility due to old age, home detention, or incarceration (except for felonies and certain other violations);
- Is absent from the county during the voting period due to personal or business travel, attendance at college or other place of education or training, or if they cannot vote in person because the work hours and distance from the county seat make voting in person impossible;
- Has a work assignment that requires the voter to temporarily live outside of the voter's county (four years or less);
- Is disabled and the assigned polling place and the designated absentee voting area at the county courthouse are not accessible;
- Is participating in the Address Confidentiality Program;
- Is serving as an elected or appointed state or federal official which requires the voter to temporarily live outside of the voter's county; or
- Is absent from the county during the voting period and is an absent uniformed services voter or overseas voter, including members of the armed services on active duty and their spouses and dependents, and persons who live outside the U.S. and are qualified to vote in the U.S.

Due to concerns of COVID-19, all voters may apply to vote absentee in the 2020 General Election because of "medical reason".

Permanent absentee ballot: Certain voters are eligible to be placed on the permanent absentee voter list. Voters who participate in the West Virginia Secretary of State's Address Confidentiality Program, or who have a permanent, physical disability that prevents them from going to the polling place, can apply for permanent absentee voter status by filling out an application available on the Secretary of State's website at: <https://sos.wv.gov/FormSearch/Elections/Voter/Special%20Absentee%20List%20Form.pdf>. As with general requests for absentee ballots, applications must be received no later than the 6th day before the election date (October 28, 2020 for the general election).¹⁶ Permanent absentee voters will receive absentee ballots until they submit a request to be taken off the permanent absentee ballot voter list.¹⁷

24. STATUS OF APPLICATION AND/OR BALLOT: How can I check the status of my application and/or absentee ballot?

Absentee voters may conveniently track the status of their absentee ballots by entering the requested information at the following link: <https://services.sos.wv.gov/Elections/Voter/AbsenteeBallotTracking>

25. APPLICATION AND/OR BALLOT REJECTED: I learned my absentee ballot application and/or ballot was rejected. What can I do to fix any errors or get another one?

You should immediately contact your county clerk for instructions. Find your county clerk at: <https://sos.wv.gov/elections/Pages/CountyClerkDirectory.aspx>

26. COMPLETING BALLOT: How do I complete the absentee ballot? Are there any identification requirements?

If you've voted in West Virginia before, registered in person, or provided ID at the time of registration, you don't need to provide ID to vote by mail.

If you're voting in West Virginia for the first time, registered to vote by mail, and didn't provide ID when you registered, be sure to enclose a copy of your photo ID, or a current utility bill, bank statement, government check, paycheck, or government document that shows your name and address when you return your ballot.

For instructions for voting a paper ballot by mail see:

<https://sos.wv.gov/FormSearch/Elections/Voter/Instructions%20for%20Voting%20a%20Paper%20Ballot%20by%20Mail.pdf>

For instructions for voting an optical scan ballot by mail see:

<https://sos.wv.gov/FormSearch/Elections/Voter/Instructions%20for%20Voting%20an%20Optical%20Scan%20Ballot%20by%20Mail.pdf>

For instructions for electronic absentee for voters with physical disabilities see:

<https://sos.wv.gov/elections/Pages/DisabledVotersEVoting.aspx>

27. LOST OR SPOILED: What if I lost my absentee ballot or it is spoiled or I received an incorrect one?

If a ballot is found to contain a material error and a new corrected ballot is sent to the voter, and:

- If the voter returns only the ballot containing the error, the ballot should be made provisional, and the board of canvassers should count all votes on the correct portions. The board will decide how to deal with the rest.
- If the voter returns both ballots, the ballot containing the error will be spoiled and the corrected ballot will be made provisional. The board of canvassers should count this ballot.
- If the voter returns the corrected ballot only, the ballot will be made provisional. Assuming no other challenge exists, the board should count the corrected ballot.

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If you make a mistake in your selection, cross out both the mark and the candidate or issue, and mark your choice.

If your ballot is destroyed or you cannot correct your mistakes, you should immediately contact your county clerk for instructions on receiving a replacement ballot.

28. NON-RECEIPT OF BALLOT: What if I requested an absentee ballot but have not received it? Can I do anything?

If you do not receive your absentee ballot within a few days after placing your application in the mail, please call your county clerk to request the status. Find your county clerk at:

<https://sos.wv.gov/elections/Pages/CountyClerkDirectory.aspx>

You may also track your absentee ballot online at GoVoteWV.com.

29. IN PERSON OPTION: What if I requested an absentee ballot but I want to vote in person on Election Day?

Voters who have received absentee ballots may vote in person on election day if they return their unused absentee ballots to the election commissioners at the polling place.¹⁸

If you forget your absentee ballot, you may still vote in person. However, your in-person vote will be by “provisional” ballot. The county clerk’s office will simply double-check the absentee ballots received in the office prior to canvass. If your absentee ballot was not received by the county clerk, the Board of Canvassers will count your in-person vote.

30. BALLOT DEADLINES: What is the deadline for the ballot to be postmarked and/or received by, including dropping it off in person?

After receiving an absentee ballot, the voter may simply vote and return the ballot to the County Clerk in the appropriate envelopes as soon as possible (or by hand delivery at the Clerk’s office).

Unless a voter is a military or overseas voter, the ballot *must* be mailed and postmarked by Election Day (November 3, 2020) and received by the start of canvass (November 9, 2020).

For hand-delivery, absentee ballots must be delivered to the County Clerk’s office by the day before Election Day (November 2, 2020). Although voters do not have to personally return his or her absentee ballot, no one person may deliver more than two voters’ absentee ballots.

31. BALLOT DROP OFF LOCATIONS: What are the locations for dropping off a completed ballot (instead of mailing it)?

For hand-delivery, absentee ballots must be delivered to the County Clerk’s office by the day before Election Day (November 2, 2020).

32. ASSISTANCE DROPPING OFF: Can someone drop off my completed ballot for me?

Although voters do not have to personally return his or her absentee ballot, no one person may deliver more than two voters' absentee ballots.

33. IN PERSON ABSENTEE: Where do I vote in-person absentee?

Early voting is held at the county courthouse, annex or designated community voting location. Some counties offer additional locations for early voting. These locations must be announced at least 30 days prior to designation of an early voting location.¹⁹

Check with your county clerk for additional early voting locations by contacting the county clerk's office. (See <https://sos.wv.gov/elections/Pages/CountyClerkDirectory.aspx> to find your county clerk).

HOW TO VOTE: ELECTION DAY

34. HOURS: When do the polls open and close on Election Day? What if the polls are closing but I'm in line?

Polling places must be open from 6:30 a.m. to 7:30 p.m. EST on election day.²⁰ Voters in line by 7:30 p.m. must be allowed to vote.²¹

***Note to hotline volunteer:** If you learn that a polling place prohibits those who were in line by the time the polls closed from voting, advise voters to stay at the polling location and contact your hotline captain immediately.

35. POLLING LOCATION: Where do I vote on Election Day?

Polling places can be determined by checking the West Virginia Secretary of State's website (<https://services.sos.wv.gov/Elections/Voter/FindMyPollingPlace>).

If a voter has moved recently and has not updated their voter registration, refer to [Questions #6 and 7](#).

***Note to hotline volunteer:** Due to the COVID-19 Pandemic, many polling places have been moved or consolidated. Voters should be advised to check the polling place listed on the Voter Notification Card they received from the local election authority a few days before the election.

36. IDENTIFICATION: What identification is required to vote on Election Day? Can I vote without providing identification?

Voters must present identification at the polling place in order to vote. Identification issued by the state of West Virginia, by one of its subsidiaries, or by the United States government are generally considered valid.

CONTINUED ON NEXT PAGE

Accepted identification includes:

- West Virginia license or identification card;
- Other state license or identification card;
- US passport or passport card;
- US or West Virginia state or local government employment ID with photo;
- High school ID card or higher education photo ID issued by a high school or institution of higher education in West Virginia;
- US military photo ID;
- Concealed carry permit with photo, issued by the sheriff of the county;
- Medicare card or Social Security card;
- Birth certificate;
- West Virginia voter registration card;
- West Virginia hunting or fishing license;
- West Virginia SNAP, TANF, or Medicaid ID;
- Bank or debit card;
- Utility bill or bank statement issued within 6 months of election; or
- Health insurance card.

Poll workers may allow voters without identification to vote if the poll worker has known the voter for more than 6 months, or if the voter is accompanied by an adult with an ID who is willing to sign an affidavit that they have known the voter for more than 6 months. Otherwise, voters may vote by provisional ballot after signing an affidavit affirming their identity. The provisional ballot will count if the voter was eligible to vote and their signature matches the signature on file with the election authority.

Voters who did not show proof of residency when registering to vote must include a copy of one of the following documents with their absentee ballot:

- Valid photo identification;
- Utility bill;
- Bank statement;
- Government check;
- Paycheck;
- Any other official government document.

Voters who do not have ID while voting may cast provisional ballots. If the voter casts a provisional ballot, remind the voter to ask the poll worker whether any additional steps are needed to make sure the ballot is counted.

A voter can learn either that the provisional ballot was counted or the reason why it was not counted by calling the West Virginia Secretary of State's Office toll free at 1-866-767-VOTE (1-866-767-8683).

POLLING PLACE ISSUES

37. POLLING PLACE NOT OPEN: The polling place is not open. What do I do?

If you go in person to vote and your polling place appears closed, your county clerk will have posted a notice on or near the polling place door with directions to the new nearby location of your polling place.

***Note to hotline volunteer:** If you learn of a polling place not opening on time or is closed, notify your hotline captain immediately.

38. LONG LINES: There are long lines at the polling place. What do I do? What if the polls are closing while I'm in line?

As long as you are in line at the polling place by 7:30PM, you will be able to vote after the polls close.

See Question 34 for answer if voter is in line when polls are closing.

***Note to hotline volunteer:** If you learn of long lines, notify your hotline captain immediately.

39. EQUIPMENT FAILURE: What should I do if there are equipment problems at my precinct?

Voters should immediately notify the election officers if the voting equipment breaks down while the polls are open. Replacement machines should be provided.²² Otherwise, voters should be permitted to vote by paper ballots or by provisional ballots if no machines are available.²³ Provisional ballots should be used only as a last resort.

***Note to hotline volunteer:** If you learn of equipment not working properly at a polling place, notify your hotline captain immediately.

40. NO PPE/COVID: What if my polling place is not enforcing COVID-19 precautions or has run out of supplies?

County clerks and commissions are preparing to have supplies on hand to sanitize surfaces, objects, voting machines, etc. at the polls. Social distancing best practices will be implemented at the polls during under the guidance and regulations issued by the U.S Center for Disease Control and Prevention, as well as the WV Department of Health and Human Resources.

As the Coronavirus situation changes, the Secretary of State's Office, and county clerks will continue to properly implement safety protocols to protect voters, poll workers, election officials and the general public to ensure a safe and secure election, even during the State of Emergency.

41. EQUIPMENT ASSISTANCE: I don't know how to use the voting equipment. Can I get help?

Upon request, voters will be given instruction on the use of voting machines. In addition, polling places should have written instructions as well as sample ballots and diagrams showing the screen as it will appear on the device.²⁴

42. PHYSICAL DISABILITY: I have a physical disability and need assistance. Will my polling place be accessible?

By federal law, polling places are required to be accessible unless there is an emergency or no accessible location is available.²⁵ If a voter is assigned to a polling place that is not accessible, he or she should send a written request to the County Clerk to transfer his or her registration to the nearest accessible polling place at least 30 days before the election. If the voter misses this deadline, the voter may still apply for a transfer, but will cast a provisional ballot at the new polling place that will be counted if the county commission determines that the original polling place was not accessible.

If a voter's polling place is not accessible, he or she may also ask to vote absentee from his or her car as long as no one else is voting or waiting to vote in the polling place. These voters will be accompanied by a commissioner of elections from each political party.²⁶

To find contact information for a County Clerk, visit:
<https://sos.wv.gov/elections/Pages/CountyClerkDirectory.aspx>.

43. READING/LANGUAGE ASSISTANCE: I am blind, have a physical disability, or cannot read English and require assistance in order to vote. Can I get assistance at the polls?

Yes. Any voter who needs assistance voting is entitled to have some person of their choice, other than the voter's employer, an agent of the employer, an officer or agent of the voter's union, or a candidate on the ballot, mark the voter's choices or assist the voter in marking their choices on the ballot.²⁷

44. CURBSIDE VOTING: When can I request curbside voting?

If you cannot leave your vehicle to vote, the polling place is not accessible, and no voters are waiting inside the polling place, you can send someone into the polling place to request curbside voting on your behalf. Poll workers will bring a ballot or voting machine outside so you can vote.

45. CAMPAIGNING: What rules apply to people campaigning or "hanging around" my polling place? Can people approach me?

Individuals are prohibited from electioneering within 100 feet of the polling place. Electioneering includes the display or distribution of campaign paraphernalia, or the solicitations of votes or signatures.²⁸

46. CHALLENGES: Someone is formally challenging my vote. What do I do?

Voters whose registration has been challenged at the county clerk's office must present evidence of eligibility within 30 days of the mailing of the notice of challenge.²⁹ If a voter is challenged at the polls, the poll worker will make a notation of the challenge and the challenger's name on the registration record.³⁰ Voters challenged by poll workers must vote a provisional ballot. At the time the individual casts a provisional ballot, the clerk is required to give the voter written information on how to determine whether that person's vote was counted (and if not, the reason why the vote was not counted). The validity of the vote will be determined at the time of canvass.³¹

47. POLICE/MILITARY PRESENCE: There are police/members of the military at the polling place. Is this okay? What do I do?

If someone tries to intimidate or harass you, tell a poll worker right away. If the poll worker is the problem, tell a poll watcher, call your County Clerk's office, or call one of the election hotline numbers.

***Note to hotline volunteer:** If you learn of police/members of the military at the polling place, notify your hotline captain immediately.

48. PROVISIONAL BALLOT: I have been offered a provisional ballot. What should I do?

A voter should be offered a provisional ballot only when:

- The voter moved, within the county, from one precinct to another precinct and updated his or her address at the polling place on election day;³²
- The voter's registration record is not available;³³
- The voter's signature does not correspond with the signature next to the voter's name in the registration record;³⁴
- The voter has not provided identification, was not accompanied by an adult affirming their identity, and has not known a pollworker for a sufficient amount of time to affirm their identity;³⁵
- The voter is disabled and whose polling place is not accessible, and requested a transfer of registration to an accessible polling place within 30 days of election day;³⁶
- The voter requests assistance in voting, but is believed to not be qualified for assistance, and still wishes to vote with assistance;³⁷
- The voter has been permitted to register to vote after the normal registration deadline;³⁸
- The registration record indicates another legal disqualification.³⁹

Other than for these reasons, the voter should be allowed to cast a regular ballot. A provisional ballot should be used only as a last resort. If the voter casts a provisional ballot, remind the voter to ask the poll worker whether any additional steps are needed to make sure the ballot is counted.

A voter can learn either that the provisional ballot was counted or the reason why it was not counted by calling the West Virginia Secretary of State's Office toll free at 1-866-767-VOTE (1-866-767-8683).

QUESTIONS

49. Who should I contact if I have questions about any of the above?

To find contact information for a County Clerk, visit:

<https://sos.wv.gov/elections/Pages/CountyClerkDirectory.aspx>.

To report fraud or abuse contact us at 877-FRAUD-WV. For more information or to download the formal complaint form, visit the Investigations Unit website, which is at wvsos.gov in the “About Us” section.

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- ¹ W. Va. Code § 3-2-31(b).
² W. Va. Code § 3-2-31(c).
³ <https://sos.wv.gov/FormSearch/Elections/Informational/Manual%20for%20Election%20Officials.pdf>; *see also* W. Va. Code § 3-2-2(a).
⁴ *Symm v. U.S.*, 439 U.S. 1105, 1105 (1979); *State v. Stalaker*, 412 S.E.2d 231, 233 (W. Va. 1991).
⁵ W. Va. Code §§ 3-1-3; 3-2-2(b).
⁶ <https://sos.wv.gov/FormSearch/Elections/Informational/Manual%20for%20Election%20Officials.pdf>; <https://sos.wv.gov/FormSearch/Elections/Voter/Felon%20Voting%20Rights.pdf>.
⁷ <https://sos.wv.gov/FormSearch/Elections/Voter/Felon%20Voting%20Rights.pdf>
⁸ W. Va. Code § 3-1-41(e).
⁹ W. Va. Code § 3-1-3;
<https://sos.wv.gov/FormSearch/Elections/Informational/Manual%20for%20Election%20Officials.pdf>.

¹⁰ W. Va. Code § 3-2-4a(e)(1).
¹¹ W. Va. Code § 3-2-17.
¹² W. Va. Code § 3-2-31(d).
¹³ W. Va. Code § 3-3-3.
¹⁴ W. Va. Code § 3-3-2a.
¹⁵ W. Va. Code § 3-3-1.
¹⁶ W. Va. Code § 3-3-5(b).
¹⁷ W. Va. Code § 3-3-2b.
¹⁸ W. Va. Code § 3-3-9.
¹⁹ W. Va. Code § 3-3-2a.
²⁰ W. Va. Code § 3-1-31.
²¹ W. Va. Code § 3-1-32;
<https://sos.wv.gov/FormSearch/Elections/Informational/Manual%20for%20Election%20Officials.pdf>.
²² W. Va. Code § 3-4A-18.
²³ <https://sos.wv.gov/FormSearch/Elections/Informational/Manual%20for%20Election%20Officials.pdf>.
²⁴ W. Va. Code § 3-4A-15(a).
²⁵ 52 U.S.C. § 20102.
²⁶ W. Va. Code § 3-1-34(e)(1)(D).
²⁷ W. Va. Code § 3-1-34(e).
²⁸ W. Va. Code § 3-9-9.
²⁹ W. Va. Code § 3-2-28.
³⁰ W. Va. Code § 3-1-34(d).
³¹ W. Va. Code § 3-1-41.
³² W. Va. Code § 3-2-31(c).
³³ W. Va. Code § 3-1-41.
³⁴ *Id.*
³⁵ *Id.*
³⁶ W. Va. Code § 3-1-34(b).
³⁷ W. Va. Code § 3-1-34(e)(3).
³⁸ W. Va. Code § 3-2-6a.
³⁹ W. Va. Code § 3-1-41.