



## Frequently Asked Questions

### Virginia – General Election 2024

Last Updated: 8/23/24

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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. **ELIGIBILITY:** Can I register to vote?

To register to vote in Virginia, a person must

- 1) be a resident of Virginia (a person who has come to Virginia for temporary purposes and intends to return to another state is not considered a resident for voting purposes);
- 2) be a U.S. Citizen;
- 3) be 18 years old by Election Day (If the voter is 17, but will be 18 on or before the next general election, they can still register and vote in the primary and special elections that occur before the next general election);
- 4) not be registered NOR plan to vote in *another* state;
- 5) not be currently declared mentally incompetent by a court of law; and
- 6) if convicted of a felony, the right to vote must have been restored ([See Question 12](#)).

2. **PRIMARY ELECTION:** Can I vote in the primary election? Do I need to be registered with a political party? Can I change my party registration to vote in another party's primary election? When I voted, the poll worker asked my party affiliation. Are they allowed to do that?

The Virginia primary takes place June 18, 2024. Virginia does not register voters by party. Because Virginia does not register voters by party, poll workers will ask voters which party's primary they wish to vote in and will repeat it out loud. Voters may select which party's primary (Republican or Democrat) they wish to vote in, but cannot vote in both. **Note that the party whose primary the voter selects is considered public information in which the voter has no privacy interest.**

**Not every office may be on the ballot and some voters will not have any Democratic ballot available.** The purpose of a primary is to select a party's nominees for the general election. If the nominee of a party is uncontested (only one person has filed for the position) there will be no primary. The Republican Senate nomination is contested and as a result, all voters will be able to vote in the Republican primary. For the Democrats, no statewide position is being contested, so there will be a Democratic ballot only for some locations where there is a contested Congressional or local position. A list of the contested races may be found on the State [website](#). The lists for local offices are NOT in alphabetical order.

Persons aged 17 who will be 18 by the date of the General Election (November 5, 2024) may advance register and vote in any intervening primaries.<sup>1</sup>

Parties may elect to select their candidates by a caucus or some other method. If the Party selects a method other than a primary, the Party controls who may participate.<sup>2</sup>

3. **STATUS:** Am I registered to vote?

A voter can determine whether they are registered to vote by checking the Virginia Department of Elections' [website](#).

4. **HOW:** How do I register to vote? Can I register online? Do I need a printer? Can I register to vote in person?

Voters with a valid Virginia DMV driver's license or state ID can register [online](#). They may also register in person at their local Division of Motor Vehicles (DMV) office, or local [voter registration office](#).

Paper copies of the registration form may also be completed and mailed to the local voter registration office. Paper copies may be downloaded in [English](#), [Spanish](#), [Vietnamese](#), and [Korean](#). Registration forms may also be obtained at:

- Local voter registration offices;
- State or local government offices when applying or re-certifying for Temporary Assistance for Needy Families (TANF), SNAP, WIC, Medicaid, or Rehabilitation Services;

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<sup>1</sup> Va. Code Ann. §24.2-403.

<sup>2</sup> Va. Code Ann. §24.2-40.

- Government offices in the State engaged in providing services to person with disabilities;
- Armed forces recruitment offices;
- Public libraries;

5. **IDENTIFICATION:** What ID is required to register to vote?

Voters do not need an ID to register to vote in person but will if they register online. However, voters must provide a social security number, if they have been assigned one.<sup>3</sup>

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

Registration deadlines are 22 days before general elections and primary elections. For a special election, the deadline is 14 days before the election, and for a special election called by the Governor, the deadline is 7 days before the election.<sup>4</sup> The 2024 General Election is **November 5, 2024**. The deadline to register to vote or update an existing registration for the General Election is **October 15, 2024**. If a caller misses the deadline, they may use **same day registration**.

If mailed, the registration application must be **postmarked** by the deadline.<sup>5</sup>

7. **SAME DAY:** Does my state have Same Day Registration? If so, what is the process?

Yes, Virginia has same-day registration for in-person voting. However, voters who register after the deadlines set forth in [Question 6](#) must vote using a provisional ballot that will be counted if they are found to be eligible. **Election day registrants must be at the correct polling location for their address for their vote to be counted.** Same day registration is available to those voting early.

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

Callers may always use **same day registration** to vote a provisional ballot at the correct polling place for their new address. Depending on when and where they moved, they may be able to vote a regular ballot at the polling place for their old address (and update their registration at the same time). See Table below.

<b>Moved within the same precinct</b>	<b>Moved to a different precinct but within the same election jurisdiction (county or city) and the same Congressional District</b>	<b>Moved to a different election jurisdiction (county or city) or to a new Congressional District</b>	<b>Moved to a different state</b>
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<sup>3</sup> See Va. Code Ann. §24.2- 418; Virginia Voter Registration Application,

<sup>4</sup> Va. Code Ann. §24.2-416.

<sup>5</sup> Va. Code Ann. §24.2-416.4

The voter may cast a regular ballot.	Voters may cast a regular ballot at their old precinct provided the move was after November 7, 2023, and provided the registration has not been transferred or canceled.	Voters may cast a regular ballot at their old precinct provided the move was after November 7, 2023, and provided the registration has not been transferred or canceled.	If a voter moved from the state within 30 days of a presidential election, they are entitled to vote in their old precinct (or absentee) for <u>Presidential electors</u> only.
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9. **TEMPORARY MOVE:** [I have moved temporarily. How can I vote?](#)

Voters who are away from their registered address temporarily may request that a mail absentee ballot be sent to them at their temporary address. They must make a separate request for each election. Voters should be aware that the **Post Office will not forward ballots**. See [Questions 31 - 48](#).

Voters who have already opted in to the Permanent Absentee Mailing List (which sends mail ballots for all elections to the voter’s registered address) can change the address at which they receive their ballot for a single election by filling out the Virginia Permanent [Absentee Voter Single Election Change Form](#).

Voters who are away on election day should consider whether early voting might be an option for them.

10. **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?](#)

College students who meet the registration requirements may register to vote where they go to school. A dormitory or college address can be an acceptable residential address. If the local voter registration office is unable to determine physical residency based on a college address that the voter provided on their voter registration application, the local voter registration office will contact the voter to request any additional information needed for the voter’s registration.

Students can establish residency in Virginia if they have a present intent to remain at their Virginia school address for the time being, and they intend to make it their principal home.<sup>6</sup> Note that a voter can only have one place of residency at a time. More information can be found on the state [website](#).

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<sup>6</sup> See Va. Code Ann. § 24.2-101 (“Residence” definition).; see *Dunn v. Blumstein*, 405 U.S. 330, 330 (1972); *Williams v. Salerno*, 792 F.2d 323, 328 (2d Cir. 1986).

Students who will be absent from the place where they are registered to vote because they attend school elsewhere are eligible to vote absentee in the original place where they are registered to vote.

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

Special rules apply to facilitate voting by [citizens residing abroad and for members of the military](#). See also [Federal Voter Assistance Program](#) and [Virginia specific procedures](#). If a voter is an absent military or overseas citizen eligible to vote in state and local elections, they may register to vote and submit an absentee ballot application electronically for a specific election for any elections up through the next year using the Department of Elections voter registration portal. Generally, a voter's residence for citizens living abroad is their (or their parents') address before moving abroad or for military personnel their residence when they enlisted or their last registered address.

**Registration:** Voters may register using the same methods as any other Virginia resident or may use the Federal Post Card Application (FPCA) (may be scanned and emailed). Members of the military and their dependents may register as late as the deadline for requesting a mail ballot, but overseas residents must meet the normal registration deadline.

**Ballot Request:** Voters may request an absentee ballot using the same methods as other Virginia voters or by submitting the FPCA by mail, email or FAX. The request must be received by October 25, 2024 for the General Election.

**Ballot Return:** The Ballot must be mailed back to the local election office and is subject to the same deadlines as other absentee ballots, i.e., postmarked by election day and received in 3 days. If the voter does not receive their state ballot in time, the voter may vote using a Federal Write-in Absentee Ballot, available at [www.fvap.gov](http://www.fvap.gov). Note, when time is short, it is possible to mail the FWAB on the day after requesting the ballot.

12. **CRIMINAL CONVICTION:** I have a felony criminal conviction. Can I register to vote? Does the type of conviction matter? Are there any restrictions after any misdemeanor convictions?

It depends:

Yes. If the voter has only been convicted of a misdemeanor then they can vote.

If the voter has been convicted of a felony, they may register and vote only if their rights have been restored by the Governor after review by the office of the Secretary of the Commonwealth. **If a person has a felony conviction in Virginia, they may check on the status of their restoration at the Secretary of the Commonwealth's Restoration of Rights webpage ([Restoration of Rights](#)).** If a person has a felony conviction in a state other than Virginia, that person must first have their rights restored in that state before being able to register to vote in Virginia.<sup>7</sup>

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<sup>7</sup> Va. Code Ann. § 24.2-427(B)(2); Va. Const. Art. II § I.



If the voter has not been convicted of a felony, but has been placed on a deferred disposition status for a felony offense and that status has not been revoked or resulted in a felony conviction, the voter may register and vote if they are otherwise eligible.

For additional information on restoration of voting rights for the formerly incarcerated in Virginia, visit <https://revivemyvote.wm.edu/>.

**13. INCARCERATED:** I am currently incarcerated. Can I register to vote? Can I vote from jail?

It depends:

Yes, if the voter is registered and confined awaiting trial, or confined following conviction for a misdemeanor. Voters who are currently incarcerated for a misdemeanor conviction should still check their voter status, register to vote if necessary, and request an absentee ballot from the Local Election Office. Under Virginia law, detention centers are required to facilitate absentee voting by qualified voters awaiting trial or incarcerated for a misdemeanor conviction.<sup>8</sup>

No, if the voter is incarcerated, on probation, or on parole following a felony conviction, they are not eligible to vote. Their right to vote can only be restored by the Governor, upon request, following the completion of their sentence.

**14. REGISTRATION CHALLENGED:** My registration has been challenged, what should I do?

If a voter's eligibility is challenged at the polls, the voter should notify the relevant election officer that he/she is qualified to vote. The election officer must then provide the voter with a form under which the voter swears that they are qualified. If the voter signs the statement, they shall be permitted to vote.

## HOW TO VOTE: ELECTION DAY

**15. HOURS:** When do the polls open/close on Election Day?

Polls **open at 6am and close at 7pm ET on Election Day.**<sup>9</sup>

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

Registered voters who have not moved can find their polling place on the [Citizen Portal](#). Voters can also look up the polling location for their address at the [Virginia Department of Elections - Polling Place Lookup](#).

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<sup>8</sup> Va. Code Ann. § 24.2-700.1

<sup>9</sup> <https://www.elections.virginia.gov/registration/election-voter-faq/>.

**17. TIME OFF WORK:** Is my employer required to give me time off to vote? Is it paid or unpaid?

There is no general leave statute for voting in Virginia.

**18. CLOSING:** What if the polls close when I am already in line?

If a voter is in line before 7pm when the polls close, they are able to vote.

**19. IDENTIFICATION:** What identification is required to vote?

ID is not necessarily required to vote (see [Question 20](#)). However, voters will be asked for ID.

Acceptable IDs include:

- A current or expired Virginia driver's license or DMV-issued ID card (licenses from other states may not be used);
- Valid employee ID card, containing a photograph, issued by the voter's employer (may be a public or private employer);
- U.S. Military ID or other government-issued ID card from a federal, Virginia, or local political subdivision;
- Valid student ID issued by a public or private school of higher education located in Virginia;
- Valid student ID, containing a photograph, issued by a public or private school of higher education located in the U.S.;
- Valid student ID issued by a public or private high school in Virginia;
- Valid U.S. passport or passport card;
- Voter ID card issued by the Department of Elections;
- Voter confirmation documents;
- Valid tribal enrollment or other tribal ID, if issued by one of the 11 tribes recognized by Virginia (list of tribes can be found here: <https://www.commonwealth.virginia.gov/virginia-indians/state-recognized-tribes/> );
- Nursing home resident ID if issued by a government facility;
- Current utility bill, bank statement, government check, or paycheck containing the name and address of the voter that is not more than 12 months old;
- Any other current government document containing the name and address of the voter.<sup>10</sup>

Note that "valid" refers to documents that are genuine and not expired for more than twelve months (as explained above, this does not apply to expired drivers licenses.) Student IDs are valid only if it is an officially adopted method of issuing a student ID by the institution.

**20. NO IDENTIFICATION:** Can I vote without providing identification?

Yes. If the voter does not have an acceptable form of ID, they may sign an ID confirmation statement and vote using a regular ballot, or vote a provisional ballot if they do not sign an ID confirmation statement. However, the voter will still need to provide an ID or signed

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<https://www.elections.virginia.gov/media/formswarehouse/voter-id/outreach-materials/documents/Voter-Identification-Chart-Rev-4-28-21.pdf>.

confirmation statement at the registrar's office by Friday at noon after the election. First time voters in federal elections who registered by mail and did not provide ID when registering may not use the ID Confirmation.

**21. NOT ON ROLLS AT MY POLLING PLACE:** I am at my polling place but am not showing up 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 officers of election must contact the general registrar to determine whether the voter is registered and in the correct precinct. Upon verification of registration and precinct location, the voter will then have to sign a statement attesting that they are qualified and registered to vote in that precinct, and then must be allowed to vote a **regular** ballot.<sup>11</sup>

If the poll worker is unable to confirm whether the voter is registered and eligible to vote at that precinct, but that voter believes they are, that voter can cast a **provisional** ballot.<sup>12</sup> A better approach, however, may be to use **same day registration**, which will register the voter at their current address or, if the voter is already registered at an old address, will serve to update their registration to their new address. If it is later determined that the voter was at the wrong precinct for their current address, then the provisional ballot will NOT count.<sup>13</sup>

**22. GIVEN PROVISIONAL BALLOT:** I am being told I have to vote provisionally, what does that mean?

Inquire why the voter was offered a provisional ballot. A voter should only be offered a provisional ballot when:

- The voter does not have the required ID and refuses to sign an ID Confirmation Statement;<sup>14</sup>
- The voter's name is not in the poll book, the voter believes they registered in that precinct and the registrar's office cannot be contacted to verify the voter's registration (see [Question 19](#));<sup>15</sup>
- The voter's name is marked in the poll book to indicate that they have already voted in person;<sup>16</sup>
- The voter applied for or has been sent an absentee ballot, but never received or lost the absentee ballot and attempts to vote in person;<sup>17</sup> or
- The polling hours are extended by court order and the voter was not already in line by the time the polls would have otherwise closed (7:00 pm ET).<sup>18</sup>

Other than for these reasons, the voter should be able to cast a regular ballot. **A provisional ballot should be a last resort.** If the voter must cast a provisional ballot, remind the voter to ask the poll worker if any additional steps will be needed to make sure that the ballot is counted.

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<sup>11</sup> Va. Code Ann. § 24.2-652.

<sup>12</sup> Va. Code Ann. § 24.2-653(A).

<sup>13</sup> Va. Code Ann. § 24.2-653(B).

<sup>14</sup> Va. Code Ann. § 24.2-643(B).

<sup>15</sup> Va. Code Ann. §§ 24.2-652, 24.2-653(A).

<sup>16</sup> Va. Code Ann. § 24.2-651.1.

<sup>17</sup> Va. Code Ann. § 24.2-653.1.

<sup>18</sup> Va. Code Ann. § 24.2-653.2.

**23. REQUESTING PROVISIONAL BALLOT:** I am being told I can't vote, can I vote provisionally?

Yes. Voters without ID may vote a regular ballot upon completing an ID Confirmation Statement. If they decline to sign a statement, they may receive a provisional ballot. Voters whose registration cannot be verified may use same day registration and vote a provisional ballot. The voter will be provided instructions to ensure that their vote will still count. It is essential that voters be in the correct precinct for their address, otherwise their provisional ballot will not count.<sup>19</sup>

**24. PROVISIONAL BALLOT NEXT STEPS:** I voted a provisional ballot, what now?

If the voter voted a provisional ballot because they chose not to sign the ID Confirmation Statement, they need to submit a copy of a valid ID by 12:00 noon the Friday after the election.

If the voter voted a provisional ballot, they should receive additional information and instructions for completing paperwork related to that ballot from their local general registrar.

Generally, provisional ballots are sealed in a green envelope, and placed into one of two larger green envelopes depending on when the provisional ballot was cast. Provisional ballots are not mixed in with regular ballots.<sup>20</sup>

The electoral board will meet the day after Election Day to review each provisional ballot to determine if the vote will be counted. That process must be concluded within seven days.<sup>21</sup> Voters who vote provisional ballots are able to attend the hearings with the electoral board. Election officers at the polling place should have that information.

If the board is unable to determine the validity of all the provisional ballots offered in the election, or has granted any voter who has offered a provisional ballot an extension, the meeting shall stand adjourned, not to exceed seven calendar days from the date of the election, until the board has determined the validity of all provisional ballots offered in the election.<sup>22</sup>

## **HOW TO VOTE: IN-PERSON EARLY** **VOTING**

(in this state defined as: Early Voting In-Person )

<sup>19</sup> Va. Code Ann. § 24.2-653(B).

<sup>20</sup> <https://www.elections.virginia.gov/media/training/Intro-to-Provisional-Ballots.pdf>.

<sup>21</sup> <https://law.lis.virginia.gov/vacode/title24.2/chapter6/section24.2-653.01/>.

<sup>22</sup> Va. Code Ann. § 24.2-653.1.

25. **AVAILABILITY:** Is there early voting in my state (whether called early voting or in person absentee voting)?

Yes.

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

No, the voter does not need a reason to vote early.

27. **WHEN:** When does early voting begin/end?

Early voting begins 45 days before the General Election Day (**Friday September 20, 2024 for the November 5, 2024 general election**) and ends the Saturday before Election Day (**November 2, 2024**) at 5pm.<sup>23</sup>

28. **WHERE:** Where do I vote during early voting?

The voter can vote early at their local [registrar's office](#) or any satellite voting location in the voter's jurisdiction (county or city).

29. **IDENTIFICATION:** What identification is required for early voting? What if I don't have an ID?

The same ID as required for voting on Election Day. See [Questions 19-20](#).

30. **ASSISTANCE:** What if I need assistance voting early in person?

Accessible equipment and/or curbside voting is available upon request (see [Question 80](#)). See also [Questions 36-81](#).

## **HOW TO VOTE: VOTE BY MAIL**

(in this state defined as: Vote Absentee by Mail)

31. **AUTOMATIC MAIL BALLOT:** Will I automatically be sent a ballot in the mail?

It depends.

To be sent a ballot in the mail, Virginia voters must **request** an absentee ballot. However, on the application form, voters can ask to receive mail ballots at their **registered** address for all future elections. They may not utilize this option to ask that ballots be mailed to another address. If

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<sup>23</sup> <https://www.elections.virginia.gov/casting-a-ballot/calendars-schedules/upcoming-elections.html>.

voters elect to vote by mail for all future elections, they must select one party's primary ballots, or note that they do not wish to receive primary ballots by mail.

32. **ELIGIBILITY:** [Do I need a specific reason to vote by mail?](#)

No. Virginia recently expanded early voting to allow absentee by mail without a stated reason.

33. **APPLICATION DEADLINE:** [What is the deadline for requesting a mail-in ballot?](#)

**The voter's local office must receive the absentee ballot application by mail, email, or fax by 5:00 p.m. on the eleventh day before the election (Friday, October 25, 2024).**<sup>24</sup> However, voters should submit their applications as soon as possible to ensure that the voted ballot can be returned by the deadline.

34. **APPLICATION ASSISTANCE:** [Can someone assist me with filling out the application?](#)

An applicant who requires assistance by reason of a physical disability or an inability to read or write, and who requests assistance may be assisted. This includes voters who need language assistance.

Specifically, on the application to vote by mail, Item 7c asks the voter if they need assistance completing their ballot due to a disability, blindness, or an inability to read or write. If the box is checked, an assistance form will be sent with the ballot. Additionally, if a voter is print-disabled and would like to receive their ballot electronically, they may opt to do so.

Finally, Item 7d on the application to vote by mail allows for an assistant to complete the form for the voter.

35. **APPLICATION RETURN:** [How do I submit my mail-in ballot application? Can someone return it for me? Does it have to be postmarked by a specific date?](#)

Completed and signed paper requests for absentee ballots can be delivered (not postmarked) to the voter's local registrar's office in person or by mail, fax, or scanned attachment to an email. Yes, someone can return an application on the voter's behalf.

36. **IDENTIFICATION:** [Are there identification requirements when I return my mail-in ballot application and/or ballot?](#)

No ID is required with the application. But, if a voter is registered by mail, federal law requires them to show ID when voting for the first time in a federal election if they did not send a copy of IDs with their voter registration applications.

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<sup>24</sup> Va. Code Ann. § 24.2-701.B.2

The absentee voters to which this requirement applies will receive a notice explaining the requirements with their absentee ballot. Voters who receive this notice need to include a copy of any of the following types of ID with the voted ballot:

- A current and valid photo ID (like a driver’s license); or
- A current utility bill, bank statement, government check or paycheck that shows name and address; or
- Another government document that shows name and address (like a voter card).

If a voter returns an absentee ballot by mail without a copy of one of these forms of ID, the absentee ballot will be treated as a provisional ballot and counted only if the voter provides a copy of ID to the electoral board by the deadline applicable to all voters.

**37. RECEIVING MAIL BALLOT:** *Does the ballot have to be sent to my home, or can I have it sent somewhere else? What if I don’t have a home address or my address is a PO Box?*

Ballots may not be forwarded by the Post Office or sent “in care of”/”to the attention of” another person. The voter’s ballot can only be mailed to one of the following:

1. The voter’s address at which they are registered;
2. The voter’s temporary location while outside the city/county of residence;
3. The voter’s place of temporary confinement for illness, disability, misdemeanor conviction, or awaiting trial.

**38. MISSED THE APPLICATION DEADLINE:** *What if I have not requested a mail-in ballot by the deadline?*

Virginia has two types of *emergency* absentee voting under certain circumstances:

1. The voter was unable to meet the absentee by mail deadline of Friday, October 25, 2024, due to their hospitalization or illness; the hospitalization, illness, or death of a spouse, child, or parent; or another emergency found to justify an emergency absentee ballot. The best course of action here is for the voter or a designated representative to call their local Board of Elections/registrar.

- Deadline to request an emergency absentee ballot is prior to 2:00 pm on the day preceding the election (**Monday, November 4, 2024**).
- If the voter is approved for an emergency ballot, their general registrar shall provide the absentee ballot to their designated representative for delivery to the voter.
- The voter shall mark the ballot in the presence of their designated representative.
- The ballot shall be counted only if the ballot is received by the general registrar prior to the close of polls.

2. An unexpected obligation after noon on the Saturday before the election (**November 2, 2024**) – the voter is either an officer of election who was assigned after noon on the Saturday before the election to work in a precinct other than their own; or an obligation arose after noon

on that Saturday due to 1) the voter's business, profession, or occupation; 2) the hospitalization of themselves or a member of their immediate family; or 3) the death of a member of their immediate family. The voter must apply and vote *in person* by 2:00 pm on the day preceding the election (Monday, November 4, 2024).

The voter must complete an [Emergency Absentee Ballot Application](#) for either type of situation.

**39. STATUS OF APPLICATION AND/OR BALLOT:** How can I check the status of my application and/or mail-in ballot?

Virginia voters may use the following websites to track if their application was received and if their ballot was sent:

- The [Citizen Portal](#)
- The [Ballot Scout](#)
- Some Cities and Counties may have their own on-line tracking system or information about the ballot may be obtained by calling the [Local Voter Registration Office](#).

**40. APPLICATION OR BALLOT REJECTED:** I learned my mail-in ballot application and/or ballot was rejected. What can I do to fix any errors or get another one?

The voter should call the voter's [Local Voter Registration Office](#) to ask why the ballot was rejected, and, if prior to the deadline to request an absentee ballot (October 25<sup>th</sup>, 2024), how to fix such errors to request a new one.

If the voter's absentee ballot application was rejected and it is after the deadline to request a new ballot, the voter should make plans to vote in person if at all possible.

**41. COMPLETING BALLOT:** How do I complete the mail-in ballot?

After the voter marks their choices on the ballot, it is placed within the inner (secrecy) envelope which is sealed. All questions on the inner envelope are filled out. It is essential that both the voter and a witness sign the ballot envelope. The inner envelope is then placed in the mailing envelope.

Certain voters who are voting for the first time in a federal election may have to send a copy of their ID if they did not send a copy with their voter registration. See [Question 36](#).

**42. ASSISTANCE COMPLETING BALLOT:** Can someone assist me in filling out my ballot?

A voter who will require assistance in filling out their absentee mail-in ballot must indicate on their absentee ballot application that they require assistance in voting. Once the voter receives their absentee ballot, it will include a form for their assistant to sign.



Voters who are print disabled, may request to receive an absentee ballot electronically to mark it using an [electronic ballot-marking](#) tool. The ballot will be delivered by email and can be marked using screen reader assistive technology. To vote absentee, select the “print disabled” option under section 7c of the absentee ballot application. If the voter prefers, they may apply to vote absentee online using the [citizen portal website](#). Click on “Apply to Vote Absentee by Mail” then follow the prompts and indicate that the voter is print disabled and wishes to use the electronic ballot-marking tool.

**43. DEADLINE TO RETURN BALLOT:** *What is the deadline for the ballot to be received? Does it have to be postmarked by a specific date? Can I drop it off in person?*

Completed ballots must be returned to the voter’s local registrar or a drop box by 7:00 p.m. on Election Day. If returning by mail, it must be postmarked on or before Election Day and received by the voter’s local registrar by noon on the third day after the election (Friday) (in the event that that Friday is a holiday, the deadline is moved to the following business day).

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

Completed ballots may be dropped off at the general registrar’s office, any early voting site or election day polling place in the voter’s locality during the hours they are open. Contact the voter’s local election authority for the locations and hours of operation.

Some cities and counties are providing drop boxes for mail ballots. A list of drop-off locations is available on the voter’s county or city website.

**45. ASSISTANCE DROPPING OFF BALLOT:** *Can someone else drop off my completed ballot for me?*

Only the voter themselves can drop off their ballot at the registrar’s office, but there are no prohibitions or restrictions on who drops off the voter’s ballot at a ballot drop box.<sup>25</sup>

Two exceptions allow a voter’s representative to deliver ballots to the Board of Elections: (1) Replacement absentee ballots for a voter with a disability or illness or (2) Emergency absentee ballots, wherein a voter was unable to meet the absentee by mail deadline due to hospitalization or illness; the hospitalization, illness, or death of a spouse, child, or parent; or another emergency found to justify an emergency absentee ballot<sup>26</sup>

**46. LOST OR SPOILED BALLOT:** *What if I lost my mail-in ballot, made a mistake on it (spoiled it), or I received an incorrect ballot?*

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<sup>25</sup> Va. Code Ann. § 24.2-707(B).

<sup>26</sup> Va. Code Ann. § 24.2-703.2.

If sufficient time remains, voters may contact their city or county election office to obtain a replacement ballot. If a voter lost their ballot, they may go to their polling place or an early voting site and can cast a **provisional ballot** after providing a signed statement that they did not receive the ballot or have lost the ballot, subject to felony penalties for making false statements.<sup>27</sup> The provisional ballot will count if the prior ballot was not voted.

If the voter has spoiled their ballot or received an “unfit” ballot, they may either return the spoiled or unfit ballot to the general registrar before Election Day or return their unused ballot to the early voting site or Election Day polling place. **The voter is then entitled to vote a regular ballot.**<sup>28</sup>

47. **NON-RECEIPT OF BALLOT:** What if I requested a mail-in ballot but have not received it? What are my options for voting?

A voter can check the status of their ballot through the [Citizen Portal](#). Scroll down on the page to the section titled “Vote Absentee by Mail” and information on whether the application was approved, date the application was received, and the date the ballot was issued will be visible.

If the ballot was lost or the voter never received it, the voter can contact their local registrar. The voter can also still vote early in person or if time permits have another ballot sent. The voter can also cast a provisional ballot at the regular polling place on Election Day.<sup>29</sup>

48. **IN PERSON OPTION:** What if I requested or received a mail-in ballot but I want to vote in person on Election Day?

If the voter received an absentee ballot, but has spoiled the ballot or decides to vote in person instead, they may return the unused ballot to the Early or Election Day polling place. The voter is then entitled to vote a **regular** ballot. They can vote during early voting or at their polling place on election day.

If a voter lost or did not receive their ballot, they may go to their polling place and cast a **provisional** ballot after providing a signed statement that they did not receive the ballot or have lost the ballot, subject to felony penalties for making false statements. During the early voting period, voters without their mail-in ballot can vote a regular ballot if they sign a form.<sup>30</sup>

## **HOW TO VOTE: ABSENTEE**

(in this state defined as: Absentee by Mail)

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<sup>27</sup> Va. Code Ann. § 24.2-708(B) and § 24.2-653.1.

<sup>28</sup> Va. Code Ann. § 24.2-708(C).

<sup>29</sup> [https://www.elections.virginia.gov/media/absentee-landing-page/FAQ\\_absentee\\_voting.pdf](https://www.elections.virginia.gov/media/absentee-landing-page/FAQ_absentee_voting.pdf).

<sup>30</sup> Va. Code Ann. § 24.2-708(A).

49. **ELIGIBILITY:** Am I eligible to request an absentee ballot?

If a voter is registered, the voter can vote absentee either by mail or early in person. A voter does not need to have a reason to do so.

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

See [Question 33](#).

51. **IDENTIFICATION:** Are there any identification requirements?

See [Question 36](#).

52. **EMERGENCY:** Is there an emergency absentee ballot? If so, am I eligible?

See [Question 38](#).

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

See [Question 35](#).

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

See [Question 39](#).

55. **APPLICATION OR BALLOT REJECTED:** I learned my absentee ballot application and/or ballot was rejected. How can I confirm this and what can I do to fix any errors or get another one?

See [Question 40](#).

56. **COMPLETING BALLOT:** How do I complete the absentee ballot?

See [Question 41](#).

57. **ASSISTANCE COMPLETING BALLOT:** Can someone assist me filling out the ballot?

See [Question 42](#).

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

See [Question 43](#).

59. **BALLOT DROP OFF LOCATIONS:** Where can I drop off a ballot (instead of mailing it)?

See [Question 44](#).

60. **ASSISTANCE DROPPING OFF:** Can someone else drop off my completed ballot for me?

See [Question 45](#).

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

See [Question 46](#).

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

See [Question 47](#).

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

See [Question 48](#).

64. **IN PERSON ABSENTEE:** Where do I vote in-person absentee? When can I do this?

The voter can vote early at their local registrar’s office or a satellite voting location starting 45 days before election day. In-person absentee voting ends the Saturday before Election Day. See [Questions 25-30](#).

## POLLING PLACE ISSUES

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

Voters should immediately notify election officers if the polling place is not open. If voters can wait, they should wait until the election officials open the polling location. Verify that the voter is at the correct location.

66. **LONG LINES:** There are long lines at the polling place. What should I do? What if the polls are closing while I’m in line?

If a voter is in line when the polls close, the voter must be allowed to vote!

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

Voters should immediately notify election officers if voting equipment breaks down while the polls are open. A voter can use a paper ballot and should request one if it is not offered.<sup>31</sup>

68. **CAMPAIGNING:** What rules apply to people campaigning or “hanging around” my polling place? What counts as campaigning or electioneering? Can people approach me?

Generally, campaigning and “hanging around” outside polling places is prohibited within 40 feet of the entrance. People may not approach voters in an attempt to influence their vote within this area (i.e., “Hey you should vote for Candidate XXX!”). During the time the polls are open and ballots are being counted, it is unlawful for anyone to loiter or congregate within 40 feet of any entrance of any polling place. Additionally, it is prohibited to display any ballots, tickets, or campaign material within this distance, or to solicit or influence any person in casting their vote. It is also prohibited to hinder or delay a voter from entering or leaving a polling place.<sup>32</sup> Further, it is also unlawful to use a loudspeaker within 300 feet of a polling place on election day.<sup>33</sup> Prior to opening the polls, the officers of the election will post notices in the area within 40 feet of any entrance to the polling place indicating this area is a “Prohibited Area.”<sup>34</sup> Voters should be able to see these signs to know when they’ve entered the “Prohibited Area.”

For a thorough examination of federal and Virginia law against voter intimidation, see here: <https://www.wric.com/wp-content/uploads/sites/74/2020/10/Simon-20-046-issued.pdf>.

69. **VOTER CONDUCT:** What am I prohibited from wearing or doing in a polling place? Can I take photos inside?

Prohibited activities are dependent on location either the area inside the polling place and the prohibited area outside the polling place.

Only voters are allowed to display or wear campaign stickers, buttons, wristbands and apparel **in** the polling place. All others, including officers of election and authorized representatives, cannot wear any such apparel.<sup>35</sup>

While there are no laws prohibiting voters from taking pictures or selfies in the voting booth, if doing so disrupts voting or intimidates other voters, they may be removed from the polling place.

70. **POLL WORKER CONDUCT:** What is a poll worker prohibited from wearing or doing in a polling place?

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<sup>31</sup> Va. Code Ann. § 24.2-642(C).

<sup>32</sup> Va. Code Ann. § 24.2-604(A).

<sup>33</sup> Va. Code Ann. § 24.2-605.

<sup>34</sup> Va. Code Ann. § 24.2-604(B).

<sup>35</sup> [https://www.elections.virginia.gov/media/training/Prohibited\\_Activities.pdf](https://www.elections.virginia.gov/media/training/Prohibited_Activities.pdf).

Poll workers may not display or wear campaign stickers, buttons, wristbands, or apparel in the polling place.

While a voter can request that a poll worker assist with submitting their ballot, the poll worker's duty is to always maintain each voter's right to a private ballot. If a poll worker is monitoring a tabulator or ballot scanner after providing the voter with submission instructions, they must back away so that the voter's ballot choices cannot be seen.<sup>36</sup> They should not make any comments suggesting who the voter should vote for or make comments either favorably or criticizing the party whose ballot is requested.

71. **INTIMIDATION:** Are there any other specific restrictions on conduct outside of a polling place? What should I do if I feel unsafe or uncomfortable outside the polling place?

It is unlawful for anyone to

- (i) hinder or delay a qualified voter;
- (ii) hinder or delay any officer of election; or
- (iii) otherwise impede the orderly conduct of the election.

Voters also may not knowingly possess a firearm while inside or within the 40-foot area of a polling place, including one hour before and one hour after the use of a building as a polling place. Exceptions include a qualified law-enforcement officer or retired law-enforcement officer, any person occupying their own private property that falls within 40-feet of the polling place, or a licensed armed security officer whose employment or performance of their duties occurs within 40-feet of the polling place.

Voters who feel unsafe or uncomfortable outside the polling place, should notify the state and local election officials at the polling place, who are instructed to resolve such issues informally, if possible.

Voters who are not satisfied with that outcome, should call the Department of Elections at (800) 552-9745 as soon as possible, preferably before the polls close. They may also file a formal complaint using the Virginia's Voter Complaint form within ten days of the incident ([https://www.elections.virginia.gov/media/formswarehouse/voter-complaints/ELECT-15512-Management-Voter-Complaint-Form-9-17-\(1\).pdf](https://www.elections.virginia.gov/media/formswarehouse/voter-complaints/ELECT-15512-Management-Voter-Complaint-Form-9-17-(1).pdf)).

72. **CHALLENGE:** Someone is formally challenging my vote. What should I do?

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<sup>36</sup> <https://www.elections.virginia.gov/officer-of-elections/>.

Any qualified Virginia voter may challenge the qualifications of any other Virginia voter. If someone officially challenges a voter through a signed challenge, the officer of elections will explain to the voter the required qualifications and may question the voter on their eligibility. If the challenged voter insists they are qualified, and the challenge is not withdrawn, the voter must sign a statement swearing that, to the best of their knowledge, the voter is not disqualified from voting, has not previously voted in this election, and is the person they say they are. If the challenged voter refuses to sign this statement, they will not be permitted to vote. If the challenged voter does sign this statement, they must be permitted to vote a regular ballot, unless they were otherwise required to use a provisional ballot.<sup>37</sup>

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

Prohibited activity generally doesn't apply to law enforcement officers or retired law enforcement officers at a polling place.<sup>38</sup> In some instances, law enforcement officers may be asked to respond to incidents of voter intimidation. However, if a voter feels that law enforcement is itself engaging in voter intimidation, they should alert an election officer at their polling place as soon as possible.

74. **THOUGHT WAS REGISTERED:** My name isn't on the voter registration roll but I thought I was registered. What should I do?

If a voter is not found on the rolls of the polling place where the voter is attempting to vote, the officers of election must contact the general registrar to make sure the voter is registered, that their registration has not been canceled, and that they are in the correct precinct. Upon verification of registration, the voter will then have to sign a statement attesting that they are qualified and registered to vote in that precinct, and then must be allowed to vote a regular or provisional ballot.<sup>39</sup>

If the poll worker is unable to confirm that the voter is eligible to vote, the voter should verify that he is at the correct precinct and use same day registration. Alternatively, the voter can cast a **provisional** ballot.<sup>40</sup> However, if it is later determined that the voter was at the wrong precinct, then the provisional ballot will NOT count.<sup>41</sup>

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

See info in the [How to Vote: Election Day](#) Section.

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<sup>37</sup> Va. Code Ann. § 24.2-651.

<sup>38</sup> Va. Code Ann. § 24.2-604(F).

<sup>39</sup> Va. Code Ann. § 24.2-652.

<sup>40</sup> Va. Code Ann. § 24.2-653(A).

<sup>41</sup> Va. Code Ann. § 24.2-653(B).

# ACCESSIBILITY/ASSISTANCE

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

Yes. Voting information and instructions should be posted at each active voting place. In addition, a voter may request instruction for the proper use of the voting system from an election officer. The officer should provide technical instruction to the voter but shall not seek to influence or intimidate the voter in any manner.<sup>42</sup>

**77. PHYSICAL DISABILITY:** I have a physical disability and need assistance. Is my polling place ADA compliant? Does my voting location have an accessible voting system?

**It should be.** There is at least one voting machine accessible to voters with disabilities at each polling place. Differently abled voters should be able to vote in the same private and independent manner as a voter who is not differently abled.<sup>43</sup>

The voter may need to request assistance, but upon that request, should be directed to the appropriate resources. A voter may either bring someone with them to assist or receive assistance from an officer of election.<sup>44</sup>

### **Blindness**

See [Question 78](#). If a voter is blind, the person providing assistance may assist the voter in the preparation of the ballot according to their instructions. The person providing assistance may not influence the vote or divulge or indicate how the voter voted on any office or question.

Virginia polling places, including early voting locations, meet state and federal accessibility standards. The voter can find:

- Accessible parking spaces;
- Curbside - where needed (see [Question 80](#));
- Signs showing an accessible entrance and route into the building;
- Accessible voting booth with chair;
- Seating available for voters waiting to vote;
- Sufficient space for voters in wheelchairs;
- Notepads available to communicate in writing;
- Magnifier for election material and the ballot.

Voters can contact the below entities with further questions about accessibility:

- [Local Voter Registration Office](#);

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<sup>42</sup> Va. Code Ann. § 24.2-647.

<sup>43</sup> <https://www.elections.virginia.gov/casting-a-ballot/accessible-voting/>.

<sup>44</sup> [https://www.elections.virginia.gov/media/training/Accessibility\\_and\\_Etiquette.pdf](https://www.elections.virginia.gov/media/training/Accessibility_and_Etiquette.pdf).



- Contact the Virginia Department of Elections at (800) 552-9745 or [info@elections.virginia.gov](mailto:info@elections.virginia.gov);
- TTY Phone Access for Hearing Impaired: Contact Virginia Relay Service at 711 and ask them to call the Virginia Department of Elections at (800) 552-9745 or the [Local Voter Registration Office](#).

**78. 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. If blind, a voter is entitled to have an officer of election or any other person of their choice provide assistance.

Any voter who is unable to read and write or differently abled for any cause other than blindness is entitled to have an officer of election or any other person of their choice, other than the voter's employer, an agent of the employer, or an officer or agent of the voter's union, mark the voter's choices or assist the voter in marking their choices on the ballot.<sup>45</sup>

**79. LANGUAGE ACCESS:** I am not an English speaker. What language resources are available? Can I bring someone in the booth to help me understand the ballot?

If the voter requires assistance in a non-English language, an officer of election will ask authorized representatives if there is a volunteer who can interpret for the voter. One interpreter from each party or candidate, as available, is permitted to observe the communication with the voter.

This person may not enter the booth with the voter unless (i) the voter signs a request stating that he requires assistance by reason of physical disability or inability to read or write and (ii) the officer of election or other person signs a statement that he is not the voter's employer or an agent of that employer, or an officer or agent of the voter's union, and that he will act in accordance with the requirements of Section 24.2-649 of the Virginia State Code.<sup>46</sup> A voter may be accompanied into the voting booth by their child if the child is 15 years old or younger.<sup>47</sup>

**80. CURBSIDE VOTING:** Is curbside voting available? How do I request it?

Yes. If the voter is (1) 65 or older or (2) temporarily or permanently cognitively or physically differently abled or (3) in a declared state or emergency related to a communicable disease, they are entitled to request that an officer of election hand them a printed ballot outside the polling place but within 150 feet of the entrance to the polling place. The voter should mark the printed ballot in the officer's presence but in a secret manner.<sup>48</sup> The instructions on how to notify an officer of election of this requested service should be prominently displayed at the polling place.

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<sup>45</sup> Va. Code Ann. § 24.2-649(B).

<sup>46</sup> Va. Code Ann. § 24.2-649(A).

<sup>47</sup> Va. Code Ann. § 24.2-643(B).

<sup>48</sup> Va. Code Ann. § 24.2-649(A).

Voters should make sure they use the designated parking space at the polling location and follow any instructions on any signage. Voters may bring an assistant who can enter the polling place to ask an election officer for curbside assistance. Voters may also call ahead and alert the election officers of the plan that the voter plans to arrive.

**81. VOTER GUIDE:** *Can I bring a voting guide or reference notes with me into the voting booth?*

**Probably.** Note that electronic devices within the polling place are generally permitted but officers of election are authorized to monitor and restrict the use of electronic devices within the polling place. The following are reasons for restricting electronic device use:

- if the use attempts to solicit or in any manner attempts to influence any person in casting their vote;
- or if the individual attempts to intimidate another individual through use of an electronic device.

## **STATE SPECIFIC SUPPLEMENT**

**82. VIRGINIA ELECTION JURISDICTIONS:** Who administers VA elections?

In Virginia elections are administered by officials in the voter's City or County. Cities are distinct from counties, i.e., no city is part of a county. In some cases there is both a city and county with the same name. E.g., there is both a Fairfax City and a Fairfax County. Furthermore, a mailing address may not necessarily reflect the voter's jurisdiction, for example, part of Fairfax County has the mailing address Alexandria. If you are looking up a voter's information make sure you are looking in the correct jurisdiction.

**83. QUESTIONS:** Who should I contact if I have questions about any of the above?

Voters should contact their local Registrar at their [Local Voter Registration Office](#). (these names may vary depending on the city or county).