

THE ABSENTEE VOTER'S BILL OF RIGHTS
Last revised, September 9, 2020; Indiana Code 3-11-10-25(g)

INSTRUCTIONS:

The County Election Board mails a copy of this document to the voter with the absentee ballot.

Fellow Voter:

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

- You have the right to mark your absentee ballot secretly, without anyone else being present when you mark the ballot or seal the ballot in the envelope.
- You have the right to mark your ballot without anyone engaging in “electioneering” in your presence if that person knows that you have an unmarked absentee ballot.
 - “Electioneering” means expressing support or opposition to a candidate, a political party, or public question. However, your spouse, a member of your household (*or your guardian, if you are incapacitated*) may express this support or opposition to you without violating the “electioneering law.”
- **IT IS A VIOLATION OF FEDERAL LAW AND INDIANA LAW FOR ANYONE TO ATTEMPT TO FORCE YOU TO MARK YOUR ABSENTEE BALLOT IN ANY PARTICULAR WAY.**
- **IT IS A VIOLATION OF INDIANA LAW FOR A PERSON TO PAY OR OFFER TO PAY AN INDIVIDUAL FOR CASTING AN ABSENTEE BALLOT, AND A VIOLATION OF INDIANA LAW FOR A PERSON TO ACCEPT ANY PAYMENT OR PROPERTY FOR CASTING AN ABSENTEE BALLOT.**
- If you are voting absentee by mail, then you must personally mark your ballot. A person with disabilities who is unable to make a voting mark on the ballot or sign the absentee ballot security envelope must vote before an absentee voter board. Please contact your county election board for more information.
- **CHECK YOUR BALLOT FOR 2 SETS OF INITIALS.** In order for an absentee ballot to be counted, it **must** contain two (2) sets of initials on the back of the ballot. Please inspect your ballot before mailing. If your ballot does not contain the initials, you have the right to request a replacement ballot. Please contact your county election board at the number provided on the bottom of this form and ask for an ABS-5 Affidavit or “Statement Concerning Defective, Lost, Destroyed, or Spoiled Absentee Ballot.”
- After you mark and seal your absentee ballot inside the security envelope used to return your marked ballot, **you have the responsibility to completely fill out and sign the affidavit on the back of the security envelope.** By signing the affidavit, you are swearing or affirming that all of the information on your affidavit is true. This information includes your name, complete residence address, and that you are eligible to vote in this election.
- You must also swear or affirm that you voted your absentee ballot in secret, and sealed the ballot in the envelope without any other person seeing how you voted. (*If you are voting by mail and another person provided verbal assistance to you or assisted*

you in sealing your ballot in the envelope, that person must also swear or affirm that they did not coerce or improperly influence you by completing the affidavit of assistance.)

- Failure to sign an absentee ballot envelope, or signing an absentee ballot envelope in a manner that does not match the most recent signature contained in your voter registration record is grounds for rejection of your ballot. If your ballot is rejected due to failure to sign or because of a mismatched signature, you will be notified by the county election board and will be given an opportunity to cure this problem. The cure process will require you to complete and sign an affidavit stating that the voted absentee ballot you returned was indeed your ballot. The signature on the affidavit will then be compared with the most recent signature on your voter registration record. You will have until noon, prevailing location time, eight (8) days after election day to submit the affidavit to your county election official. The cure procedure can be reviewed in its entirety on IndianaVoters.com.
- After you have sealed your absentee ballot inside the envelope you must return the envelope to the county election board in one of the following ways: 1) by U.S. mail or a bonded courier company; 2) by hand-delivering the envelope yourself to the county election board; 3) by delivering the envelope to a member of your household (or to a person to whom you have given your power of attorney). If you deliver the sealed envelope to a household member or your power of attorney, that person must deliver your ballot to the county election board in person, by U.S. mail, or by using a bonded courier company.
- **IT IS A VIOLATION OF INDIANA LAW FOR YOU TO DELIVER THE SEALED ENVELOPE CONTAINING YOUR MARKED ABSENTEE BALLOT TO ANY PERSON OTHER THAN THOSE PERSONS IDENTIFIED ABOVE, OR FOR THAT PERSON TO ACCEPT THIS ENVELOPE.**
- Even if you mail your ballot before election day, it will not count unless it is received by your county election board not later than 12 noon (local prevailing time) on election day.

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

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

Thank you again for exercising your right to vote.

NAME COUNTY ELECTION BOARD

Phone number

Mailing address