

**Disclaimer:**

This guide is designed for informational purposes only. It is not legal advice and is not intended to create an attorney-client relationship. The Election Protection Coalition does not warrant any information contained in this guide, nor does the Coalition suggest that the information in this guide should be used as a basis to pursue legal advice or decision making.

**Questions Involving Access to the Ballot:**

**1. What do I do if it is after 8:00 AM and the polling place is not open?**

Immediately contact the County Elections Commissioner to report the problem. You can find information on County Election Offices at [http://tnsos.org/elections/election\\_commissions.php](http://tnsos.org/elections/election_commissions.php)

If the polling place is open at 8:00 a.m. (CST) but the voting machines have not arrived, contact a Commander immediately. Voters should be permitted to vote by paper ballots (preferably) or by provisional ballots if there are no machines available.

**2. What do I do if it is 8:00 PM (EST) or 7:00 PM (CST) and my precinct is closed or closing and they will not let me vote?**

Immediately contact the County Elections Commissioner to report the problem. You can find information on County Election Offices at [http://tnsos.org/elections/election\\_commissions.php](http://tnsos.org/elections/election_commissions.php)

**3. There are equipment problems at my precinct and I cannot vote. What should I do?**

Encourage the voter to ask to vote by a back-up paper ballot or by provisional ballot. If a caller reports problems with machines, immediately contact the Electronic Frontier Foundation representative at the call center to walk you through the appropriate steps to solve the machine problem.

**Identification and Provisional Ballots:**

**1. I do not have any identification with me. Can I vote?**

Yes. Identification requirements apply only to first time voters who registered by mail. If the voter registered in person or has voted before, he or she need only present evidence of signature or sign an Affidavit of Identity. If the voter claims he or she is properly registered in the county and eligible to vote at the precinct in the election, but is told at the polling place that his or her registration is not listed, then the voter may vote by provisional ballot. Acceptable forms of ID to vote (which are quite expansive) can be found at <http://state.tn.us/sos/election/IDRequirementChart.pdf>. If possible, a voter should be encouraged to go and get an ID and NOT cast a provisional ballot.

**2. I am a registered voter who is not on the rolls at my precinct. Can I vote?**

Confirm that the voter is a qualified to vote (i.e., meets the age, criminal status and durational residency requirements found on pages 7-8 of the manual) and that the voter registered in time to vote in this election. Next, using the online poll locator tool (<http://www.vote411.org/bystate.php>), make sure the voter is at the correct polling place.

If the voter has registered on time, is eligible and is in the correct polling place, direct the voter to ask the poll worker to call the county clerk and confirm the registration. If the voter still is not on the rolls, let the voter know that the voter can vote by provisional ballot. This is a LAST resort as provisional ballots will only be counted if the county clerk can later verify the voter's registration status before the election is certified.

**3. Poll workers are turning voters away if they don't have photo ID.**

At the polls, voters can show any ID with signature or their voter registration card to vote, because only "evidence of signature" (or a signed Affidavit of Identity) is required – NOT a photo ID. However, more restrictive ID requirements apply to first time voters who registered by mail.

A registered voter must be allowed to vote by provisional ballot even if the voter does not bring an ID to the polling place. Contact a Commander immediately to report the problem. An attorney will be dispatched to the polling place. If feasible, a voter should be encouraged to get an acceptable ID and return to the polling place (see <http://www.state.tn.us/sos/election/index.htm> and click on "Voting ID Requirements" for acceptable forms of ID) and NOT cast a provisional ballot to avoid having to go to the County Recorder's office within 5 business days of a federal general election (3 business days for any other election) to verify his or her identity.

**4. I have been offered a provisional ballot. What should I do?**

Provisional ballots are a LAST resort.

Please remember that provisional ballots are not counted until the voters' eligibility is determined. Further, a voter must be at the correct precinct for the provisional ballot to count. If the central provisional ballot counting board determines that the person should not have been registered to vote in the precinct where the voter cast the ballot or that the voter has previously cast a ballot in the election in a different precinct, the provisional ballot will be rejected.

**Where to Vote:**

**1. Where do I vote (for voters who have not moved)?**

You can look up polling locations at [www.vote411.org](http://www.vote411.org). Further, these locations are established by the County Election Commission, and if the polling place is changed, this commission shall mail a notice of the voter's new polling place and precinct number to the voter.

**2. I have moved within the same PRECINCT and have not updated by address for voter registration purposes. Where should I vote?**

If the voter has moved within the same precinct, the voter should go to the appropriate polling place for that precinct. If the voter registration list still lists the voter's old address, the voter will be asked to update their registration. If the updated address is within the precinct, the voter must be permitted to vote.

**3. I have moved to a different precinct within the same COUNTY and I have not updated my address for voter registration purposes. Where should I vote?**

A registered voter who moves within the same county, either within the same precinct or to a new precinct, and who fails to notify the County Recorder before the election, may correct his or her registration address at the polling place for the new address. The voter must present a form of identification that has his or her full name and an address within the new precinct. The voter must also affirm the new residence address in writing and vote a provisional ballot.

A voter may also correct the residence address by making a written request for an early ballot and notifying the county recorder of the address change. The written request must contain the following: (1) a request to change the voter registration record; (2) the voter's new residence address; (3) an affirmation that the information is true and correct; and (4) the voter's signature.

Alternatively, a registered voter who moves to another precinct within the 29-day period preceding an election is deemed to be a resident and registered in the precinct from which the voter moved until the day after the election. In other words, the voter can vote at his or her old precinct polling place.

**4. I have moved from one county to another and have not updated my address for voter registration purposes. Where should I vote?**

If the registered voter has moved to the new county within 90 days of the election, the voter may vote in the polling place where the voter is registered. However, if a registered voter has been moved to a new county 91 days or more before an election, the voter must register in the new county by the registration deadline, and if this process is not completed timely, then the voter will not be permitted to vote in any elections until after the voter has properly registered.

## **Assistance at the polls:**

**I. I am physically disabled and need assistance; will my polling place be accessible?**

Tennessee law requires that each polling place be accessible to physically disabled voters, unless the state election commission and state election coordinator has, in officer's sole discretion, determined that the precinct cannot reasonably be made accessible to the handicapped voters. If this occurs, not later than 45 days before the election, the county shall publish in a newspaper of general circulation a notice advising the handicapped voter that such voter has the right to vote at the Election Commission office on Election Day. If a disabled voter wishes to vote at the County Election Commission office on Election Day, the voter must complete an affidavit at that office stating that the assigned voting location is not accessible. This affidavit must be completed not less than ten days before the first election in which the voter wishes to vote at the County Election Commission office.

If a voter reports that a polling place is not accessible to the handicapped, immediately contact a Commander, so an attorney can get in touch with the responsible election official to report the problem.

**2. I am blind; physically disabled or can not read English and require assistance at the polls in order to vote. Can I get assistance at the polls?**

A voter requiring assistance at the polls, because of blindness, disability or the inability to read or write, may take a election official, or a person of the voter's own choice, into the voting booth.

Tennessee is not covered by the language minority provisions of the Voting Rights Act of 1965. However, Section 208 of the Voting Rights Act, which applies to all states and political subdivisions, provides that any voter who requires assistance to vote by reason of blindness, disability, or inability to read or write may be given assistance by a person of the voter's choice, other than the voter's employer or agent of that employer or officer or agent of the voter's union.

If a poll worker refuses to allow a disabled or language minority voter to bring a person of the voter's choice into the voting booth, immediately contact a Commander to report the problem, so an attorney can get in touch with the responsible election official to report the problem.

## **Miscellaneous Issues:**

**1. I have been approached by candidates or others at the polls.**

All candidates may only be present at the polling place after the polls close. Generally, no person may be admitted to a polling place except election officials, voters, persons properly assisting voters, the press, poll watchers and others bearing written authorization from the County Election Commission.

Further, no campaigning of any kind can occur within 100 feet from the entrance to the polling place; however, a voter can be solicited if the solicitor is in compliance with this rule. If they are violating the 100-foot requirement, report the problem to a Commander and work with the Commander to assess if calling an election official is necessary. If an official should be contacted because the issue cannot be resolved, please contact a Commander.

**2. What if I requested an absentee ballot but I want to vote in person on Election Day?**

Once the election commission has issued an absentee ballot by mail, the voter can only vote by mail.

**3. There are people at the polls trying to intimidate voters.**

Contact a Commander immediately. An attorney will be dispatched to the polling place. If the voter agrees, put the voter on hold while you call the Commander so the Commander can send an attorney to the location immediately. Then, gather as much information from the voter as possible. Also, alert the call center manager.

**4. I have a felony conviction. Can I vote?**

You might have the right to vote. In Tennessee, most people who have been convicted of a felony are not permitted to register to vote or vote at any election unless pardoned by the governor, or unless full rights of citizenship have otherwise been restored as prescribed by law.

However, depending upon the date of the voter's conviction and the crime for which the voter was convicted, the voter may be able to have his or her voting rights restored. Encourage the voter to visit <http://state.tn.us/sos/election/restoration.htm> or to call the state Division of Elections at (615) 741-7956 to initiate this process, if applicable, for future elections.

**5. I am a college student; can I vote where I go to school?**

College students may register and vote where they go to school provided that they consider that location their voting residence. A voting residence is the residence the student claims as his/her home; the residence which qualifies the student to vote on a particular ballot. Students must be held to the SAME eligibility requirements as any other voter in the jurisdiction. If a student has been turned away at the polls, ascertain if the student has fulfilled all of the registration requirements (age, criminal status, durational residency requirements) and that he/she has registered on time for this election.

If the voter has registered on time, is eligible and is in the correct polling place, direct the voter to ask the poll worker to call the county clerk and confirm the registration. If the voter still is not on the rolls, contact a Commander.