

## **Overview of “Fail-Safe” Voting Provisions**

### **A) Executing Fail-Safe Provisions at the Polls with Paper Poll Book- No Electronic Poll Book**

- 1) Voter on poll list but has moved within the precinct\*- Voter checks box “address changed” and writes new address next to old address on poll list. (IC 3-7-39-7)
- 2) Voter on poll list but voter moved less than 30 days (within last 29 days) before the election anywhere within Indiana\*\*- Voter is permitted to vote in precinct of former residence after completing a VRG 4/12. No “oral affirmation” is permitted. Poll worker also distributes a new VRG-7 and asks voter to complete application. (IC 3-10-11-6 and 10)
- 3) Voter on poll list but moved at any time in the past within same county and same congressional district\*\*- Voter is permitted to vote in precinct of former residence after signing VRG 4/12 or making an oral affirmation to the poll clerks who write affirmation in poll book and initial the writing. Poll worker also distributes a new VRG-7 and asks voter to complete application. (IC 3-10-12-4)
- 4) Certificate of Error (COE)- Issued when county has made a mistake (voter in wrong precinct, for example). A copy of the COE is filed by the clerk with other election material for the precinct when material is returned. A COE may be issued any time after the printing of the poll books. If error discovered prior to printing the poll books the county may simply correct the VR records. (IC 3-7-48-1, 2 and 3)
- 5) Registration record cancelled but voter continues to reside at address- Voter makes oral or written affirmation that the voter continues to reside at an address the VR record shows voter as cancelled. An oral affirmation must be made to the poll clerks who write affirmation in poll book and initial the writing. Poll clerks have voter sign the back of the poll list. (IC 3-7-48-5)
- 6) Voter’s name not on poll list but voter has receipt from Full Service Agency (FSSA, BMV, DOH)- If VRG-6 receipt shows voter submitted application during the registration period and county has no record of rejecting the application from the voter, then voter fills out a new VRG-7 at the poll and votes a regular ballot. Poll worker adds note to back of poll list where voter signs and places application in the back of poll book (IC 3-7-48-7 and 8)
- 7) Voter on poll list but name has changed\*- Voter signs new name next to old and checks box “name changed.” The name change becomes “effective immediately.” (IC 3-7-41-2)

## **B) Executing Fail-Safe Provisions during Absentee Voting**

- 1) Voter on poll list but has moved within the precinct\*- Voter puts new address on the voter's absentee ballot application and votes if otherwise eligible. (IC 3-11-4-17.5(f) and IC 3-7-33-5(a)) *The election division recommends that the voter's registration record be "corrected" immediately to reflect the address change.*
- 2) Voter on poll list but voter moved less than 30 days (within last 29 days) before the election anywhere within Indiana\*\*- Voter files completed VRG 4/12 with a completed absentee ballot application. The VRG 4/12 is attached to the voter's application and ballot. (IC 3-10-11-7 and 9)
- 3) Voter on poll list but moved at any time within same county and same congressional district\*\*- Voter files completed VRG 4/12 with a completed absentee ballot application. The VRG 4/12 is attached to the voter's application and ballot. (IC 3-10-12-4)
- 4) Certificate of Error (COE)- Issued when the county has made a mistake. A COE may be issued any time after the printing of the poll books. If an error is discovered prior to printing the poll books the county may simply correct the error in the VR record. (IC 3-7-48-1, 2 and 3)
- 5) Voter name has changed\*- Voter may indicate a name change on an absentee ballot application. (IC 3-11-4-5.1(b)(3), IC 3-7-41-2) *The election division recommends that the voter's registration record be "corrected" immediately to reflect the name change.*

## **C) Executing Fail-Safe Provisions With Electronic Poll Book at the Polls**

- 1) Voter on poll list but has moved within the precinct\*- Voter writes change on a blank VRG 4/12. If voter makes an oral affirmation before the poll clerks, the poll clerks document the affirmation on a blank VRG 4/12 and initial it. (IC 3-7-39-7(d)[new]) *If the electronic poll book has the capacity, the election division recommends that voter records be updated with moves within the precinct captured on the electronic poll book by poll workers.*
- 2) Voter on poll list but voter moved less than 30 days (within last 29 days) before the election anywhere within Indiana\*\*- Voter is permitted to vote in precinct of former residence after completing a VRG 4/12. No "oral affirmation" is permitted. Poll worker also distributes a new VRG-7 and asks voter to complete application. (IC 3-10-11-6 and 10)
- 3) Voter on poll list but moved at any time within same county and same congressional district\*\*- Voter is permitted to vote in precinct of former residence after completing a VRG 4/12. Poll worker also distributes a new VRG-7 and asks voter to complete application. (IC 3-10-12-4) *If the voter*

*makes an oral affirmation, the election division recommends that it be documented on a VRG 4/12 or, if the electronic poll book has the ability to do so, the election division recommends that voter records be updated with moves within the same county and same congressional district if captured on the electronic poll book by poll workers.*

- 4) Certificate of Error (COE)- Issued when the county has made a mistake. A COE need only be issued after the downloading of voter information into the electronic poll book for the election. The VR record may simply be corrected before that time. Confirmation of a COE to the polls may be made via the electronic poll book. (IC 3-7-48-1, 2 and 3; IC 3-7-29-6(c))
- 5) Registration record cancelled but voter continues to reside at address- Voter writes affirmation that voter continues to reside at the same address shown on the canceled VR record on a blank VRG 4/12. If voter makes an oral affirmation before the poll clerks, the poll clerks document the affirmation on a blank VRG 4/12 and initial it. (IC 3-7-48-5(d)[new]) *The election division recommends that it be documented on a VRG 4/12 or, if the electronic poll book has the ability to do so, the election division recommends that voter records be updated with moves within the same county and same congressional district if captured on the electronic poll book by poll workers.*
- 6) Voter's name not on poll list but voter has receipt from Full Service Agency (FSSA, BMV, DOH)- If VRG-6 receipt shows voter submitted application during the registration period and county has no record of rejecting the application from the voter, then voter fills out a new VRG-7 at the poll and votes a regular ballot. (IC 3-7-48-7 and 8)
- 7) Voter on poll list but name has changed\*- Voter writes change on a blank VRG 4/12 and the poll clerks initial it. (IC 3-7-41-2(c)[new]) *If the electronic poll book has the ability to do so, the election division recommends that voter records be updated with name changes captured on the electronic poll book by poll workers.*

\*Note: All name changes and address changes are now processed as "corrections" and not as "updates." (IC 3-7-33-5(a))

\*\* In some circumstances a voter who moves may not be able to cast a vote for all candidates in a municipal election or on all public questions in their precinct of former residence. Please contact the election division for additional guidance.