

## Voting in Roane and Anderson Counties

### Roane

Charles Holiway  
P O BOX 157  
200 E. Race Street  
Roane Co Courthouse 1st Flr Suite 8  
City: Kingston  
Zip: 37763-0157

Phone: 865.376.3184  
Fax: 865.376.2017  
Email: [choliway@roanegov.org](mailto:choliway@roanegov.org)  
Web Site: [roaneelections.com](http://roaneelections.com)  
Hours: 8:30-4:30 M - F

### Anderson

Mark Stephens  
100 North Main Street  
Anderson Co Courthouse Room 207  
City: Clinton  
Zip: 37716-3617

Phone: 865.457.6238  
Fax: 865.457.5624  
Email: [acec@andersontn.org](mailto:acec@andersontn.org)  
Web Site: [acelect.com](http://acelect.com)  
Hours: 8:30-4:30 M - F

## Registering to Vote

In Tennessee, you can conveniently register to vote, or update your registration information, at your local Department of Safety (DOS) driver license office. Just download and complete an application for voter registration, or pick one up at the office, and they will send it to the elections commission for you. Or, you may register to vote when you apply for a driver's license or ID card.

You can also register to vote by mail using this application. The application provides the address to which you'll need to send it, depending on your district. Note that if you register by mail, you are required to vote in person the first time you vote.

You must register at least 30 days before the date of the election in which you intend to vote.

## Absentee Voting

There are many situations that make people eligible to vote absentee. Registered voters are allowed to vote absentee without reason during the early voting period, which is usually five to 20 days before the election, if there *is* opposition on the ballot, and 10 days before the election if there *isn't* opposition on the ballot. Registered voters are also able to vote by mail as long as they request the application from the county election commission between seven and 90 days before the election. Following this process, you must give certain information, including the reason you wish to vote by mail.

### 1. What is absentee voting?

Absentee voting is a voting method that involves voting on a day earlier than the actual election day. Tennessee has two forms of absentee voting:

1. Absentee in person, which is better known as early voting, and
2. Absentee by mail, which is commonly called by-mail voting.

## **2. Who may apply to vote absentee?**

To vote as an early voter, a registered voter may vote without giving a reason during the established early voting period. The early voting period typically begins twenty (20) days before an election and ends five (5) days before an election. In those instances in a city election where there is not any opposition on the ballot, early voting begins ten (10) days before the election.

To vote by mail, a registered voter must fall under one of the following categories:

1. The voter will be outside the county of registration during the early voting period and all day on election day;
2. The voter or the voter's spouse is enrolled as a full-time student in an accredited college or university outside the county of registration;
3. The voter's licensed physician has filed a statement with the county election commission stating that, in the physician's judgment, the voter is medically unable to vote in person. The statement must be filed not less than five (5) days before the election and signed under the penalty of perjury;
4. The voter resides in a licensed facility providing relatively permanent domiciliary care, other than a penal institution, outside the voter's county of residence;
5. The voter will be unable to vote in person due to service as a juror for a federal or state court;
6. The voter is sixty-five (65) years of age or older;
7. The voter has a physical disability and an inaccessible polling place;
8. The voter is hospitalized, ill, or physically disabled and because of such condition, cannot vote in person;
9. The voter is a caretaker of a person who is hospitalized, ill, or disabled;
10. The voter is a candidate for office in the election;
11. The voter serves as an election day official or as a member or employee of the election commission;
12. The voter's observance of a religious holiday prevents him or her from voting in person during the early voting period and on election day;
13. The voter possesses a valid commercial driver license and certifies that he or she will be working outside the state or county of registration during the early voting period and all day on election day;
14. The voter is a member of the military or is an overseas citizen.

## **3. What is the process for requesting the by-mail ballot?**

To request a by-mail absentee ballot, mail, fax or email with an attached document which includes a scanned signature the following information directly to your local county election commission office:

1. Name of the registered voter
2. Address of the voter's residence
3. Voter's social security number
4. Address to mail the ballot outside the county (this applies only when the reason for voting by mail involves that the voter will be outside of the county during early voting and on election day)
5. The election the voter wishes to participate in. If the election involves a primary, the political party in which the voter wishes to participate
6. Reason the voter wishes to vote absentee
7. Voter's signature

A request that contains this information will be processed and a ballot will be mailed to the voter.

**4. Is any additional information required for individuals who have registered to vote by mail?**

Unless an individual who has registered to vote by mail is on the permanent absentee voting register, that person must appear in person to vote in the first election after the registration becomes effective. If a by-mail registrant has already voted in person since the registration, then no additional information will be required to vote by mail.

**5. How can a person vote who possesses a valid commercial driver license and who will be working outside the county of registration during the early voting period and all day on election day? If the voter possesses a valid commercial driver license and does not have a specific out-of-county or out-of-state location to which mail may be sent or received during the early voting or election day hours, the voter may:**

1. Complete an application to vote absentee by mail at the voter's county election commission office; or
2. Send a written request that contains the information discussed in the question above; and
3. Provide the commercial driver license number on the voter's current commercial driver license;
4. Provide the voter's current residential address and any mailing address to which the ballot shall be mailed.

**6. When may a registered voter apply to vote by mail?**

A registered voter may request an application for by-mail ballot no earlier than ninety (90) days before the election and no later than seven (7) days before the election. To be processed for the next election, the application must be received by the election commission no later than seven (7) days before the election.

**7. To be counted, when must the ballot be received by the election commission?**

The county election commission must receive the ballot by mail no later than the close of polls on election day. Once the election commission issues an absentee by-mail ballot to a voter, the voter can only vote by mail.

**8. What if I do not receive or ruin my ballot and can no longer use it?**

If a voter notifies the election commission that he or she has "spoiled" a ballot or has not received the ballot, the election commission shall note on the records that subsequent supplies have been sent and supply the voter with subsequent voting supplies.

**9. What if I do not provide all of the information required on the by-mail ballot application?**

The county election commission will reject the application and return the application to the voter immediately by mail to be completed and returned again. If time permits, any rejected application must be corrected and returned to the County Election Commission by the seventh (7th) day before the Election.

**10. Can the ballot be hand delivered?**

No. The by-mail ballot must be received by the county election commission office through the postal mail.

## **Military/Overseas Voting**

Tennessee residents who are military personnel, or family members of military personnel, and are currently stationed outside of Tennessee or overseas may still vote using the Federal Post Card Application Process. Complete the application and mail it to your local county election commission. All ballots must be received by the time the polls close on election day.

This process also applies to Tennessee residents currently living outside of the U.S. and people who were born outside of the U.S. but have Tennessee resident parents who are eligible to vote in Tennessee.

If you are not in the military, a family member of the military, or an overseas citizen, these instructions do not apply to you and you may not use the Form 76. Please refer to Absentee Voting.)

### **1. Who may apply to vote absentee under T.C.A. § 2-6-502?**

To vote pursuant to the above statute, an individual must fall into one of the following categories.

- **MILITARY PERSONNEL:** Persons who are United States citizens, residents of Tennessee and members of the Uniformed Services (i.e., armed forces personnel), and their family members. "Armed forces personnel" is defined in T.C.A. § 2-1-104(1) as members of the army, navy, air force, marine corps, coast guard, environmental science service administration, public health service of the United States, or members of the merchant marine of the United States, and their spouses and dependents.
- **CIVILIANS OUTSIDE U.S.:** Persons who are United States citizens, residents of Tennessee, and who are currently residing overseas.
- **OVERSEAS CITIZEN:** A United States citizen who resides outside the U.S. and, but for living outside the U.S., would be qualified to vote in Tennessee.
- **PERSONS BORN OVERSEAS:** A person who has never lived in the U.S. but has a parent who is eligible to vote in Tennessee may vote in Tennessee in the same voting residence claimed by the parent.

### **2. Must I already be a registered voter to vote in Tennessee pursuant to this provision?**

No. If you meet the qualifications to register to vote in Tennessee but have not registered prior to requesting an absentee ballot and you fall into one of the above categories, your application for absentee ballot will be treated as an application for temporary registration.

Normally, an individual who registers to vote by mail must appear in person in the first election the person votes in after such registration becomes effective. This provision is waived in the case of military personnel, their family members, or overseas citizens. However, since this is only a temporary registration, once you are no longer eligible to vote under this provision of the law, you must complete a voter registration form and submit the form to your local county election commission prior to voting in any subsequent election.

If you are a registered voter prior to requesting an absentee ballot under this provision, the above information does not apply to you.

### **3. When may a registered voter or individual who meets the above requirements apply to vote by absentee ballot?**

Applications may be received no earlier than January 1 of the year in which the election is to be held unless the election is to be held less than ninety (90) days after January 1 of the calendar year. In that case, the application may be received no earlier than ninety (90) days before the election and no later than seven (7) days before the election.

### **4. What is the process for requesting an absentee ballot?**

An individual who meets the above requirements may request an absentee ballot by completing a Federal Post Card application, also known as a "Form 76 or FPCA" (herein Form 76). The Federal Voting Assistance Program provides an online version of the Form 76 that a voter may complete and send to the

local county election commission. (Go to the bottom of the page and click “Click Here To Get The Form.” For information on Tennessee click the “states pages” and then Tennessee.) Once you have provided all the information needed to obtain a ballot, print the form and sign the application.

**5. How do I submit the request or application to my local county commission?**

The form may be mailed, faxed or emailed with an attached document that includes a scanned signature to the local county election commission. A form may be faxed only if the election commission office has a fax machine physically located in its office.

**6. To be counted, when must the voted ballot be received by the county election commission?**

The voted ballot must be received *by mail* by the close of the polls on election day. Once an absentee ballot has been issued, the voter *must vote by mail*. If the ballot is rejected, the registered voter will be notified that the ballot was rejected and why the ballot was rejected.

**7. Must I submit an application for each election in the upcoming year?**

No. The voter will receive absentee ballots for all regularly scheduled Federal elections for the calendar year in which the request is submitted.

Note that it is the voter’s responsibility to keep the local county election office informed of any changes of address. The ballots will be mailed to the address that is originally submitted to the local county election office until further notice from the voter.

**8. What if I do not receive or ruin my ballot and can no longer use it?**

If a voter notifies the election commission that he or she has “spoiled” a ballot or has not received the ballot, the election commission shall note on the records that subsequent supplies have been sent and supply the voter with subsequent voting supplies.

After timely requesting an official absentee ballot, Armed Forces personnel and overseas voters who feel that there may not be a sufficient amount of time to receive and then return the voted ballot may also use the Federal Write-In Absentee Ballot (FWAB).

Instructions for completing an FWAB may be found at:

Military - <http://www.fvap.gov/uniformed-service-members/request-registration-absentee-ballot/states/tn/index.html>

Overseas - <http://www.fvap.gov/overseas-citizens/request-registration-absentee-ballot/index.html>

To obtain a FWAB see your voting officer or you may print the ballot at: Military -

<http://www.fvap.gov/uniformed-service-members/fed-write-in-absentee-ballot/states/tn/index.html>

Overseas - <http://www.fvap.gov/overseas-citizens/fed-write-in-absentee-ballot/states/tn/index.html>

For Security Envelope - <http://www.fvap.gov/resources/media/fwabsecenv.pdf>

For Return Envelope - <http://www.fvap.gov/resources/media/returnenvelope.pdf>

**Note:** If both ballots are received prior to the close of the polls on election day, the county election commission will count the official ballot it provided to the voter.

**9. What if I do not provide all of the information required on the by-mail ballot application?**

The county election commission will reject the application and return the application to the voter immediately by mail to be completed and returned again.

## **Early Voting**

Early voting is one of two ways in which a registered voter of Tennessee may vote before the actual election day. The second way for a registered voter to vote early is called by mail voting. Both early voting and by mail voting are for the voter's convenience. These two voting choices differ in that to vote by mail, the individual must have a statutory reason. On the other hand, to vote during the early voting period, the person may vote purely for the sake of convenience.

To vote early, a person must appear in person at either the county election commission office or at a satellite voting location opened by the county election commission. For each election, early voting begins 20 days before the election and ends 5 days before the election. Although closed from voting on holidays, a person may vote early on any Saturday that falls during this time frame. (The only exception to this time period, involves a municipal election in which there is not any opposition for any of the offices involved on the ballot.)

There are many advantages to voting early, namely being able to choose a day during the early voting period that best fits the voter's schedule and the voter being able to change his or her address of registration and vote in the same voting location.

For details regarding times and early voting locations, a person must contact the local county election commission office.

## **The Provisional Ballot in Tennessee**

As a direct result of the new Help America Vote Act, passed by congress in 2002, eligible persons can now vote provisionally, if otherwise qualified. A provisional voter is one who is not listed on our signature list, but claims to have registered in his or her precinct of residence. The person may claim to have registered at a National Voter Registration Act (NVRA) agency office, i.e.( Health department, Dept of Human Services, Mental Health and Retardation, Veterans Affairs Departments, Military, Safety (Driver License). A list of those individuals will be furnished to the election commission no later than twenty days before the election. If the claimant's name is not on these lists, further clarification must be made with the Coordinator of Elections.

The provisional voter may vote at the county election commission office or at a satellite location, and must vote the ballot for the precinct in which the voter lives. On election day, the provisional voter must vote in the polling place that serves his or her residential precinct and must vote the ballot for the precinct in which the voter lives. If a person claims to have registered to vote prior to the thirty-(30) day voter registration deadline, but is not found on the computer signature list of registered voters, the person must complete a voter registration application. To complete the voter registration form, the voter must present verification of the residential address under which the voter desires to vote.

Examples follows:

- Tennessee Driver License
- Residential lease agreement
- Utility bill
- Mortgage statement
- Income tax return
- Credit card bill

- Bank Statement
- Preprinted check or bank deposit slip
- Vehicle registration

After voter completes and signs the voter registration form, the applicant then completes application for ballot. Upon completion of the ballot application, the applicant is issued a provisional ballot and provisional envelope. The provisional ballot envelope, which is a different color than absentee ballot envelopes, must have an affidavit containing a place for the voter's name, social security number, date of birth, signature and other identifying information deemed necessary by the coordinator of elections. Voter then votes the provisional ballot in the same manner as any other voter voting a paper ballot.

After voting the provisional ballot in secrecy, voter shall present the folded ballot to the judge assigned to receive and deposit provisional ballots. Judge compares provisional ballot number on the stub with provisional ballot number on the voter's ballot application. If numbers match, judge shall tear off and destroy the provisional ballot stub and deposit in the provisional ballot envelope. The judge shall make sure the voter has completed and signed the provisional ballot envelope by the voter and then deposits provisional ballot in the provisional ballot box. After the closing of the polls, the locked provisional ballot box is transported to the election commission by election officials of different parties for counting by a provisional counting board.

**Determining which provisional ballots may be counted**

Provisional ballots may be counted if:

1. Person registered to vote or attempted to register to vote in a timely manner;
2. Person cast ballot in the precinct of residence; and
3. Person has not already voted.

**Provisional ballots that may not be counted if**

1. Person registered in the wrong precinct where the ballot was cast
2. Person is not eligible to vote in Tennessee
3. Person has already voted in the election.

**Counting the provisional ballot**

1. Once the Provisional counting board determines that the provisional ballot must be counted, the board shall remove the provisional ballot affidavit from the provisional ballot envelope. After detaching the affidavit, the sealed envelope shall be placed with all other provisional ballots determined to be countable..

**Rejecting a provisional ballot**

- 1 If the provisional ballot counting board determines that a provisional ballot should not be counted, then the provisional ballot envelope shall remain intact and unopened.
- 2 The provisional ballot affidavit shall not be removed.
- 3 The word "Rejected" and the reason for the rejection shall be marked across the face of the provisional ballot affidavit.
- 4 At least two members of the provisional counting board shall sign the sealed unopened provisional ballot affidavit.

5 The rejected provisional ballot shall be placed in the container of rejected provisional ballots. A list of all rejected ballots shall be made whereby the Administrator of Elections shall mail notices of the rejection to the voter.

**Time Frame to count provisional ballots.**

1 The provisional counting board has forty-eight (48) hours from the close of polls to complete the counting of the provisional ballots.

2 An extension of no longer than the second (2<sup>nd</sup>) Monday after the election may be obtained by the provisional counting board from the coordinator of elections.

3 All possible attempts will be made to count provisional ballots after polls close on election night by the provisional counting board. However, circumstances beyond our control may prevent the counting board from counting all provisional ballots on election night.

4 Election results are **unofficial** until the Election Commission certifies the election.

As of September 11, 2003