



## STATES THAT REQUIRE A VALID REASON FOR ABSENTEE VOTING

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### QUESTION

How many states require electors to provide a valid reason to vote by absentee ballot and what are the permissible reasons?

### SUMMARY

All states have procedures under which certain electors may qualify to vote by absentee ballot in state elections. According to the National Conference of State Legislatures (NCSL), 27 states permit electors to cast an absentee ballot for any reason, while 20 require them to provide a valid reason for doing so. The remaining three, Colorado, Oregon, and Washington, conduct all-mail elections and automatically send a ballot to each elector.

Of the 20 states requiring a valid reason, all allow absentee voting by electors who are unable to vote in person due to a physical disability. Additionally, the majority allow electors to vote absentee if they will be away from their town or precinct during all hours of voting or their religious beliefs prevent secular activity on election day.

In addition, all states must comply with the federal Uniformed and Overseas Citizens Absentee Voting Act of 1986 (UOCAVA)(P.L. 99-410), which requires U.S. states and territories to allow certain U.S. citizens to vote by absentee ballot in federal elections. Citizens covered by the requirements, and referred to in this report as "UOCAVA voters," are (1) active duty members of the uniformed services, (2) their spouses or dependent family members living with them where they are stationed, and (3) U.S. citizens residing outside the country. The "uniformed services" are the U.S. Army, Navy, Marine Corps, Air Force, and Coast Guard, as well as the Public Health Service Commissioned Corps and the National Oceanic and Atmospheric Administration Commissioned Corps.

Many states, including Connecticut, have extended UOCAVA's requirements to state and local elections, with certain exceptions. For example, U.S. citizens who are registered in Connecticut and are overseas temporarily may vote by absentee ballot for all offices, while those who formerly lived in Connecticut but permanently reside overseas may vote for federal offices only ([CGS §§ 9-153f](#) and [9-158b](#)).

Federal law also requires states to allow individuals who move from one state to another 30 or fewer days before an election, and miss the new state's voter registration deadline, to vote for president and vice president ([42 USC § 1973aa-1](#)). In that case, the individual may vote in person or by absentee ballot in the former state.

Table 1 (1) lists the 20 states that require a valid reason for voting by absentee ballot in state elections and (2) provides an overview of the most common permissible reasons. Table 2 describes each state's reasons in greater detail.

**Table 1: States Requiring a Valid Reason for Voting by Absentee Ballot**

<b>States</b>	<b>Out of Jurisdiction</b>	<b>Physical Illness/ Disability</b>	<b>Work-related</b>	<b>Education</b>	<b>Military*</b>	<b>Religion</b>	<b>Election Official</b>	<b>Elderly</b>	<b>Jail/ Mental Institution</b>	<b>Jury</b>	<b>Confidentiality Program</b>
<b>Alabama</b>	X	X	X	X	X		X				
<b>Arkansas</b>	X	X			X						
<b>Connecticut</b>	X	X			X	X	X				
<b>Delaware</b>	X	X	X		X	X					
<b>Indiana</b>	X	X	X		X	X	X	X			X
<b>Kentucky</b>	X	X	X	X	X			X	X		
<b>Louisiana</b>	X	X	X	X	X	X	X	X	X	X	X
<b>Massachusetts</b>	X	X	X	X	X	X			X		
<b>Michigan</b>	X	X			X	X	X	X	X		
<b>Mississippi</b>	X	X	X	X	X			X			
<b>Missouri</b>	X	X			X	X	X		X		
<b>New Hampshire</b>	X	X	X		X	X					
<b>New York</b>	X	X			X				X		
<b>Pennsylvania</b>	X	X	X		X	X	X				
<b>Rhode Island</b>	X	X			X						
<b>South Carolina</b>	X	X	X	X	X		X	X	X	X	
<b>Tennessee</b>	X	X	X	X	X		X	X		X	
<b>Texas</b>	X	X			X			X	X		
<b>Virginia</b>	X	X	X	X	X	X	X		X		
<b>West Virginia</b>	X	X	X	X	X		X	X	X		X

\*Under UOCAVA, all states must allow active duty members of the uniformed services to vote by absentee ballot in federal elections. Generally, states have applied this requirement to state and local elections.

**Table 2: Reasons Required for Absentee Voting**

<b>STATE (CITATION)</b>	<b>ACCEPTABLE REASONS/ ELIGIBLE PERSONS</b>
<b>ALABAMA (ALA. CODE § 17-11-3)</b>	<ol style="list-style-type: none"> <li>1. absence from the county, state, or municipality (for municipal elections) on election day</li> <li>2. physical illness or infirmity that prevents attendance at the polls</li> <li>3. work shift with at least 10 hours that coincide with polling hours</li> <li>4. students at educational institutions located outside the county</li> <li>5. members of the armed forces and their live-in spouses or dependents</li> <li>6. qualified overseas voters</li> <li>7. election officers or poll watchers at polling places, other than regular polling places</li> </ol>
<b>ARKANSAS (ARK. CODE ANN. § 7-5-402)</b>	<ol style="list-style-type: none"> <li>1. unavoidable absence from voting place on election day</li> <li>2. illness or physical disability that prevents attendance at the polls on election day</li> </ol>
<b>CONNECTICUT (ARTICLE VI, § SEVEN AND CGS § 9-135)</b>	<ol style="list-style-type: none"> <li>1. absence from town of residence during all voting hours</li> <li>2. illness or physical disability</li> <li>3. active service with the U.S. Armed Forces</li> <li>4. duties as a primary, election, or referendum official outside of the voting district prevents attendance at the polls during all voting hours</li> <li>5. religious tenets forbid secular activity on the day of the primary, election, or referendum</li> </ol>
<b>DELAWARE (DE. CODE ANN. TIT. 15, § 5502)</b>	<ol style="list-style-type: none"> <li>1. public service with the state or federal government</li> <li>2. U.S. citizens temporarily residing outside the country, and their live-in spouses or dependents</li> <li>3. absence from the state because of illness or injury received while serving in the U.S. Armed Forces</li> <li>4. members of the U.S. Armed Forces or merchant marines, or individuals attached to and serving with the U.S. Armed Forces in the American Red Cross or United Service Organizations</li> <li>5. employment with a type of business or in an occupation that prevents voting in person, including caring for a dependent living at home and requiring constant medical care</li> <li>6. illness or physical disability</li> <li>7. absence from district while on vacation</li> <li>8. religious reasons prevent voting on election day</li> </ol>

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<b>STATE (CITATION)</b>	<b>ACCEPTABLE REASONS/ ELIGIBLE PERSONS</b>
<b>INDIANA</b> <b>(IND. CODE ANN. § 3-11-10-24)</b>	<ol style="list-style-type: none"> <li>1. specific and reasonable expectation of being absent from the county on election day</li> <li>2. absence from precinct due to election duties</li> <li>3. confinement to a health care facility on election day because of an illness or injury</li> <li>4. disability, including confinement in a private residence for medical reasons during election hours</li> <li>5. elderly voters</li> <li>6. individuals who are scheduled to work at regular employment place during the entire time that the polls are open</li> <li>7. Address Confidentiality Program participant (for victims of domestic violence, sexual assault, and stalking)</li> <li>8. religious reasons prevent voting on election day</li> <li>9. public safety officers or U.S. Armed Forces members</li> </ol>
<b>KENTUCKY</b> <b>(KY. REV. STAT. ANN. §§ 117.075, 117.077, &amp; 117.085)</b>	<ol style="list-style-type: none"> <li>1. elderly, disabled, or ill</li> <li>2. students who temporarily reside outside the county of residence</li> <li>3. individuals who are incarcerated and charged with a crime, but not convicted</li> <li>4. individuals temporarily living outside of the state</li> <li>5. absence from the county during the entire polling hours due to employment</li> </ol>

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<p><b>LOUISIANA (LA. REV. STAT. ANN. §§ 18:1302 &amp; 1303)</b></p>	<ol style="list-style-type: none"> <li>1. U.S. Service members, including active service members of U.S. Armed Forces, merchant marines, civil employees residing outside the country, and members of welfare agencies serving with the U.S. Armed Forces, and their live-in spouses or dependents</li> <li>2. students, instructors, or professors in an institute of higher learning located outside the parish, and their live-in spouses or dependents</li> <li>3. ministers, priests, rabbis, or other clergy members assigned to a religious post outside the parish in which they are registered, and their live-in spouses or dependents</li> <li>4. expectation of being temporarily outside the state or absent from the parish during the early voting period and on election day</li> <li>5. individuals who moved after the registration period and the new residence is more than 100 miles from the former residence, in which case they may vote in the former parish</li> <li>6. involuntary confinement to a mental treatment institution outside the parish if the person is not declared incompetent to vote by a judge</li> <li>7. sequestered jury members</li> <li>8. hospitalization on election day, but after the early voting period</li> <li>9. bed rest mandated by physician</li> <li>10. employment requiring absence from the precinct and on state waters</li> <li>11. individuals who are eligible to participate in the Special Program for Handicapped Voters who live at home</li> <li>12. individuals who are incarcerated, but still qualified to vote</li> <li>13. State Address Confidentiality Program participants</li> <li>14. physical disability</li> <li>15. age 65 or older</li> </ol>

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<b>STATE (CITATION)</b>	<b>ACCEPTABLE REASONS/ ELIGIBLE PERSONS</b>
<b>MASSACHUSETTS (MASS. GEN. LAWS. ANN. CH. 54, § 86)</b>	<ol style="list-style-type: none"> <li>1. individuals who are absent from residence and in active service with the U.S. Armed Forces or merchant marines, or their spouses or dependents</li> <li>2. absence from the state</li> <li>3. confinement in a correction facility or jail for an offense other than a felony conviction</li> <li>4. employment in another community</li> <li>5. attendance at a higher learning institution</li> <li>6. physical disability</li> <li>7. religious reasons prevent voting on election day</li> <li>8. absence from city or town for any reason on election day and unable to vote in person</li> </ol>
<b>MICHIGAN (MICH. COMP. LAWS § 168.758)</b>	<ol style="list-style-type: none"> <li>1. physical disability prevents appearance at the polls without assistance</li> <li>2. election precinct inspector in another precinct</li> <li>3. age 60 or older</li> <li>4. absence from the town or city during election day</li> <li>5. confinement in jail awaiting arraignment or trial</li> <li>6. religious reasons prevent voting on election day</li> </ol>
<b>MISSISSIPPI (MISS. CODE ANN. § 23-15-713)</b>	<ol style="list-style-type: none"> <li>1. bona fide students, teachers, or administrators at any school whose study or employment requires their absence from the county, and their live-in spouses or dependents</li> <li>2. qualified electors who are required to be away from their residence on election day because they are employed by members of the Mississippi congressional delegation, and their live-in spouses or dependents</li> <li>3. members of the Mississippi congressional delegation absent from the state, and their live-in spouses or dependents</li> <li>4. absence from the county on election day for any reason</li> <li>5. inability to vote without substantial hardship due to temporary or permanent disability</li> <li>6. parents, spouses, or dependents of individuals with temporary or permanent physical disabilities who are hospitalized 50 or more miles from their residence</li> <li>7. age 65 or older</li> <li>8. individuals who are required to work on election day during voting hours</li> </ol>

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<b>STATE (CITATION)</b>	<b>ACCEPTABLE REASONS/ ELIGIBLE PERSONS</b>
<b>MISSOURI (MO. REV. STAT. § 115.277)</b>	<ol style="list-style-type: none"> <li>1. absence from voting jurisdiction on election day</li> <li>2. incapacitated or confined due to illness or physical disability, or those caring for them</li> <li>3. religious beliefs or practices prevent voting on election day</li> <li>4. employment with an election authority</li> <li>5. incarceration, provided voting qualifications are retained</li> <li>6. federal service (including members of the U.S. Armed Forces, merchant marines, and federal government employees, and their spouses or dependents) to vote for candidates for federal offices</li> <li>7. interstate former residents (Missouri residents who moved to another state after that state's registration deadline) to vote for the president and vice president</li> <li>8. intrastate new residents (residents who move to another Missouri town or city after the voter registration date) to vote for candidates for federal and statewide offices, statewide questions, propositions, and amendments</li> <li>9. new residents (residents who move to Missouri after the voter registration date, but then register) to vote for the president and vice president</li> </ol>
<b>NEW HAMPSHIRE (N.H. REV. STAT. ANN. § 657:1)</b>	<ol style="list-style-type: none"> <li>1. expected absence from the county, city, or town on election day</li> <li>2. religious reasons prevent appearing in public to vote on election day</li> <li>3. physical disability prevents voting in person</li> <li>4. employment obligations require remaining at, or traveling to or from work, during polling hours</li> </ol>
<b>NEW YORK (N.Y. ELEC. LAW § 8-400)</b>	<ol style="list-style-type: none"> <li>1. absence from the county or city</li> <li>2. individuals with an illness or physical disability that prevents appearing personally at the polling place, and caretakers of such individuals</li> <li>3. inmates or patients at a Veteran's Administration hospital</li> <li>4. detainment in jail awaiting grand jury action or trial, or confinement after a conviction for an offense other than a felony</li> </ol>

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<b>STATE (CITATION)</b>	<b>ACCEPTABLE REASONS/ ELIGIBLE PERSONS</b>
<b>PENNSYLVANIA (25 PA. CONS. STAT. § 3146.1)</b>	<ol style="list-style-type: none"> <li>1. U.S. Armed Forces or merchant marines members, and their live-in spouses or dependents</li> <li>2. religious or welfare group members officially attached to and serving with the armed forces, and their live-in spouses or dependents</li> <li>3. state or federal employees traveling within the United States whose duties require them to be absent from their municipality on election day, and their spouses or dependents accompanying them</li> <li>4. expected absence from the United States because of duties, occupation, or business</li> <li>5. war veterans who are bedridden or hospitalized due to illness or physical disability</li> <li>6. illness or physical disability that prevents physically voting or operating a voting machine</li> <li>7. county employees whose duties prevent voting at the polls</li> <li>8. observance of a religious holiday</li> </ol>
<b>RHODE ISLAND (R.I. GEN. LAWS § 17-20-2)</b>	<ol style="list-style-type: none"> <li>1. illness, mental or physical disability, blindness, or serious impairment of mobility that causes undue hardship in voting</li> <li>2. confinement at a hospital, convalescent home, nursing home, rest home, or similar institution in the state</li> <li>3. U.S. citizens who will be out of the country</li> <li>4. inability to vote at polling place on election day</li> <li>5. individuals employed with, or in service intimately connected with, military operations, and their live-in spouses or dependents</li> </ol>

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<b>STATE (CITATION)</b>	<b>ACCEPTABLE REASONS/ ELIGIBLE PERSONS</b>
<b>SOUTH CAROLINA (S.C. CODE ANN. § 7-15-320)</b>	<ol style="list-style-type: none"> <li>1. students absent from county on election day, and their live-in spouses or dependents</li> <li>2. individuals serving with the American Red Cross or the United Service Organizations who are attached to and serving with the U.S. Armed Forces and absent from their county on election day, and their live-in spouses or dependents</li> <li>3. governmental employees absent from their county on election day, and their live-in spouses or dependents</li> <li>4. members of the U.S. Armed Forces or merchant marines absent from their county on election day, and their live-in spouses or dependents</li> <li>5. absence from county while on vacation</li> <li>6. overseas citizens</li> <li>7. physical disability</li> <li>8. individuals who are obligated to work during polling hours and present written certification of this obligation to the county registration board</li> <li>9. certified poll watchers, poll managers, county voter registration board members and staff, and election commission members and staff</li> <li>10. individuals who attend to people who are sick or have a physical disability</li> <li>11. individuals with a death or funeral in the family within three-days before the election</li> <li>12. service as a juror on election day</li> <li>13. age 65 or older</li> <li>14. confinement to a jail or pretrial facility pending disposition of arrest or trial</li> </ol>

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<b>STATE (CITATION)</b>	<b>ACCEPTABLE REASONS/ ELIGIBLE PERSONS</b>
<p><b>TENNESSEE</b> (TENN. CODE ANN. §§ 2-6-201 &amp; 2-6-502)</p>	<ol style="list-style-type: none"> <li>1. full-time students enrolled in accredited Tennessee institutions outside the county where they are registered, and their live-in spouses</li> <li>2. individuals who are sick or have a physical disability or in the hospital and cannot physically appear to vote, and those who care for them</li> <li>3. age 65 or older</li> <li>4. candidates for office</li> <li>5. election officials or election commission members or employees</li> <li>6. individuals outside of the county for any reason other than being imprisoned and unavailable during the early voting period</li> <li>7. jurors who were unavailable during the early voting period</li> <li>8. commercial drivers with a certification that they will be working outside the state or county on election day and were unavailable during the early voting period</li> <li>9. U.S. Armed Forces members</li> <li>10. overseas citizens</li> </ol>
<p><b>TEXAS</b> (TEX. ELEC. CODE ANN. § 82.001 ET SEQ.)</p>	<ol style="list-style-type: none"> <li>1. expected absence from the county on election day and during the early voting period</li> <li>2. sickness or physical condition that prevents appearing at the polling place without assistance on election day</li> <li>3. age 65 or older</li> <li>4. individuals who are otherwise qualified to vote but in jail (a) serving a misdemeanor sentence; (b) awaiting trial after bail denial; (c) without bail, pending an appeal of a felony conviction; or (d) pending trial or appeal on a bailable offence for which release on bail before election day is unlikely</li> </ol>

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<b>STATE (CITATION)</b>	<b>ACCEPTABLE REASONS/ ELIGIBLE PERSONS</b>
<b>VIRGINIA (VA. CODE ANN. § 24.2-700)</b>	<ol style="list-style-type: none"> <li>1. expected absence from the county or city due to work, personal business, or vacation</li> <li>2. U.S. Armed Forces and merchant marine members, and their live-in spouses or dependents</li> <li>3. temporarily living outside the country</li> <li>4. students, and their spouses, attending a school that will result in their absence from their county or city</li> <li>5. disability, illness, or pregnancy that prevents voting in person</li> <li>6. certain prisoners who are confined while awaiting trial or with a misdemeanor conviction</li> <li>7. electoral board members, registrars, election officers, and custodians of voting equipment</li> <li>8. individuals who are primarily and personally responsible for family members who are confined at home due to illness or disability</li> <li>9. religious beliefs prevent voting on election day</li> <li>10. individuals who work or commute for 11 or more hours during polling hours</li> <li>11. law enforcement officers, firefighters, search and rescue personnel, and emergency medical services personnel</li> <li>12. individuals designated by a political party or candidate to represent them inside a polling place on election day</li> </ol>

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<b>STATE (CITATION)</b>	<b>ACCEPTABLE REASONS/ ELIGIBLE PERSONS</b>
<b>WEST VIRGINIA (W. VA. CODE ANN. § 3-3-1)</b>	<ol style="list-style-type: none"> <li>1. illness, injury, or other medical reason</li> <li>2. physical disability or immobility due to advanced age</li> <li>3. incarceration or home detention, if voting privileges are retained under the conviction</li> <li>4. personal or business travel out of the county</li> <li>5. individuals who are in college, university, or other types of schooling or training outside the county</li> <li>6. work, which due to the hours worked or distance from county makes voting in person impossible</li> <li>7. U.S. Armed Forces members and their spouses or dependents who are outside of the county</li> <li>8. voters who are required to live temporarily outside the county because they are serving (a) as elected or appointed federal or state officers or (b) in any other documented employment assignment of four or fewer years</li> <li>9. physical disability that prevents voting at polling place</li> <li>10. Address Confidentiality Program participant</li> <li>11. patients in a hospital or nursing home</li> <li>12. replacement poll workers assigned out of their voting district</li> </ol>

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