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Know Your Rights On Election Day

Your Right To Vote - A Brief History

Constitutional Provisions

Article 1 of the U.S. Constitution, adopted in 1789, “gave states the responsibility of overseeing federal elections.”¹ What this meant at the Country’s founding was that only a small percentage of the total population, typically white male landowners, had the right to vote.² Although no single constitutional provision conferred an unqualified right to vote, several constitutional amendments adopted since 1789 have secured the right against impermissible conditions, including race, sex, and ethnicity.³ The Fifteenth Amendment, adopted in 1870, granted the right to vote to all citizens regardless of “race, color, or previous condition of servitude.”⁴ In 1920, the Nineteenth Amendment expanded the right to vote to American women.⁵ In 1964, the Twenty-Fourth Amendment eliminated poll taxes which some states had employed to prevent African Americans from voting in federal elections.⁶ And in 1971, the Twenty-Sixth Amendment reduced the voting eligibility age for all elections to 18.⁷

Federal Laws

Additionally, Congress enacted several federal laws protecting the right to vote.⁸ The earliest was the Civil Rights Act of 1871 which codified constitutional protections against

¹ U.S. CONST. art I; *Voting Rights Laws and Constitutional Amendments*, USA.GOV, <https://www.usa.gov/voting-rights> (last visited Aug. 30, 2024).

² A Brief History of Voting in America, UNT University Libraries (May 7, 2024, 4:22 PM), <https://guides.library.unt.edu/voting/history-of-voting-America>.

³ *Voting Rights Laws and Constitutional Amendments*, USA.GOV, <https://www.usa.gov/voting-rights> (last visited Aug. 30, 2024).

⁴ U.S. CONST. amend. XV (“[t]he right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude.”).

⁵ USA.GOV, *supra* note 1; U.S. CONST. amend. XIX (“[t]he right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex.”).

⁶ USA.GOV, *supra* note 1; U.S. CONST. amend. XXIV (“[t]he right of citizens of the United States to vote . . . shall not be denied or abridged by the United States or any state by reason of failure to pay any poll tax or other tax.”).

⁷ USA.GOV, *supra* note 1; U.S. CONST. amend. XXVI (“[t]he right of citizens of the United States, who are 18 years of age or older, to vote, shall not be denied or abridged by the United States or any state on account of age.”).

⁸ *Voting Rights Laws and Constitutional Amendments*, USA.GOV, <https://www.usa.gov/voting-rights> (last visited Aug. 30, 2024).

discrimination in voting.⁹ The Voting Rights Act of 1965 strengthened that protection by forbidding voter discrimination based on race, color, “or membership in a language minority group . . . [and] required certain places to provide election materials in languages besides English.”¹⁰ Protection for absentee voting rights was extended to non-resident U.S. citizens in The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), enacted by Congress in 1986.¹¹ UOCAVA required states and territories to allow non-resident citizens as well as members of the United States Uniformed Services and merchant marine and their family members, to register and vote absentee in federal elections.¹²

U.S. Supreme Court Pronouncements

In two 1964 cases, the Supreme Court of the United States emphasized the importance of the right to vote. In an early vote dilution case challenging a state apportionment statute, Justice Hugo Black wrote, “[n]o right is more precious in a free country than that of having a voice in the election of those who make the laws under which, as good citizens, we must live. Other rights, even the most basic, are illusory if the right to vote is undermined.”¹³

In another case, Chief Justice Warren stated,

Undeniably the Constitution of the United States protects the right of all qualified citizens to vote, in state as well as in federal elections. A consistent line of decisions by this Court in cases involving attempts to deny or restrict the right of suffrage has made this indelibly clear.” . . . *The right to vote freely for the candidate of one’s choice is of the essence of a democratic society, and any restrictions on that right strike at the heart of representative government.*”¹⁴

Your Right To Vote – A State-by-State Resource

In **Appendix A** attached, we have provided state-specific contact information in case your right to vote is questioned. If you are unlawfully prohibited from voting, we recommend that you reach out directly to your state-specific contacts (found in Appendix A). These resources will hopefully provide you with options to ensure that your vote is counted. Remember, your vote matters!

⁹ USA.GOV, *supra* note 3 (“These protections were first outlined by the Civil Rights Act of 1871 and were later amended by the Civil Rights Act of 1957, 1960, and 1964).

¹⁰ USA.GOV, *supra* note 3; *See* 52 U.S.C.S. § 10301; *Shelby Cty. v. Holder*, 133 S. Ct. 2612, 2621 (2013) (“In 2006, Congress again reauthorized the Voting Rights Act for 25 years”).

¹¹ *The Uniformed and Overseas Citizens Absentee Voting Act*, CIV. RTS. DIV., <https://www.justice.gov/crt/uniformed-and-overseas-citizens-absentee-voting-act> (last visited Sep. 3, 2024); The Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. § 20301.

¹² *Id.*; 52 U.S.C. § 20310.

¹³ *Wesberry v. Sanders*, 376 U.S. 1, 17 (1964).

¹⁴ *Reynolds v. Sims*, 377 U.S. 533, 554,-55 (1964) (emphasis added).

Your Free Speech Rights at The Polls – A State-by-State Resource

Often, voters are not sure what their free speech rights are when they arrive at their polling location to vote. Two Supreme Court cases provide some guidance about how the First Amendment Free Speech Clause applies to polling locations. The first case, *Burson v. Freeman*, addresses speech restrictions *outside* a polling location, and the second case, *Minnesota Voters Alliance v. Mansky*, decided 26 years later, addresses speech restrictions *inside* a polling location.¹⁵ In both cases, the history of fraud, voter intimidation, confusion, and general disorder that plagued polling places in the past resulted in greater deference to state laws restricting speech activities both inside and outside polling places.

A. Supreme Court Case Background

Two Supreme Court cases provide backdrop for understanding the state laws governing free speech rights at polling locations. The first case, *Burson v. Freeman*, addresses speech restrictions *outside* a polling location, and the second case, *Minnesota Voters Alliance v. Mansky*, decided 26 years later, addresses speech restrictions *inside* a polling location. In both cases, the history of fraud, voter intimidation, confusion, and general disorder that plagued polling places in the past resulted in greater deference to state laws restricting speech activities both inside and outside polling places.

1. *Burson v. Freeman* - Free Speech Rights Outside a Polling Location

In *Burson v. Freeman*, the Supreme Court upheld a Tennessee statute prohibiting the “solicitation of votes and the display or distribution of campaign materials within 100 feet of the entrance to a polling place.”¹⁶ The Court noted at the outset that the “Tennessee statute implicates three central concerns in our First Amendment jurisprudence: regulation of political speech, regulation of speech in a public forum, and regulation based on the content of the speech.”¹⁷ The speech restricted by the Tennessee statute was “obviously” political speech and “the First Amendment has its fullest and most urgent application’ to speech uttered during a campaign for political office.”¹⁸

Because the Tennessee statute restricted speech outside the polling location, the Court stated that the statute barred speech in “a quintessential public forum”, which “by long tradition or by government fiat have been devoted to assembly and debate.”¹⁹ The Tennessee statute also did

¹⁵ For those interested, *Burson* and *Mansky* are discussed in greater detail in **Appendix B**, attached.

¹⁶ *Burson v. Freeman*, 504 U.S. 191, 193 (1992) (plurality). The relevant Tennessee code section provided:

Within the appropriate boundary as established in subsection (a) [100 feet from the entrances], and the building in which the polling place is located, the display of campaign posters, signs or other campaign materials, distribution of campaign materials, and solicitation of votes for or against any person or political party or position on a question are prohibited. *Id.* at 193-94; Tenn. Code Ann. § 2-7-111(b) (Supp. 1991).

¹⁷ *Id.*

¹⁸ *Id.* (internal citations and quotations omitted).

¹⁹ *Id.* (internal citations and quotations omitted).

not qualify as a “facially content-neutral time, place, or manner restriction,”²⁰ because “[w]hether individuals may exercise their free speech rights near polling places *depends entirely* on whether their speech is related to a political campaign.”²¹

Because the Tennessee statute ran afoul of three cardinal First Amendment principles, it could only be upheld if it was necessary to serve a compelling state interest and that it is narrowly drawn to achieve that end.²²

Discussing at some length the history of disorder, threats and even violence at polling places in the first 100 years after the nation’s founding, the Court held that Tennessee’s interests in protecting the right of its citizens to vote freely for the candidates of their choice in an election conducted with “integrity and reliability” was compelling.²³ In support of its holding, the Court noted that, “all 50 States limit access to the areas in or around polling places.”²⁴ “The only way to preserve the secrecy of the ballot is to limit access to the area around the voter.”²⁵ The Court concluded that the statute’s 100-foot boundary line was constitutionally permissible to achieve the State’s compelling interests.²⁶ In sum, the Court reasoned that, even though the Free Speech rights were burdened by the Tennessee statute, “[a] long history, a substantial consensus, and simple common-sense show that some restricted zone around polling places is necessary to protect” one’s right to cast a ballot in an election.²⁷

If you wish to engage in any expressive activity outside a polling place, it is essential to consult with a local attorney to ensure that you comply with applicable state and local laws governing such activity. It may be, as in *Burson*, that such applicable laws permit such activity in many areas outside the polling location, but **not** within a certain distance from the entrance.

2. *Minnesota Voters Alliance v. Mansky* - Free Speech Rights Inside a Polling Location

The recent Supreme Court case of *Minnesota Voters Alliance v. Mansky* (“MVA”) provides guidance on free speech rights inside a polling place. That case involved a Minnesota law that prohibited voters from wearing “a political badge, political button, or anything bearing political insignia *inside* a polling place on Election Day”²⁸ (“the apparel ban”). The Plaintiff, MVA, operating as “Election Integrity Watch” (EIW), planned to station supporters in polling places during an election.²⁹ With the purpose of safeguarding election integrity, the supporters intended

²⁰ *Id.*

²¹ *Id.* (emphasis added).

²² *Id.* at 198 (noting that this case presented the Court “with a particularly difficult reconciliation: the accommodation of the right to engage in political discourse with the right to vote—a right at the heart of our democracy”).

²³ *Id.* at 198-99.

²⁴ *Id.* at 206; *see, e.g.*, Alaska Stat. § 15.15.170 (“During the hours the polls are open, a person who is in the polling place or within 200 feet of any entrance to the polling place may not attempt to persuade a person to vote for or against a candidate, proposition, or question.”); Conn. Gen. Stat. § 9-236(a) (“On the day of any . . . election, no person shall . . . offer any advertising matter, ballot or circular to another person within a radius of seventy-five feet of any outside entrance in use as an entry to any polling place . . .”).

²⁵ *Burson*, 504 U.S. at 207-08.

²⁶ *Id.* at 206-207.

²⁷ *Id.* at 211.

²⁸ *Minn. Voters All. v. Mansky*, 585 U.S. 1, 5 (2018).

²⁹ *Id.* at 9.

to wear buttons printed with the words “‘Please I. D. Me,’ a picture of an eye, and a telephone number and web address for EIW.”³⁰ In response to MVA’s lawsuit, local officials “distributed to election judges an ‘Election Day Policy,’ providing guidance on the enforcement of the political apparel ban.”³¹ On election day, election officials accosted some EIW supporters because of the messages on their shirts and buttons.³²

Out the outset, the Court acknowledged the dual important interests of, on the one hand preserving the freedom of speech³³ and, on the other hand, preserving the interior of a polling place “as an island of calm in which voters can peacefully contemplate their choices.”³⁴ The Court observed that *Burson*’s conclusion that the State was warranted in designating an area for the voters as “their own” as they enter the polling place suggests an interest more significant, not less, *within* the polling place.³⁵

While Minnesota’s apparel ban plainly restricted “a form of expression within the protection of the First Amendment,”³⁶ the Court held that because the polling location was primarily for the purpose of voting and not for wide ranging political advocacy by the public, the question was whether the apparel ban was reasonable in light of the polling location’s purpose.³⁷ Echoing *Burson*, the Court acknowledged the importance of Minnesota’s interest:

[W]e see no basis for rejecting Minnesota’s determination that some forms of advocacy should be excluded from the polling place, to set it aside as an island of calm in which voters can peacefully contemplate their choices. Casting a vote is a weighty civic act, akin to a jury’s return of a verdict, or a representative’s vote on a piece of legislation. It is a time for choosing, not campaigning. The State may reasonably decide that the interior of the polling place should reflect that distinction.³⁸

³⁰ *Id.*

³¹ *Id.*

³² *Id.* at 10.

One individual was asked to cover up his Tea Party shirt. Another refused to conceal his “Please I. D. Me” button, and an election judge recorded his name and address for possible referral. And petitioner Cilek—who was wearing the same button and a T-shirt with the words “Don’t Tread on Me” and the Tea Party Patriots logo—was twice turned away from the polls altogether, then finally permitted to vote after an election judge recorded his information.

³³ *Id.* at 11.

³⁴ *Id.* at 15.

³⁵ *Id.* (emphasis added)

³⁶ *Id.* at 11.

³⁷ *Id.* at 13

³⁸ *Id.* at 15 (internal citation omitted).

Although there is no consensus among the states,³⁹ the Court noted that a majority of them “agree with Minnesota that at least some kinds of campaign-related clothing and accessories should stay outside.”⁴⁰

The Court concluded that the fatal problem with Minnesota’s apparel ban was that it failed to “articulate a sensible basis for distinguishing what may come in from what must stay out.”⁴¹ The “unmoored use of the term ‘political’ in the Minnesota law, combined with haphazard interpretations the State has provided in official guidance and representations to this Court, cause Minnesota’s restriction to fail even this forgiving test.”⁴² In other words, “if a State wishes to set its polling places apart as areas free of partisan discord, it must employ a more discernible approach than the one Minnesota has offered here.”⁴³

The holding in *Mansky* is narrow and certainly does not mean that all bans on certain kinds of apparel or accessories inside polling places are inherently unconstitutional. The Supreme Court gave examples of state statutes that are less likely to violate free speech rights because they are narrower in scope and more specific than the Minnesota statute.

Other States have laws proscribing displays (including apparel) in more lucid terms. See, e.g., Cal. Elec. Code Ann. §319.5 (West Cum. Supp. 2018) (prohibiting “the visible display . . . of information that advocates for or against any candidate or measure,” including the “display of a candidate’s name, likeness, or logo,” the “display of a ballot measure’s number, title, subject, or logo,” and “[b]uttons, hats,” or “shirts” containing such information); Tex. Elec. Code Ann. §61.010(a) (West 2010) (prohibiting the wearing of “a badge, insignia, emblem, or other similar communicative device relating to a candidate, measure, or political party appearing on the ballot, or to the conduct of the election”).⁴⁴

³⁹ *Id.* at 16; see, e.g., Alabama Office of the Secretary of State, *2024 Voter Guide*, ELECTIONS DIV. 17 (noting that voters may wear “campaign buttons or T-shirts with political advertisements into the polling place”) <https://www.sos.alabama.gov/sites/default/files/election-2024/2024%20Voter%20Guide.pdf>; Va. Code Ann. § 24.2-604 (persons who approach or enter a polling place “for the purpose of voting [are not prohibited] from wearing a shirt, hat, or other apparel on which a candidate’s name or a political slogan appears or from having a sticker or button attached to his apparel on which a candidate’s name or a political slogan appears.”).

⁴⁰ *Id.*; see, e.g., Cal Elec. Code § 319.5(a) (within 100 feet of a polling place, “[p]rohibited electioneering information includes, but is not limited to, any of the following: (1) A display of a candidate’s name, likeness, or logo . . . [and] (3) Buttons, hats, pencils, pens, shirts, signs, or stickers containing electioneering information”); Tenn. Code Ann. § 2-7-111(a)-(b)(1) (within “one hundred feet (100) from the designated entrances . . . and the building in which the polling place is located, the display of campaign posters, signs or other campaign materials . . . are prohibited”); Tex. Elec. Code § 61.010(a) (“a person may not wear a badge, insignia, emblem, or other similar communicative device relating to a candidate, measure, or political party appearing on the ballot, or to the conduct of the election, in the polling place or within 100 feet of any outside door . . .”).

⁴¹ *Id.*

⁴² *Id.* at 16-17.

⁴³ *Id.* at 22.

⁴⁴ *Id.*

Because the laws vary from state to state, we have provided in **Appendix B** a compilation of state laws governing speech activities around polling places. If you have a question, look up your state's law. If you are unsure whether the speech activity you wish to engage in is permitted, we recommend you consult a local attorney for a timely answer. Or if your question is not time-sensitive, you can contact the ACLJ. We will review your request and respond in an appropriate manner. Please know that First Amendment Free Speech matters may take some time to resolve. Nevertheless, we have been providing assistance and legal representation, at no cost, to people just like you for decades. If you believe your rights are being violated in this area, please contact us at [ACLJ.org/HELP](https://www.aclj.org/HELP).

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APPENDIX A: STATE ELECTION HOTLINE INFORMATION

Alabama

Elections Division (334) 242-7210
Director of Elections jeff.elrod@sos.alabama.gov
<https://www.sos.alabama.gov/alabama-votes/contact-us>

Online Election Complaint Form
<https://www.sos.alabama.gov/stop-voter-fraud-now/election-complaint-form>

Alaska

Division of Elections
Director's Office (907) 465-4611
Director of Elections carol.beecher@alaska.gov
<https://www.elections.alaska.gov/contact-information/>

Arizona

Election Division 602-542-8683
<https://azsos.gov/elections>

Email Elections
<https://azsos.gov/webform/contact?department=1005>

County Election Officials Contact Information
<https://azsos.gov/elections/about-elections/county-election-officials-contact-information>

Arkansas

Elections Division 501-682-5070
electionsemail@sos.arkansas.gov
<https://www.sos.arkansas.gov/about-the-office/contact-us>

California

Elections Division (916) 657-2166
Voter Hotline (800) 345-VOTE (8683)
<https://www.sos.ca.gov/elections/contact>

Email Elections Division
<https://www.sos.ca.gov/elections/contact/email-elections-division>

Election Voter Complaint Form
<https://www.sos.ca.gov/elections/publications-and-resources/voter-complaint>

Colorado

Elections and Voting 303-894-2200
elections@coloradosos.gov
[Contact the Secretary of State's Office \(coloradosos.gov\)](http://coloradosos.gov)

Elections Complaint Form
<https://www.coloradosos.gov/pubs/elections/vote/files/StateElectionComplaintForm.pdf>

Connecticut

Legislation and Election Administration (860) 509-6100
lead@ct.gov
<https://portal.ct.gov/sots/general/contact-us/contact-us---main>

Delaware

State Election Commissioner (302) 739-4277
coe_vote@delaware.gov
<https://elections.delaware.gov/locations.shtml#sec>

County Office Information
<https://elections.delaware.gov/locations.shtml>

Florida

Division of Elections 850.245.6200
DivElections@dos.myflorida.com

Voter Assistance Hotline 866-308-6739
<https://dos.fl.gov/elections/>

Georgia

Elections Division (404) 656-2871
<https://sos.ga.gov/elections-division-georgia-secretary-states-office>

Contact the State Election Board
<https://sos.ga.gov/form/contact-state-election-board>

Hawaii

Office of Elections

(808) 453-8683
elections@hawaii.gov

County Elections Division

<https://elections.hawaii.gov/resources/county-election-divisions/>

Idaho

Administration and Elections Office

(208) 334-2852
elections@sos.idaho.gov

<https://voteidaho.gov/>

Find Your County Clerk

<https://voteidaho.gov/county-clerk/>

Illinois

State Board of Elections

Springfield Office

(217) 782-4141

Chicago Office

(312) 814-6440

<https://www.elections.il.gov/Main/ContactUs.aspx>

Indiana

Election Division

(317) 232-3939
elections@iec.in.gov

Voter hotline

866-IN-1-VOTE

<https://www.in.gov/sos/elections/ied-staff/>

Find My Election Administrators

<https://indianavoters.in.gov/CountyContact/Index>

Iowa

Elections Staff

515-281-0145

Voter Hotline

888-SOS-VOTE

<https://sos.iowa.gov/>

Election Security Tipline

<https://sos.iowa.gov/elections/voterhotline/index.aspx>

Kansas

Election Division 800-262-VOTE (8683)
election@ks.gov

<https://sos.ks.gov/elections/elections.html>

County Election Offices
https://sos.ks.gov/elections/county_election_officers.aspx

Kentucky

State Board of Elections 502-573-7100
<https://elect.ky.gov/About-Us/Pages/Contact-Us.aspx>

County Clerks
<https://elect.ky.gov/About-Us/Pages/County-Clerks.aspx>

Louisiana

Commissioner of Elections 225-922-0900
Election Integrity Division 800.722.5305
<https://www.sos.la.gov/ElectionsAndVoting/ContactUs/Pages/default.aspx>

Maine

Bureau of Corp., Elections and Com. 207-624-7736
cec.elections@maine.gov
<https://www.maine.gov/sos/contact/>

Listing of Municipal Clerks & Registrars
<https://www.maine.gov/sos/cec/elec/munic.html>

Maryland

State Board of Elections 410-269-2840
info.sbe@maryland.gov
<https://elections.maryland.gov/about/contact.html>

Local Board of Elections
https://elections.maryland.gov/about/county_boards.html

Massachusetts

Elections Division 617-727-2828
elections@sec.state.ma.us
<https://www.sec.state.ma.us/divisions/elections/elections-and-voting.htm>

Find Local Election Offices and Dropboxes
<https://www.sec.state.ma.us/divisions/elections/voter-resources/find-my-local-election-office.htm>

Michigan

Department of State 888-SOS-MICH (767-6424)
<https://mdosupport.happyfox.com/new/>

Find Your Clerk
<https://mvic.sos.state.mi.us/Voter/Index/#yourclerk>

Minnesota

Election Phone Numbers
Metro Area 651-215-1440
Greater MN 1-877-600-VOTE (8683)
Email secretary.state@state.mn.us
<https://www.sos.state.mn.us/elections-voting/>

Find County Election Office
<https://www.sos.state.mn.us/elections-voting/find-county-election-office/>

State Election Law Complaint Form
<https://www.sos.state.mn.us/media/1191/state-election-law-complaint-form.pdf>

Mississippi

Elections 601-359-1358
<https://www.sos.ms.gov/contact-us-information>

Elections Contact Us
<https://www.sos.ms.gov/form/elections-contact-us>

County Elections Information
<https://www.sos.ms.gov/elections-voting/county-election-information>

Missouri

Elections Integrity Unit (573) 751-2301
1-800-669-8683
elections@sos.mo.gov
https://www.sos.mo.gov/elections/elections_integrity

Local Election Authority
<https://www.sos.mo.gov/elections/goVoteMissouri/localelectionauthority>

Montana

Elections and Voter Services 406-444-9608
soselections@mt.gov
<https://sosmt.gov/contact-feedback/>

Election Administrator Contact Information
[Administrator Contact Info](#)

Nebraska

Elections Division 402-471-2555
sos.elect@nebraska.gov
<https://www.nebraska.gov/featured/elections-voting/>

Election Officials Contact Information
<https://sos.nebraska.gov/elections/election-officials-contact-information>

Nevada

Elections Division 775-684-5705
nvelect@sos.nv.gov
<https://www.nvsos.gov/sos/sos-information/contact-us>

County Clerk Contact Information
<https://www.nvsos.gov/sos/elections/voters/county-clerk-contact-information>

Election Integrity Violation Report
<https://www.nvsos.gov/sos/home/showpublisheddocument?id=4281>

New Hampshire

Elections 603-271-3242
elections@sos.nh.gov

<https://www.sos.nh.gov/contact-us-0>

Election Law Complaint
<https://www.doj.nh.gov/bureaus/election-law/election-law-complaints>

New Jersey

Division of Elections 609-292-3760
609-789-0124
nj.elections@sos.nj.gov

Voting Information & Assistance 1-877-NJ-VOTER (1-877-658-6837)
<https://www.nj.gov/state/elections/vote.shtml>

County Election Officials
<https://www.nj.gov/state/elections/vote-county-election-officials.shtml>

New Mexico

Bureau of Elections 505-827-3600 (option 2)
Elections@sos.nm.gov
<https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/>

County Clerk Information
<https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/county-clerk-information/>

Ethics sos.ethics@sos.nm.gov
<https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/election-ethics-and-voter-complaints/>

New York

Board of Elections (518) 474-6220
info@elections.ny.gov

Election Operations
Voter Information 1-800-367-8683
(518) 473-5086

<https://elections.ny.gov/contact-us>

County Board Roster
<https://publicreporting.elections.ny.gov/CountyBoardRoster/CountyBoardRoster>

North Carolina

Board of Elections

(919) 814-0700
elections.sboe@ncsbe.gov

<https://www.ncsbe.gov/>

County Board of Elections Search

<https://vt.ncsbe.gov/BOEInfo/>

North Dakota

Secretary of State

701-328-2900

<https://www.sos.nd.gov/elections/voter>

County Election Officials

<https://vip.sos.nd.gov/CountyAuditors.aspx>

Ohio

Elections Division

614-466-2585

Election Integrity Unit

877.SOS.OHIO (877.767.6446 x1)

<https://www.sos.state.oh.us/secretary-office/contact-our-office/>

Contact the Election Integrity Division

<https://sosforms.ohiosos.gov/forms/ContactUs/Contact-Us-Agency>

Elections Contact Form

<https://sosforms.ohiosos.gov/forms/ContactUs/Elections>

County Boards of Elections Directory

<https://www.sos.state.oh.us/elections/elections-officials/county-boards-of-elections-directory/>

Oklahoma

Election Board

(405) 521-2391
info@elections.ok.gov

<https://oklahoma.gov/elections/about-us/contact-us.html>

County Election Boards

<https://oklahoma.gov/elections/about-us/county-election-boards.html>

Oregon

Elections Division 1-866-673-8683
elections.sos@sos.oregon.gov
<https://sos.oregon.gov/Pages/contactus.aspx#electionsCU>

County Election Officials
<https://sos.oregon.gov/elections/Pages/countyofficials.aspx>

Report Election Law Violations
<https://sos.oregon.gov/elections/Pages/election-law-violation.aspx>

Pennsylvania

Election Hotline 1-877-868-3772
Voting Questions Email ra-voterreg@pa.gov
<https://www.pa.gov/en/agencies/vote/contact-us.html>

County Election Officials
<https://www.pa.gov/en/agencies/vote/contact-us/contact-your-election-officials.html>

File an Election Complaint
<https://www.pa.gov/en/services/vote/file-an-election-complaint.html>

Rhode Island

Elections Division 401.222.2340
elections@sos.ri.gov

Board of Elections 401.222.2345
boe.elections@elections.ri.gov

<https://vote.sos.ri.gov/DataInformation/ContactUs>

South Carolina

State Election Commission (803) 734-9060
elections@elections.sc.gov

<https://scvotes.gov/contact/>

County Voter Registration & Election Offices
<https://scvotes.gov/contact/county-voter-registration-election-offices/>

Submit a Comment or Complaint
<https://scvotes.gov/contact/submit-a-comment-or-complaint/>

South Dakota

Election Information 605-773-3537
<https://sdsos.gov/contact-us/default.aspx>

Tennessee

Elections 1-877-850-4959
(615)-741-7956
<https://sos.tn.gov/contact>

Elections Hotline 1-877-850-4959
<https://sos.tn.gov/press-releases/secretary-hargett-division-of-elections-reminds-voters-to-text-to-report-suspected>

Contact Division of Elections Form
<https://sos.tn.gov/form/contact-elections>

Texas

Elections Division 1.800.252.VOTE (8683)
512-463-5650
<https://www.sos.state.tx.us/elections/contact.shtml>

Election Officials
<https://www.sos.state.tx.us/elections/voter/county.shtml>

Election Complaint
<https://www.sos.state.tx.us/elections/forms/pol-sub/25-4f.pdf>

Utah

Elections 801-538-1041
<https://cs.utah.gov/s/elections-request>

County Election Officials
<https://vote.utah.gov/contact-your-county-election-officials/>

Vermont

Elections Division 802-828-2363
<https://sos.vermont.gov/elections/election-info-resources/>

Town Clerks and Election Workers
<https://sos.vermont.gov/elections/town-clerks/>
Contact the Elections Division
<https://sos.vermont.gov/elections/about/contact/>

Virginia

Department of Elections (804) 864-8901
info@elections.virginia.gov
<https://www.elections.virginia.gov/contact-us/>

Local Election Offices
<https://justfacts.votesmart.org/elections/offices/VA>

Voter Complaint Form
<https://fs28.formsite.com/vaelect/yynt8fwwin/index.html>

Washington

Elections Division (360) 902-4180
(800) 448-4881
elections@sos.wa.gov
<https://www.sos.wa.gov/elections/contact-info>

Contact Us Form
<https://www.sos.wa.gov/contact-us-webform>

County Election Offices
<https://www.sos.wa.gov/elections/voters/voter-registration/county-elections-offices>

West Virginia

Elections Division (304) 558-6000
Investigations Hotline (877) 372-8398
<https://sos.wv.gov/elections/pages/default.aspx>

County Clerk Directory
<https://sos.wv.gov/elections/Pages/CountyClerkDirectory.aspx>

Election Complaint Form
https://sos.wv.gov/FormSearch/Elections/Complaint_Challenge/ElectionsComplaintForm.pdf

Wisconsin

Elections Commission

608-266-8005
elections@wi.gov

<https://elections.wi.gov/contact-us>

My Municipal Clerk

<https://myvote.wi.gov/en-us/My-Municipal-Clerk>

Election Complaints and Concerns

<https://elections.wi.gov/elections/election-security-integrity/election-complaints-concerns>

Wyoming

Election Division

307-777-5860
elections@wyo.gov

<https://sos.wyo.gov/ContactUs.aspx>

Wyoming County Clerks

<https://sos.wyo.gov/Elections/Docs/WYCountyClerks.pdf>

Election Code Violation Complaint Form

<https://sos.wyo.gov/Forms/Elections/General/ElectionComplaintForm.pdf>

APPENDIX B: STATE LAWS REGULATING SPEECH AT POLLING PLACES

Alabama

Voters may wear “campaign buttons or T-shirts with political advertisements into the polling place.” <https://www.sos.alabama.gov/sites/default/files/election-2024/2024%20Voter%20Guide.pdf>.

Alaska

“During the hours the polls are open, a person who is in the polling place or within 200 feet of any entrance to the polling place may not attempt to persuade a person to vote for or against a candidate, proposition, or question. The election officials shall post warning notices at the required distance in the form and manner prescribed by the director.” AS 15.15.170.

*(Unclear as to whether this statute applies to clothing/apparel).

Arizona

Voters are prohibited from electioneering within the 75-foot limit. A.R.S. § 16-1018. A voter is permitted to wear clothing with a political message inside the 75-foot limit, but poll workers, observers, and election officials may not. A.R.S. § 16-515(F).

Arkansas

Electioneering is prohibited within 100 ft. of exterior entrance of polling place, and electioneering includes: “Displaying a candidate’s name, likeness, or logo; Displaying a ballot measure’s number, title, subject, or logo; Displaying or dissemination of buttons, hats, pencils, pens, shirts, signs, or stickers containing electioneering information.” A.C.A. § 7-1-103(8).

California

Electioneering is prohibited within 100 ft. of a polling place, which includes displaying a candidate’s name, likeness, or logo or any buttons, hats, pencils, pens, shirts, signs, or stickers containing electioneering information. Cal Elec. Code § 319.5(a).

Colorado

Electioneering is prohibited in a polling place and within 100 ft. of any polling place building, which includes “distribution or display of campaign posters, signs, or other campaign materials or apparel, including materials or apparel promoting or opposing a candidate or displaying a candidate’s name, likeness, or campaign slogan.” C.R.S. 1-13-714.

Connecticut

Voters are prohibited from “solicit[ing] on behalf of or in opposition to the candidacy of another or himself or on behalf of or in opposition to any question being submitted at the election or referendum, or loiter or peddle or offer any advertising matter, ballot or circular to another person within a radius of seventy-five feet of any outside entrance in use as an entry to any polling place or in any corridor, passageway or other approach leading from any such outside entrance to such polling place or in any room opening upon any such corridor, passageway or approach.” Conn. Gen. Stat. § 9-236. This prohibition applies to clothing/apparel. <https://www.ctpost.com/elections/slideshow/Here-s-what-you-can-and-can-t-wear-to-the-211279.php>.

Delaware

Voters are not allowed to electioneer within the polling place or within 50 feet of the entrance to the building in which the voting room is located. 15 Del. C. § 4942(a). Electioneering includes the wearing of any button, banner or other object referring to issues, candidates, or partisan topics. 15 Del. C. § 4942(d).

Florida

Solicitation of votes is prohibited within 150 ft. of any entrance to a polling place. Fla. Stat. § 102.031. However, voters may wear campaign buttons, shirts, hats, or any other campaign items when they enter the polling place to vote so long as they do not campaign otherwise. Fla. Admin. Code Ann. r. 1S-2.034;
<https://www.flrules.org/Gateway/reference.asp?No=Ref-16732>.

Georgia

No person, when within the polling place, shall electioneer or solicit votes for any political party or body or candidate or question. O.C.G.A. § 21-2-413(d). No one can “solicit votes in any manner or by any means or method” within 150 feet of the outer edge of any building with a polling place; within any polling place; or within 25 feet of any voter standing in line to vote at any polling place. O.C.G.A. § 21-2-414(a)(1)-(3). This statute applies to clothing and apparel.
<https://www.ncsl.org/elections-and-campaigns/electioneering-prohibitions>.

Hawaii

Campaigning within 200 feet from the perimeter of any voter service center, place of deposit, and its appurtenances is prohibited. HRS § 11-132.
*(Unclear as to whether this statute applies to clothing/apparel).

Idaho

Electioneering is prohibited within a polling place, within any building in which an election is being held, or within 250 feet of the primary entrance and exit used by voters at a polling place or other voting location, which includes wearing any clothing that supports or opposes a current candidate or ballot question. Idaho Code § 18-2318;
https://sos.idaho.gov/elect/clerk/Forms/EP11B_PollingPlaceLaws.pdf.

Illinois

Electioneering is prohibited within 100 ft. of any polling place. 10 ILCS 5/17-29. This statute applies to clothing and apparel.
<https://www.rrstar.com/story/news/politics/2022/11/03/laws-on-electioneering-cover-what-you-can-wear-on-election-day-in-illinois/69613655007/>.

Indiana

“Electioneering” means wearing or displaying an article of clothing, sign, button, or placard that states: the name of any political party or includes the name, picture, photograph, or other likeness of any candidate or currently elected federal, state, county, or local official; or support for the approval or defeat of a public question. Burns Ind. Code Ann. § 3-14-3-16(a)(1)-(2).

Iowa

A person commits the crime of election misconduct in the third degree if the person willfully does any electioneering on the premises of a polling place or within three hundred feet of an outside door of a building affording access to a room where the polls are held, or of an outside door of a building affording access to a hallway, corridor, stairway, or other means of reaching the room where the polls are held. Iowa Code § 39A.4. Wearing any political clothing/apparel while voting is permitted, and is only considered “electioneering” if being worn while loitering.

Kansas

Electioneering is prohibited within 250 ft. of any entrance to a polling place. K.S.A. § 25-2430. “Electioneering” means an attempt to persuade or influence, by any means, eligible voters to vote for or against a particular candidate, party or question submitted, which includes wearing any clothing that clearly identifies a candidate or clearly indicates support or opposition to a question on the ballot. *Id.*

Kentucky

Electioneering is prohibited within 100 ft. of any polling place, which includes “displaying of signs, the distribution of campaign literature, cards, or handbills, the soliciting of signatures to any petition, or the solicitation of votes for or against any bona fide candidate or ballot question.” Ky. Rev. Stat. § 117.235. However, this does not apply to any clothing or apparel. <https://spectrumnews1.com/ky/louisville/news/2020/10/28/do-s-and-don-ts-at-kentucky-polls>.

Louisiana

Voters are prohibited from performing any of the following within any polling place between certain hours: hand out, place, or display campaign cards, pictures, or other campaign literature of any kind or description whatsoever which advocate for or against any candidate, proposition, or political party appearing on the ballot in the election; or place or display political signs, pictures, or other forms of political advertising which advocate for or against any candidate, proposition, or political party appearing on the ballot in the election. La. R.S. § 18:1462. This applies to a polling place being used in an election on election day or during early voting, or within a radius of six hundred feet of the entrance to any polling place being used in an election on election day or during early voting. *Id.* *(Unclear as to whether this statute applies to clothing/apparel).

Maine

A person may not display or distribute campaign literature, posters, palm cards, buttons, badges or stickers containing a candidate’s name or otherwise intending to influence the opinion of any voter regarding a candidate or question on the ballot for the election that day on any public property located within 250 feet of the entrance to either the voting place or the building in which the registrar’s office is located. 21-A M.R.S. § 682.

Maryland

A person may not canvass, electioneer, or post any campaign material in the polling place or beyond a line established by signs posted. Md. Election Law Code Ann. § 16-206. Voters may wear campaign paraphernalia into the polling place while there to vote, provided they do not linger.

<https://www.calvertcountymd.gov/Faq.aspx?QID=126>.

Massachusetts

[N]o other poster, card, handbill, placard, picture or circular intended to influence the action of the voter shall be posted, exhibited, or distributed in the polling place, in the building where the polling place is located, or within 150 feet of the building entrance door to such polling place. ALM GL ch. 54, § 65. This statute applies clothing and apparel. <https://www.wvlp.com/news/state-politics/campaign-clothing-not-permitted-at-massachusetts-polling-locations/>.

Michigan

On election day, a person shall not post, display, or distribute in a polling place, in any hallway used by voters to enter or exit a polling place, or within 100 feet of an entrance to a building in which a polling place is located any material that directly or indirectly makes reference to an election, a candidate, or a ballot question. MCLS § 168.744. This applies to clothes and apparel.

https://www.michigan.gov/-/media/Project/Websites/sos/32lawens/Know_the_Facts.pdf?rev=0d2e709f910f429fb1724a250b8ccdd3.

Minnesota

It is unlawful to wear, exhibit, or distribute any item that displays the name, likeness, logo, slogan of a candidate who appears on a ballot. Items include banners, buttons, badges, stickers, shirts, hats or any similar item. This prohibition applies throughout absentee and early voting periods and also restricts these items within a polling place or 100 feet from the room that polling is situated. Minn. Stat. § 211B.11.

Mississippi

It is unlawful to post or distribute any campaign literature within 150 feet of the polling place unless on private property, which includes wearing any T-shirts, buttons, etc. with a candidate's name or likeness as well. Miss. Code Ann. § 23-15-895; <https://www.sos.ms.gov/elections-101#ar04>.

Missouri

Voters are prohibited from wearing political apparel to the polls, including political masks, shirts, hats, buttons or any other apparel that advocates for a political candidate or issue within 25 feet of a polling place. Mo. Rev. Stat. § 115.637.

Montana

Voters may not wear or display within 100 feet of a polling place any badge, button, or other insignia that relates to any candidate or ballot issue to be voted upon at the election. Mont. Code Ann. § 13-35-211.

Nebraska

Electioneering is prohibited within 200 ft. of any secure ballot drop-box. Neb. Rev. St. § 32-1524. Electioneering would include deliberately displaying a candidate's name, likeness, logo, or symbol on a button, hat, pencil, pen, shirt, sign, or sticker. Neb. Rev. St. § 32-108.01.

Nevada

Electioneering, including "displaying any badge, button or other insigne which is designed or tends to aid or promote the success or defeat of any political party or a candidate or ballot question to be voted upon at that election", is prohibited within 100 ft. of any polling place. NRS 293.740.

New Hampshire

The distribution or posting of electioneering communications, including but not limited to posters, cards, handbills, placards, pictures, pins, stickers, circulars, or articles of clothing, is prohibited within any no-electioneering corridor established outside the polling place by the moderator. RSA 659:43.

New Jersey

No person shall display, sell, give or provide any political badge, button or other insignia to be worn at or within one hundred feet of the polls or within the polling place or room, on any primary, general or special election day or on any commission government election day, except the badge furnished by the county board as herein provided. N.J. Stat. § 19:34-19.

New Mexico

Electioneering, including the display or distribution of signs or campaign literature, campaign buttons, t-shirts, hats, pins or other such items and includes the verbal or electronic solicitation of votes for a candidate or question, is prohibited within 100 ft. of a polling place. N.M. Stat. Ann. § 1-20-16.

New York

"[N]o political banner, button, poster or placard shall be allowed in or upon the polling place or within such a one hundred foot radial." NY CLS Elec § 8-104.

North Carolina

There are no restrictions regarding wearing political clothing or apparel while voting. <https://www.charlotteobserver.com/news/politics-government/election/article268394837.html>.

North Dakota

No individual may buy, sell, give, or provide any political badge, button, or any insignia within a polling place or within one hundred feet from the entrance to the room containing the polling place while it is open for voting. N.D. Cent. Code, § 16.1-10-03. No such political badge, button, or insignia may be worn within that same area while a polling place is open for voting. *Id.*

Ohio

Campaigning, loitering, soliciting votes, or attempting to influence voters is prohibited within 100 ft. of any polling place or within 10 ft. of any elector. Ohio Rev. Code Ann. § 3501.35. This statute applies to clothing and apparel. <https://www.wosu.org/news/2020-10-12/ohio-wont-turn-away-voters-if-they-violate-law-on-wearing-political-clothing>.

Oklahoma

“Electioneering”, meaning advocating directly for or against a candidate or question that is or will be on the ballot at any election through signs or clothing, is prohibited within 300 ft. of the entrance to any polling place. 26 Okl. St. § 7-108.

Oregon

Currently, there are no restrictions regarding wearing political clothing or apparel while voting.

Pennsylvania

There are no restrictions regarding wearing political clothing or apparel while voting. <https://www.attorneygeneral.gov/resources/voting/>.

Rhode Island

No clothing or apparel designed or tending to aid, injure, or defeat any candidate for public office or any political party on any question submitted to the voters shall be distributed or displayed within the voting place or within 50 ft. of the entrance or entrances to the building in which voting is conducted at any primary or election. RI Gen L § 17-19-49.

South Carolina

While it is unlawful to distribute campaign material within 500 ft. any entrance to a polling place, there are no restrictions on wearing political clothing or apparel for voters. S.C. Code Ann. § 7-25-180.

South Dakota

No person may, in any polling place or within or on any building in which a polling place is located or within 100 ft. from any entrance leading into a polling place display campaign posters, signs, or other campaign material. S.D. Codified Laws § 12-18-3.

Tennessee

Voters are prohibited from displaying campaign posters, signs or other campaign materials within 100 ft. of a polling place. Tenn. Code. Ann. § 2-7-111(a)-(b)(1).

Texas

Voters are *not* allowed to “wear a badge, insignia, emblem, or other similar communicative device relating to a candidate, measure, or political party appearing on the ballot” within 100 feet of any door to a polling place. Tex. Elec. Code § 61.010(a).

Utah

Electioneering is prohibited within 150 ft. of a polling place, which includes “any oral, printed, or written attempt to persuade persons to refrain from voting or to vote for or vote against any candidate or issue.” Utah Code Ann. § 20A-3a-501.

Vermont

“Within the building containing a polling place, no campaign literature, stickers, buttons, name stamps, information on write-in candidates, or other political materials that display the name of a candidate on the ballot or an organized political party or that demonstrate support or opposition to a question on the ballot are displayed, placed, handed out, or allowed to remain.” 17 V.S.A. § 2508.

Virginia

When approaching or entering a polling place for the purpose of voting, a person is allowed to wear “a shirt, hat, or other apparel on which a candidate’s name or a political slogan appears or from having a sticker or button attached to his apparel on which a candidate’s name or a political slogan appears.” Va. Code Ann. § 24.2-604.

Washington

It is prohibited to “[s]uggest or persuade or attempt to suggest or persuade any voter to vote for or against any candidate or ballot measure” within 100 feet of an entrance to a polling place or 25 feet of a ballot drop location. Rev. Code Wash. § 29A.84.510.

West Virginia

Electioneering, meaning the displaying of signs or other campaign paraphernalia, and loitering is prohibited within 100 ft. of an entrance to a polling place. W.V. Code § 3-1-37; W.V. Code § 3-9-9.

Wisconsin

Voters are prohibited from electioneering within 100 ft. of an entrance to a polling place. Electioneering is defined as “any activity which is intended to influence voting at an election”, which includes wearing any political apparel. Wis. Stat. § 12.03.

Wyoming

Electioneering is prohibited within 100 yds. of a polling place on the day of an election and within 100 ft. on any other day. Electioneering includes the display of campaign signs or distribution of campaign literature. W.S. 22-26-113.
*(Unclear as to whether this statute applies to clothing/apparel).

Last updated: October 8, 2024