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# ASK AN EXPERT

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## Provisional Ballots

### What are provisional ballots?

Provisional ballots are called a “[failsafe](#)” for voters because they allow them to cast a ballot when their eligibility to vote cannot be readily verified at the polls. Before 2002, these voters would be turned away. The [Help America Vote Act \(HAVA\)](#) changed this, mandating that states offer provisional ballots and prohibiting them from turning away voters whose names do not appear on the voter records at a particular polling location.

### Why would a voter be required to cast a provisional ballot?

When voters check in at their polling place, poll workers check the poll book, which includes the names of registered voters. If voters’ names do not appear on the list, then they have to vote provisionally.

**There are many reasons why voters may cast a provisional ballot, and they can be divided into three categories:**

**1. Registration-based:**

- Voters have [“no record of registration.”](#) meaning poll workers are unable to find their names in the poll book. (This is the most common reason.)
- Voters have been [removed](#) from the voter records.
- [Inactive voters](#) in some states are also asked to vote provisionally, while in others, they can update their information at the polls and cast a regular ballot.
- Voters who registered after their state’s deadline vote provisionally.
- Voters who fail to bring ID in states where identification is required will vote provisionally. States have specific [deadlines](#) by which voters must then bring their ID to their local election office so that their vote will count.

**2. Jurisdiction-based:**

- Registered voters who show up at a polling site in the wrong county may be asked to vote provisionally because they cannot vote in a county where they do not reside.
- The same applies to registered voters who turn out to vote at the wrong precinct. In this case, a provisional ballot is offered because state and local races may vary, while federal races remain the same.

**3. Voting-based:**

- In some states where mail voting is available, voters [may be asked to vote provisionally](#) if they have requested an absentee ballot but show up to vote with their ballot in hand. If there is a record that a voter has submitted a mail ballot, then that voter also will cast a provisional ballot.
- In some cases, when the polls stay open after normal closing time because of long lines or delayed poll openings, voters may vote provisionally.

## **Why are provisional ballots rejected?**

After Election Day, local election officials, or local canvassing boards, evaluate provisional ballots and verify whether voters were eligible to vote in the election and have a voter registration record.

The most common reason to reject a provisional ballot is because a voter’s record is not found. These “no record of registration voters” may be individuals who never registered to vote or, as is sometimes the case, attempted to register to vote but never had their registrations processed.

Registered voters will also have their provisional ballot rejected if they registered to vote after their state’s voter registration deadline.

Another common reason that provisional ballots are rejected is because voters fail to show up to their local elections office after Election Day to show their ID. In states with strict voter ID laws, these deadlines are tight.

Provisional ballots cast because voters turned out to vote in the wrong county or precinct may [partially count](#), meaning that their votes for federal or statewide races will count but not those cast in local races.

Voters who were removed from the list because [of an administrative error](#) will have their provisional ballot counted.

## **What have states done to minimize the number of rejected provisional ballots?**

Provisional ballot rates, as a total of all ballots cast, are [very low](#). Rejection rates, however, vary dramatically across the states, with some rejecting the majority of provisional votes.

It is difficult to assess whether high rejection rates have negative implications for voters. Because some of the reasons to cast a provisional ballot affect registered voters, states have adopted formal and informal practices to minimize the number of provisional ballots cast and rejected.

One of the most impactful is the adoption of vote centers, which remove the precinct assignment for voters. This policy directly eliminates the need to cast an “out-of-precinct” provisional ballot.

To promptly inform voters about the status of their provisional ballot, which federal law requires, states have created online tools voters can use to access and resolve issues so that their provisional ballots will count.

Election administrators have also adopted the informal policy of directing voters to their correct precinct or county – or asking them to retrieve their ID and then return to vote via a regular ballot, which will be counted.

## **I voted using a provisional ballot. What do I do now?**

Please call your local elections office as soon as possible to verify the deadline for submitting any additional information (such as an ID) that may be necessary for your vote to be counted.

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