

State Absentee and Early Voting Laws

This IPRO report summarizes state policies regarding absentee and early voting.

Federal Law

The Uniformed and Overseas Citizens Absentee Voting Act requires that uniformed servicemen and citizens living abroad be allowed to vote by absentee ballot. It also requires states to accept Federal write-in absentee ballots for voters who did not receive state ballots in a timely manner. The implementation of absentee voting for citizens within the United States is left up to the states.¹

Iowa Law

Iowa permits registered voters to vote absentee by mail with no excuse required.² Early voting in person is also permitted without an excuse.³ Voters may cast their ballot at the county commissioner's office no more than 40 days before election day.

State Legislation Regarding Absentee and Early Voting

Table 1 presents the policies of each state on absentee and early voting, including whether or not an excuse is required and whether "No Excuse Permanent Absentee" voting is allowed. An acceptable "excuse" for an absentee ballot varies from state to state, but generally requires that the voter submit a written request saying that they have reason to believe they will be unable to make it to their polling place on election day. A sample of acceptable excuses include: illness, temporarily being out of the area, being an active member of the armed forces, having a disability, working during the open polling hours, or holding religious beliefs that would prohibit voting on election day. "Permanent Absentee" voting involves a voter signing up on a state's registry to receive all ballots as absentee until they notify the state differently.

¹ Uniformed and Overseas Citizens Absentee Voting Act. <<http://www.fvap.gov/resources/media/uocavalaw.pdf>>

² State of Iowa. "Right to Vote – Conditions." Iowa Code, Title 2, Chapter 53.1.
<<http://www.legis.state.ia.us/IACODE/2003/53/1.html>>.

³ State of Iowa. "Absentee Voting at the Commissioner's Office." Iowa Code, Title 2, Chapter 53.10.
<<http://www.legis.state.ia.us/IACODE/2003/53/10.html>>.

Table 1⁴

	Early Voting (In Person)		Absentee Voting (By Mail)			
	Permitted		Not permitted	Permitted		No Excuse Permanent Absentee?
	No excuse	Excuse required		No excuse	Excuse required	
AL		X			X	
AK	X			X		
AZ	X			X		
AR	X			X		
CA	X			X		X
CO	X			X		X
CT		X			X	
DE		X			X	
DC		X			X	
FL	X			X		
GA	X			X		
HI	X			X		
ID	X			X		
IL	X				X	
IN	X				X	
IA	X			X		
KS	X			X		
KY		X			X	
LA	X				X	
ME	X			X		
MD			X		X	
MA		X			X	
MI		X			X	
MN		X			X	
MS		X			X	
MO		X			X	
MT	X			X		X

⁴ "States - Absentee and Early Voting Laws." 23 Oct. 2008. The Early Voting Center at Reed College. <<http://earlyvoting.net/states/abslaws.php>>.

	Early Voting (In Person)			Absentee Voting (By Mail)		
	Permitted		Not permitted	Permitted		No Excuse Permanent Absentee?
	No excuse	Excuse required		No excuse	Excuse required	
NE	x			x		
NV	x			x		
NH		x			x	
NJ	x			x		
NM	x			x		
NY		x			x	
NC	x			x		
ND	x			x		
OH	x			x		
OK	x			x		
OR			x	x		
PA		x			x	
RI			x		x	
SC		x			x	
SD	x			x		
TN	x				x	
TX	x				x	
UT	x			x		
VT	x			x		
VA		x			x	
WA			x	x		x
WV	x				x	
WI	x			x		
WY	x			x		

As Table 1 indicates, 28 states allow no-excuse absentee voting by mail, while 22 states and the District of Columbia require an excuse to vote absentee by mail. Thirty-two states allow no-excuse pre-Election Day in-person voting, 14 states and the District of Columbia require an excuse to vote early in person, and four states do not allow in-person early voting. One state, Oregon, is all vote-by-mail.