

Employer's Guide to State Voting Leave Requirements

The table below summarizes state laws for private employers regarding voting leave for employees.

Note: The table below contains only a summary of the applicable state laws and is not intended to be a comprehensive statement of the requirements of any state law. Any citations to any state law are provided for reference only and may not encompass all applicable sections of the law or regulations. To the extent that federal, state, or local law differs from what is contained in the below table or in this summary or any other policy, the applicable law will apply.

| 2024 State Voting Leave Requirements for Private Employers | | |
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| State | Eligibility, Benefit, and Notice Requirements | Paid/Unpaid |
| Alabama | <ul style="list-style-type: none"> ▪ Eligibility: Employees whose shifts are scheduled to begin less than 2 hours after the polls in their areas of residence open or at least 1 hour before the polls are scheduled to close. ▪ Notice: Reasonable ▪ Benefit: "Time necessary," not to exceed 1 hour. (Ala. Code § 17-1-5) | Unpaid |
| Alaska | <ul style="list-style-type: none"> ▪ Eligibility: Employees who will not have at least 2 hours outside of work during election hours to vote. ▪ Notice: Not specified. ▪ Benefit: Up to 2 hours. (Alaska Stat. Ann. § 15.15.100) | Paid |
| Arizona | <ul style="list-style-type: none"> ▪ Eligibility: Employees who will not have at least 3 consecutive hours outside of work during election hours to vote. ▪ Notice: Prior to Election Day. Employer may specify hours of leave. ▪ Benefit: Up to 3 hours. (Ariz. Rev. Stat. § 16-402) | Paid |
| Arkansas | <ul style="list-style-type: none"> ▪ Eligibility: Employees who will not have sufficient time outside of work during election hours to vote. ▪ Notice: Requests must be made prior to Election Day. ▪ Benefit: Not specified. Employer must schedule work hours to allow time to vote. (Ark. Code Ann. § 7-1-102) | Unpaid |
| California | <ul style="list-style-type: none"> ▪ Eligibility: Employees who will not have sufficient time outside of work during election hours to vote. ▪ Notice: No later than the third working day before Election Day. Time off must be taken at the beginning or end of the regular shift, whichever allows the most time to vote and requires the least missed working time, unless otherwise mutually agreed ▪ Benefit: Time off will not be paid in excess of 2 hours. (Cal. Elec. Code §§ 14000 to 14003) | Paid up to 2 hours, but any leave over two hours may be unpaid |
| Colorado | <ul style="list-style-type: none"> ▪ Eligibility: Employees who will not have at least 3 consecutive hours outside of work during election hours to vote. | Paid up to 2 hours |

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| | <ul style="list-style-type: none"> Notice: Prior to Election Day. Employer may specify the hours, but the hours must be at the beginning or end of the shift if employee requests such. Benefit: Up to 2 hours while the polls are open. (Colo. Rev. Stat. Ann. §§ 1-7-102, 31-10-603 and 24-50-401(4)) | |
| Connecticut | <ul style="list-style-type: none"> Eligibility: Employees are provided with up to 2 hours during the time the polls are open to vote. Notice: At least two working days in advance of the election. Benefit: Up to 2 hours. (CT ST § 31-57y) | Unpaid |
| District of Columbia | <ul style="list-style-type: none"> Eligibility: Employees are provided up to 2 hours to vote, or, if the employee is not eligible to vote in the District, in any election run by the jurisdiction in which the employee is eligible to vote. Notice: Within a reasonable time prior to Election Day. Benefit: Up to 2 hours. (DC CODE § 1-1001.07a) | Paid |
| Georgia | <ul style="list-style-type: none"> Eligibility: Employees whose shifts are scheduled to begin less than 2 hours after the polls in their areas of residence open and/or at least 2 hours before polls are scheduled to close. Notice: Within a reasonable time prior to Election Day. Employer may specify hours of leave. Benefit: Not to exceed 2 hours. (Ga. Code Ann. §§ 21-2-404, 21-2-598 and 21-2-599) | Unpaid |
| Illinois | <ul style="list-style-type: none"> Eligibility: Employees whose shifts are scheduled to begin less than 2 hours after the polls in their areas of residence open and or at least 2 hours before polls are scheduled to close. For leave for primary elections, employer must consent. Notice: Prior to Election Day. Employer may specify hours of leave. Benefit: Up to 2 hours while the polls are open. (10 Ill. Comp. Stat. 5/17-15) | Paid |
| Iowa | <ul style="list-style-type: none"> Eligibility: Employees who do not have 2 consecutive hours during which they are required to be present at work when the polls are open, Notice: Prior to Election Day. Employer may specify hours of leave. Benefit: Up to 2 hours. (Iowa Code § 49.109) | Paid |
| Kansas | <ul style="list-style-type: none"> Eligibility: Employees whose work schedules do not allow for 2 consecutive hours before or after work to vote. Notice: Before Election Day. Employer may specify hours of leave (except it may not include time during the regular lunch period). Benefit: Up to 2 hours. (Kan. Stat. Ann. § 25-418) | Paid |
| Kentucky | <ul style="list-style-type: none"> Eligibility: Employees are permitted 4 hours while the polls are open. Notice: Within a reasonable time prior to Election Day. Employer may specify hours of leave. Benefit: Not less than 4 hours. Employee may not be penalized for taking leave. (Ky. Rev. Stat. § 118.035) | Unpaid |
| Maryland | <ul style="list-style-type: none"> Eligibility: Employees whose shifts are scheduled to begin less than 2 hours after the polls in their areas of residence open or at least 2 hours before polls are scheduled to close. Notice: Not specified. Benefit: Up to 2 hours. (Md. Elec. Law § 10-315) | Paid |
| Massachusetts | <ul style="list-style-type: none"> Eligibility: Employees are provided up to 2 hours during the time the polls are open. Notice: Not specified. Benefit: Up to 2 hours. (Mass. Gen. Laws ch. 149, § 178) | Unpaid |
| Minnesota | <ul style="list-style-type: none"> Eligibility: Employees may be absent from work for the time necessary to appear at the employee's polling place, cast a ballot, and return to work on the day of that election. Notice: Not specified. Level of Benefit: For the time necessary to appear at the employee's polling place, cast a ballot, and return to work on the day of that election. (Minn. Stat. § 204C.04) | Paid |

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| Mississippi | Miss. Code Ann. § 23-15-871 makes it unlawful for an employer to attempt to influence employee's vote or political participation in any manner. | Unpaid |
| Missouri | <ul style="list-style-type: none"> ▪ Eligibility: Employees who do not have three successive nonworking hours while the polls are open to vote. ▪ Notice: Prior to Election Day. Employer may specify hours of leave. ▪ Benefit: Up to 3 hours. (Mo. Rev. Stat. § 115.639) | Paid |
| Nebraska | <ul style="list-style-type: none"> ▪ Eligibility: Employees whose work schedules do not allow for 2 consecutive hours to vote while the polls are open. ▪ Notice: Prior to or on Election Day. Employer may specify hours of leave. ▪ Benefit: Up to 2 hours. (Neb. Rev. Stat. § 32-922) | Paid |
| Nevada | <ul style="list-style-type: none"> ▪ Eligibility: Employees whose work schedules do not allow sufficient time to vote while the polls are open. ▪ Notice: Before Election Day. Employer may specify hours of leave ▪ Benefit: Depends on the distance between the work location and the employee's polling place. If 2 miles or less – up to 1 hour; if more than 2 miles but no more than 10 miles – up to 2 hours; if more than 10 miles – up to 3 hours. (Nev. Rev. Stat. § 293.463) | Paid |
| New Mexico | <ul style="list-style-type: none"> ▪ Eligibility: Employees are provided 2 hours for voting between the time of opening and the time of closing the polls. This does not apply to an employee whose workday begins more than 2 hours subsequent to the time of opening the polls, or ends more than 3 hours prior to the time of closing the polls. ▪ Notice: Prior to Election Day. Employer may specify hours of leave. ▪ Benefit: Up to 2 hours. (N.M. Stat. Ann. § 1-12-42) | Not Specified - but employee may not be penalized for taking leave. |
| New York | <ul style="list-style-type: none"> ▪ Eligibility: Employees who can demonstrate that they do not have sufficient time to get to their polling locations either before or after their regularly scheduled work hours may be granted up to 2 hours of time off to vote. If an employee has 4 consecutive non-working hours in which to vote (either between the opening of the polls and the beginning of a shift or between the end of work and poll close), such time is deemed to be "sufficient", and an employee is not entitled to leave. ▪ Notice: Two (2) days before Election Day. Employer may designate that leave must be taken at the beginning or end of the work shift ▪ Benefit: Not to exceed 4 consecutive hours when added to the employee's voting time outside of his/her working hours, but not more than 2 hours of which shall be without loss of pay. (N.Y. Elec. Law § 3-110) | Paid up to 2 hours |
| North Dakota | Employers are encouraged, but not required, to have policies to allow time off for voting. (N.D. Cent. Code § 16.1-01-02.1) | Unpaid |
| Ohio | <ul style="list-style-type: none"> ▪ Eligibility: Employees are provided with reasonable time off to vote. ▪ Notice: Not specified. ▪ Benefit: "Reasonable time off to vote." Employer may not discharge or threaten to discharge employee for taking leave. (Ohio Rev. Code Ann. § 3599.06) | Unpaid |
| Oklahoma | <ul style="list-style-type: none"> ▪ Eligibility: Employees are provided up to 2 hours during the period the polls are open, but if the employee requires more than 2 hours due to distance from the voting place, he/she will be allowed a "sufficient time" in which to vote. This does not apply to an employee whose workday begins 3 hours or more prior to the opening of the polls, or ends 3 hours or more prior to the closing of the polls. ▪ Notice: At least three (3) days before Election Day. Employer may specify hours of leave. ▪ Benefit: Up to 2 hours unless additional time is needed due to distance from voting place. (Okla. Stat. tit. 26, § 7-101) | Paid |
| Puerto Rico | <ul style="list-style-type: none"> ▪ Eligibility: If it is not foreseeable for an employee to request the early vote, employers must grant the employee a maximum of 2 hours with pay to vote during their working hours. ▪ Notice: Not specified. ▪ Benefit: Up to 2 hours. | Paid |

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| | (Act No. 54-2020) | |
| South Dakota | <ul style="list-style-type: none"> ▪ Eligibility: Employees whose work schedules do not allow for 2 consecutive hours in which to vote while the polls are open. ▪ Notice: Not specified. Employer may specify hours of leave. ▪ Benefit: Up to 2 hours. (S.D. Codified Laws § 12-3-5) | Paid |
| Tennessee | <ul style="list-style-type: none"> ▪ Eligibility: Employees whose shifts are scheduled to begin less than 3 hours after the polls in their county of residence open, and are scheduled to end less than 3 hours before the polls close. ▪ Notice: Before noon on the day prior to Election Day. Employer may specify hours of leave. ▪ Benefit: Up to 3 hours. (Tenn. Code Ann. § 2-1-106) | Paid |
| Texas | <ul style="list-style-type: none"> ▪ Eligibility: Employees who do not have 2 consecutive hours outside of work while the polls are open to vote. ▪ Notice: Not specified. ▪ Benefit: Unspecified. (Tex. Elec. Code § 276.004) | Paid |
| Utah | <ul style="list-style-type: none"> ▪ Eligibility: Employees whose work schedule on Election Day does not allow at least 3 hours outside of work to vote. ▪ Notice: Before Election Day. Employer may specify hours of leave, but must grant requests for leave to be taken at the beginning or end of a shift. ▪ Benefit: Up to 2 hours. (Utah Code § 20a-3-103) | Paid |
| Vermont Town Hall Meeting Leave | <ul style="list-style-type: none"> ▪ Eligibility: An employee shall have the right to take unpaid leave from employment for the purpose of attending his or her annual town meeting. ▪ Notice: At least 7 days prior to the date of the town meeting. ▪ Benefit: Time off as required for attendance. Subject to the essential operation of a business or entity of state or local government, which shall prevail in any instance of conflict. (Vt. Stat. Ann. Tit. 21, § 472b) | Unpaid |
| West Virginia | <ul style="list-style-type: none"> ▪ Eligibility: Employees whose work schedule on Election Day will not allow them at least 3 hours outside of work to vote. ▪ Notice: Three (3) days before Election Day. ▪ Benefit: Up to 3 hours. (W. Va. Code §§ 3-1-42 and 3-9-20) | Paid |
| Wisconsin | <ul style="list-style-type: none"> ▪ Eligibility: An employee may take up to 3 consecutive hours off without pay between the opening and closing of the polls. ▪ Notice: Prior to Election Day. ▪ Benefit: Up to 3 hours. (Wis. Stat. § 6.76) | Unpaid (but Employer may not subject employee to a penalty) |
| Wyoming | <ul style="list-style-type: none"> ▪ Eligibility: Employees who do not have 3 or more consecutive nonworking hours to vote while the polls are open. ▪ Notice: Not specified. Employer may specify hours of leave. ▪ Benefit: One hour (excluding meal hour) while the polls are open. (Wyo. Stat. § 22-2-111) | Paid |

States with no statute or regulatory provisions applicable to private employers: Delaware, Florida, Hawaii, Idaho, Indiana, Louisiana, Maine, Michigan, Montana, New Hampshire, New Jersey, North Carolina, Oregon, Pennsylvania, Rhode Island, South Carolina, Virginia, and Washington.