



Vote-by-Mail Ballots - Request, Pick-Up, Delivery, Return, Receipt

DE Reference Guidelines 0001 (Updated 01/01/2025) – supersedes all prior versions)

These guidelines are for reference only. They are not to be construed as legal advice or representation. For any particular set of facts or circumstances, refer to the applicable state, federal law, and case law, and/or consult a private attorney before drawing any legal conclusions or relying upon this information.

WHO CAN REQUEST A BLANK VOTE-BY-MAIL BALLOT?

- Any registered voter
- Any registered voter's legal guardian or immediate family (*i.e., spouse, parent, child, grandparent of the voter, or sibling of the voter, or the parent, grandparent or sibling of the voter's spouse*) if directly instructed by the voter.

HOW CAN A REQUEST FOR A VOTE-BY-MAIL BALLOT BE MADE?

- A request can be made in person, by phone, or in writing (email, fax, or online through the supervisor's website).
 - A request, regardless of the method, requires a Florida driver license or Florida identification card number or last four digits of the voter's social security number, which can be verified by the supervisor's records.
 - A written request must be signed. If the request is submitted online through the supervisor's website, a signature may be indicated by checking a box affirming the voter's request or accompanied by a digital or electronic signature or attaching a scanned image of an original signature with an email.
 - A signed written request is required if the ballot is to be mailed to an address other than the one on record. (An exception exists for absent uniformed services member voters and overseas voters.)
 - Any request must include information required by Subsection [101.62\(1\)\(b\)](#), F.S.
 - If the requester is someone other than voter, the requester must provide name, address, driver license if available, relationship to the voter and if in writing, requester's signature.

A written request must be made using the Statewide Vote-by-Mail Request Form, [Form DS-DE 160](#).

Note: Except as expressly authorized for voters with a disability under Section [101.662](#), Fla. Stat. an overseas voters under Section [101.697](#), Fla. Stat. or for mail ballot elections pursuant to Section 101.6102 et seq., Fla. Stat., a vote-by-mail ballot may not sent unless requested by the voter. An administrator for an assisted living facility or nursing home facility, or a resident in the facility may request the supervisor of elections' office provide supervised vote-by-mail ballot voting under Section [101.655](#), F.S.

WHO CAN DELIVER [BLANK REQUEST FORMS](#) FOR VOTE-BY-MAIL BALLOTS?

- Anyone can deliver (in person or by mail with campaign materials) any number of blank request forms to voters.

WHO CAN PICK-UP AND RETURN [COMPLETED REQUEST FORMS](#) FOR VOTE-BY-MAIL BALLOT?

- Any person, including a candidate, can collect and return completed request forms to the supervisor of elections. No limit exists to the number of completed forms that a person can collect. Due to the confidential and exempt information now required on vote-by-mail request forms, collectors have a fiduciary duty to return the forms to the Supervisor of Elections' office as soon as possible to minimize opportunities for fraud.

WHEN ARE BLANK VOTE-BY-MAIL BALLOTS MAILED/SENT OUT?

- For requests on file for absent stateside uniformed services personnel and overseas voters, scheduled send date is no later than 45 days before each presidential preference primary election, primary election, and general elections. If the voter asks for a vote-by-mail ballot to be sent other than by mail, then the ballot can be e-mailed, faxed, or accessed online up to and including the day of the election any time before 7 p.m. local time with the understanding that the closer in time to the deadline, the increased likelihood of untimely return.
- For requests on file for domestic voters, the scheduled send date is between 40 and 33 days before the presidential preference primary election, primary election, and general election.

All other submitted requests are to be mailed out within two business days after receiving the request but no later than 10 days before the election. The last day to request that a ballot be mailed is 12 days before the election.

WHO CAN PICK-UP/HAVE DELIVERED BLANK VOTE-BY-MAIL BALLOTS FOR OR ON BEHALF OF VOTER?

- **In person (voter or designee only)**
 - *Voter*
 - An ID is required. (See list in Section [101.043](#), F.S.)
 - Pick-up period: At any time after vote-by-mail ballots become available before and up to 7 p.m. local time on Election Day.
 - See section below on Special Requirements for Vote-by-Mail Ballot delivery within the 10 days before an election.
 - *Designee*
 - A designee is limited to the number of blank ballots that he or she may order or request for another voter:
 - ✓ His or her own ballot
 - ✓ Ballots for any member of his or her immediate family (i.e., spouse, parent, child, grandparent or sibling, or the spouse's parent, grandparent or sibling).
 - ✓ Ballots for two other voters (that do not fall in the categories above).
 - A designee can pick up a ballot for another voter at any time after vote-by-mail ballots become available before and up to 7 p.m. local time on Election Day.
 - ✓ Required documents - Written authorization from voter required, signed affidavit and photo ID. See Affidavit to Pick-Up Vote-by-Mail Ballot for a Voter (DS-DE 37 ENG/SPN on [Forms](#) webpage).
 - ✓ See section below on Special Requirements for Vote-by-Mail Ballot delivery within the 10 days before an election.

The voter or designee on the voter's behalf must complete Form for Personal Delivery of Vote-by-Mail Ballot, Form DS-DE 162 – available on [Forms](#) webpage.

ARE THERE SPECIAL REQUIREMENTS TO HAVE A VOTE-BY-MAIL BALLOT DELIVERED ONCE MANDATORY EARLY VOTING STARTS?

Yes, the law requires an emergency affidavit to be completed for personal delivery of a vote-by-mail ballot during the last 10 days before an election and up to 7 pm, on Election Day. The voter or designee on the voter's behalf must complete Form for Personal Delivery of Vote-by-Mail Ballot, Form DS-DE 162.

- The voter or designee on the voter's behalf must state the emergency reason(s) as to why the voter is unable to go to the early voting location in his or her county or to his or her assigned polling location on Election Day.
- Form DS-DE 162 is available on [Forms](#) webpage. The form is incorporated by reference into [R1S-2.052](#), Fla. Admin. Code (Section [101.62](#)(4)(c)5., F.S.).
- If the designee is picking up or asking for delivery on behalf of voter, the designee must also complete a separate affidavit on Form for Personal Delivery of Vote-by-Mail Ballot, Form DS-DE 162 [Forms](#) webpage)
- Exception: A supervised voting situation on Election Day in an assisted living facility or nursing home as permitted under Section [101.655](#), F.S.

HOW TO RETURN A VOTED BALLOT

- A voter can return his or her own voted ballot in person or by mail to the Supervisors of Elections' office.
- Only overseas voters have the option to return a voted ballot by fax to the Supervisor of Elections' office.
- No voted ballots may not be returned by email or other electronic means.
- A limit exists to the number of voted vote-by-mail ballots that may be returned by a person other than the voter.
(See Section [104.0616](#), F.S., under header '[Violations Relating to Vote-by-Mail Ballots and Requests](#)')
- A voter may return his or her vote-by-mail ballot (voted or not) to the early voting site or polling place if choosing to vote in person instead. *The returned vote-by-mail ballot is then marked "cancelled."* (Section [101.69\(1\)](#), F.S.)
- A voter may also drop off a voted vote-by-mail ballot (in lieu of return by mail) at the county Supervisor of Elections' office main or permanent branch office or to a secure ballot intake station. A secure ballot intake station can be found at:
 - At the main office and permanent branch offices of the supervisors of elections
 - Each designated early voting site
 - At any other designated site that could have served as an early voting site, provided the site is staffed during hours of operation. (Section [101.69\(2\)](#), F.S.)

DEADLINE TO RETURN A VOTED BALLOT

- A voted ballot must be received by the Supervisor of Elections no later than 7 p.m. (local time) on Election Day in the voter's county of residence.
- A 10-day extension exists solely for overseas voters in presidential preference primary, general, special primary and special elections (the certificate/envelope has to be postmarked or dated no later than the day of election). For vote-by-mail ballots received from absent uniformed services voters or overseas voters, a statutory presumption exists that the envelope was mailed on the date stated on the outside of the return envelope, regardless of the absence of a postmark on the mailed envelope or the existence of a postmark date that is later than the date of the election. (Section [101.6952](#)(4), F.S.)
- A returned ballot for a voter who has died is to be counted even if the voter died after mailing the ballot but before election day, as long as, prior to the death of the voter, the ballot was:
 - (a) Postmarked by the United States Postal Service;
 - (b) Date-stamped with a verifiable tracking number by common carrier; or
 - (c) Already in the possession of the supervisor of elections.

(Section [101.68](#), F.S.)

WHO HAS ACCESS TO VOTE-BY-MAIL BALLOT REQUEST INFORMATION?

- Only the following persons and entities under the law are entitled to access vote-by-mail request and status information obtained as part of processing such request (including from the time of the request to the return and counting of the ballot as reported):
 - canvassing board
 - an election official,
 - a political party of official thereof,
 - a candidate who has filed qualification papers and is opposed in an upcoming election,
 - registered political committees for political purposes only, and
 - a voter (only entitled to access his or her own vote-by-mail ballot request information).
- Supervisors of Elections report during statewide elections starting 15 days before an election and ending 15 days after the election or election cycle (if consisting of a primary and a general election). See Rule [1S-2.043](#), F.A.C., for report file specifications.
- The State requires the requester to complete the online [Form DS-DE 146](#) (Application to Obtain Vote-by-mail Ballot Request Information). The user's online access is terminated on the 16th day after the election ends or sooner as may be applicable. The user's Request must be resubmitted each year.
- The vote-by-mail files are only to be made available during the reporting period and the only information to the above-named entities and persons is what is contained in those reported files.

Violations Relating to Vote-by-Mail Ballots and Requests

- It is a 3rd degree felony for a person to distribute, order, request, collect, deliver, or otherwise physically possess more than two vote-by-mail ballots per election other than his or her own ballot or a ballot belonging to an immediate family member. See exceptions as provided in Section [101.6105](#) et seq., Section [101.655](#) (supervised voting), F.S. Other criminal offenses include requesting an vote-by-mail ballot when not authorized or marking someone else's vote-by-mail ballot (Section [104.047](#), F.S.), and voting in person after casting an vote-by-mail ballot (Section [104.17](#), F.S.).