



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

DE Reference Guidelines 0001 (Updated 05/2022) – 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, online, fax)
 - 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 online, 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 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 elector, the requester must provide name, address, driver license if available, relationship to elector and if in writing, requester’s signature.

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) blank request forms to voters.
- No limit exists.
- No standardized statewide uniform request form currently exists. Some counties have created their own form.

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 forms that a person can collect on behalf of a voter but a limit exists to the number of requests that a person can make on behalf of another voter. See Section [104.0616](#), F.S., under header ‘**Violations Relating to Vote-by-Mail Ballots and Requests**’

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.

Blank ballots may be sent by mail, email, fax or if system available in county, online). 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 8 days before the election. The last day to request that a ballot be mailed is 10 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 on Election Day before 7 p.m. local time on Election Day.
- Special restrictions apply on Election Day (see 'Restriction on Election Day Delivery of a Vote-by-Mail Ballot')(DS-DE 136 ENG/SPN on [Forms](#) webpage).

- *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 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 up to 9 days before Election Day and 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).
 - ✓ Special restrictions apply on Election Day (see 'Restriction on Election Day Delivery of a Vote-by-Mail Ballot')(DS-DE 136 ENG/SPN on [Forms](#) webpage).

CAN A VOTE-BY-MAIL BALLOT BE PICKED UP OR DELIVERED ON ELECTION DAY?

- In order to pick up or have deliver a ballot on Election Day, the voter must execute the Election Day Vote-by-Mail Ballot Delivery Affidavit ([Form](#) DS-DE 136 ENG/SPN; [R1S-2.052](#), Fla. Admin. Code) stating the emergency as to why the voter is unable to go to his or her assigned polling location. (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 as required by Section [101.62\(4\)\(c\)4.](#), Fla. Stat. (See DS-DE 37 ENG/SPN on [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 can return a voted ballot by fax to the Supervisor of Elections' office.

- 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 a vote-by-mail ballot (voted or not) to the polling place if choosing to vote in person instead. *The returned vote-by-mail ballot is then marked as cancelled.* (Section [101.69](#), F.S.)
- A voter may drop off a voted vote-by-mail ballot 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](#), 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).

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 50 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 at the end of the calendar year in which access granted or sooner as may be applicable. Request must be resubmitted each year.

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.).