

In Tennessee, absentee voters have only one option to return their ballots: by mail. This means that for absentee ballots to be counted, voters must allow enough time to receive their ballots from election officials, fill them out, and then mail them back with enough time for them to arrive before polls close on Election Day.

Voters in every other state except Mississippi (who counts absentee ballots received up to five days after Election Day if postmarked by Election Day) also have the option to return their absentee ballot in person, helping to ensure all ballots are received on time.¹

Allowing absentee ballots to be returned in person to election offices will bring Tennessee in line with the rest of the country and help ensure that all eligible Tennessee votes are received and counted.



KEY TAKEAWAYS

- Tennessee’s current absentee voting laws are preventing some eligible ballots from being counted.
- All other states provide alternatives to help ensure absentee ballots are counted.
- Allowing Tennessee voters to return absentee ballots in person will increase voter confidence, requires no additional cost, and removes a logistical challenge unique to Tennessee.

Tennessee state law describes the absentee voting process.

Tennessee law dictates who is eligible to vote absentee, how and when to request an absentee ballot, and how ballots must be returned to election officials. Only voters meeting specific requirements, such as those who are at least 60 years old, out of town, or who are ill, may vote absentee in Tennessee.² Eligible voters can request that their County Election Commission send them an absentee ballot beginning 90 days and up to 10 days before Election Day. Voters return their ballots by mail to their County Election Commission.

Current Tennessee absentee voting laws may prevent some eligible ballots from being counted.

In Tennessee, absentee ballots are only counted if they are received by mail by the close of polls on Election Day. The reliance on postal service processing and delivery times can be challenging for some voters, particularly those who make a request near the end of the request window (10 days before Election Day).³

Tennessee officials have acknowledged and addressed this challenge in two ways in recent years.



2020: Dedicated Post Office for Delivery During Covid-19

With heightened national concerns of potential postal delays due to Covid-19, counties dedicated a post office for voters to take ballots directly if they were afraid it would not make it through the mail in time.⁴



2024: Shortened Request Window to Allow More Mail Time

Citing recent challenges with ballots requested on or near the last day arriving too late to be counted, legislators changed the last day voters can request an absentee ballot from seven to 10 days before Election Day.⁵

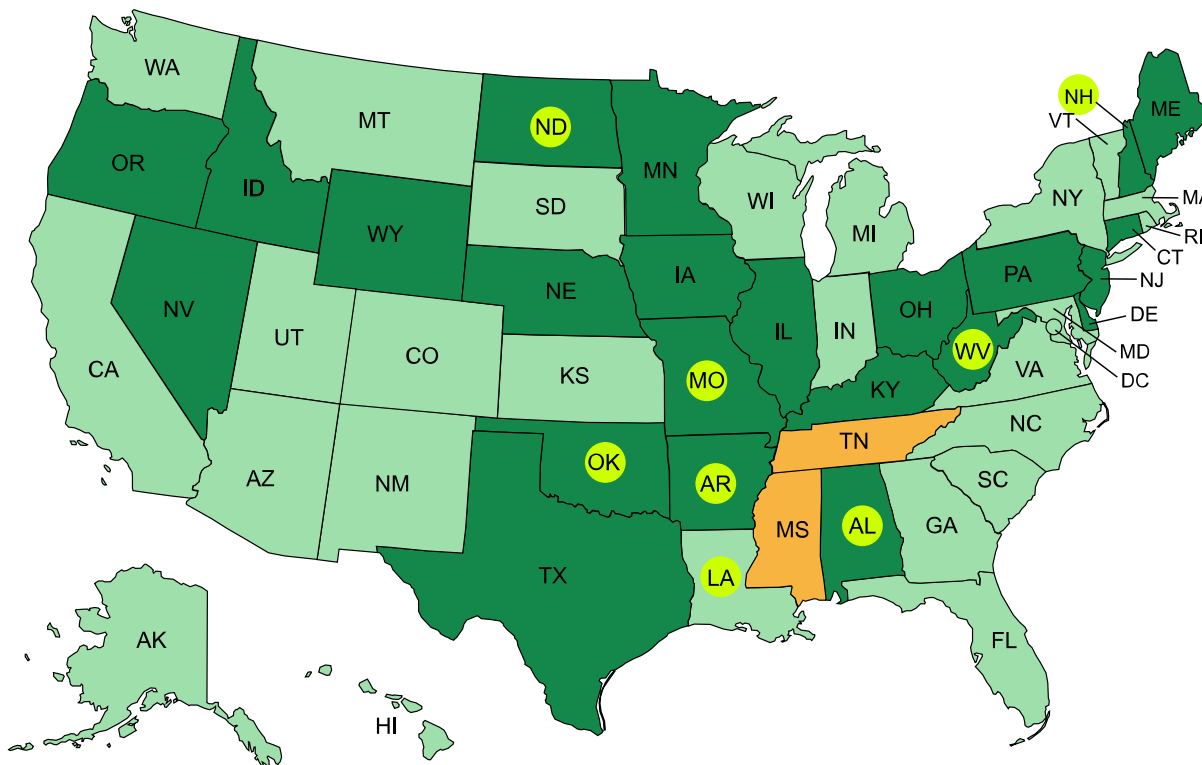
Yet even with a shortened request window, some voters may still risk not having their ballots arrive on time.

All other states provide alternatives to help ensure absentee ballots are counted.

Tennessee and Mississippi are the only two states that require absentee ballots to be returned by mail. All other states provide more opportunities for absentee voters to return their absentee ballots, allowing delivery in person to election offices, to polling places, or to secured drop boxes.



Voters in all states except Tennessee and Mississippi can return absentee ballots in person to election offices or polling places.



Ballots can be returned in person to election offices

Ballots can be returned in person to election offices and polling places

Ballots cannot be returned in person

The deadline for returning ballots in person is by the close of polls on Election Day (except in highlighted states).

In highlighted states, the deadline is the day before Election Day (the Fri before in AR).



Voters in most states can return absentee ballots to election offices or polling places.

Every state except Tennessee and Mississippi accepts absentee ballots returned in person at **election offices**, either directly or through drop boxes outside. Voters in half the country—25 and DC—have the additional option of returning ballots to either Early Voting or Election Day **polling places**.



Most states accept ballots returned in person if they are received by the close of polls on Election Day.

Most voters have the same amount of time to return absentee ballots in person—through the end of Election Day. Eight states require in-person absentee ballots to be returned before Election Day—either the day before, or in Arkansas, the Friday before Election Day.⁶

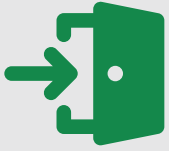


Voters may return their own ballot or designate someone to return it for them in most states.

In most states—39 and DC—a voter, their immediate family member, or other designee may return their absentee ballot in person. In the other nine states, voters must return their own ballot, though all but one make exceptions for voters who are ill or have a disability.⁷

Allow Tennessee absentee voters to return their absentee ballots directly to election officials.

Many absentee voters will continue to return their ballots by mail because they are out of town or unable to make it to a polling place. Yet, the additional option of in-person return will help voters who find themselves without enough time to mail their ballot or who prefer to ensure their ballot is received by election officials by returning it directly.



Building off best practices from other states, Tennessee can amend state law to accept absentee ballots returned:

- ✓ In person directly to election officials at County Election Commission offices or polling places,
- ✓ By a voter or their designee, and
- ✓ By the close of polls on Election Day.

Allowing in-person return for absentee ballots requires no additional costs as ballots returned by voters can be stored in the same place as those returned by the postal service. It can also help increase voter confidence in the election process by allowing voters to confirm their ballot is received. Doing so would remove a logistical challenge unique to Tennessee voters.

References

1. There is an ongoing legal case to prevent the state from accepting ballots received after Election Day. In October 2024, the 5th Circuit Court of Appeals sent a case brought by the state's GOP party challenging the law back to a lower court for further consideration, and it is expected to be appealed to the United States Supreme Court. <https://apnews.com/article/mississippi-absentee-ballot-voting-d65b943c27e9e7c5247dc2c14d3dbb15>
2. For the full list of eligible absentee voters, see Tenn. Code Ann. § 2-6-201.
3. Tennessee voters have expressed concerns that their ballots would not be counted because they either had not yet received it (to fill in) or were worried their completed ballot wouldn't arrive at the County Election Commission in time. See ThinkTennessee's After Action reports from 2020 <https://www.thinktennessee.org/wp-content/uploads/2021/05/November-2020-After-Action-Report.pdf> and 2022 <https://www.thinktennessee.org/wp-content/uploads/2023/08/2022-Election-After-Action-Report-1.pdf>.
4. Timms, Mariah. (October 28, 2020). Still have an absentee ballot you want to submit in Tennessee? Visit these post offices in each county. Tennessean. See <https://www.tennessean.com/story/news/politics/2020/10/28/where-to-drop-off-tennesseeabsentee-ballots/6056474002/>. It appears this practice may continue in some counties, but it is not a uniform, statewide policy or well-known to voters.
5. Tennessee 113th General Assembly. HB 2294/SB 1967. Public Chapter 560. <https://publications.tnsosfiles.com/acts/113/pub/pc0560.pdf>.
6. In-person absentee ballots must be returned the day before Election Day in Alabama, Louisiana, Missouri, New Hampshire, North Dakota, Oklahoma, and West Virginia. In Arkansas, the deadline is the Friday before Election Day.
7. Six states (Alabama, Oklahoma, Pennsylvania, South Dakota, Texas, and Virginia) explicitly restrict ballot returns to the voter in state law, and all but one (Virginia) make exceptions for voters who are ill or have a disability. Three states (Hawaii, Utah, and Wisconsin) do not explicitly prohibit others from returning ballots on behalf of another voter, but the law is written as "the voter" returns the ballot.

THINKTENNESSEE

ThinkTennessee is a nonpartisan, results-oriented think tank that uses research and advocacy to build a state where all Tennesseans are civically engaged and economically secure.

Sign up for email alerts at [ThinkTennessee.org](https://www.thinktennessee.org).

Written by:

Dawn Schluckebier, Advocacy and Government Relations Director

For further information, email us at info@thinktn.org.