



Supreme Court Upholds State Mail Voting Deadlines

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Action: On June 29, the Supreme Court upheld [Mississippi's law](#) allowing mail-in ballots to be counted so long as they are postmarked by Election Day and received within five days thereafter. In *Watson v. Republican National Committee*,¹ the Court ruled 5-4 that Federal law does not require mail-in ballots to be received by Election Day.

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- The ruling reversed the decision² by the U.S. Court of Appeals for the 5th Circuit and holds that Federal law requires voters to cast their ballots by Election Day—not that election officials must receive them by Election Day.
- The majority opinion states that “the election-day statutes require the electorate’s choice to be made on election day. That occurs so long as election day is the deadline for individuals to vote—as it is in Mississippi. But the election-day statutes do not set a deadline for ballot receipt, so they do not prevent Mississippi from counting ballots postmarked before election day yet received afterward.”
- In January, Alaska filed an amicus brief³ bringing to the Court’s attention the unique logistical challenges of administering an election in a state as large and geographically dispersed as Alaska. “With over 80 percent of Alaskan communities off the road system, and extreme weather making access by boat or plane unreliable during certain months, including November, Alaska’s Division of Elections will continue to establish processes unlike any other State to ensure that its geography does not limit its citizens’ ability to vote,” the brief stated.
- The ruling preserves mail ballot receipt deadlines in the 14 states,⁴ plus Guam, Puerto Rico, the Virgin Islands, and Washington, D.C., that accept mail ballots received after Election Day but postmarked on or before (sometimes only before) Election Day. Those jurisdictions will not be required to revise their ballot receipt deadlines ahead of the 2026 midterm elections.
- A 2020 report from the American Statistical Association found “no evidence that voting by mail increases the risk of voter fraud overall.”⁵
- **What this means for business:** The decision preserves existing mail voting procedures for employers and employees ahead of the 2026 midterm elections.
 - The ruling avoids last-minute changes that could have increased voter confusion, disrupted workforce scheduling for employers who give time off to employees to vote, and placed additional pressure on employers to accommodate employees who otherwise might have needed to vote in person on Election Day.
 - Even with this ruling, employers who provide election information to employees may wish to encourage employees who vote by mail to do so early, to avoid mail delays risking the ballots not being counted.

1. https://www.supremecourt.gov/opinions/25pdf/24-1260_g3cn.pdf

2. <https://www.scotusblog.com/2026/06/justices-uphold-state-law-allowing-for-late-arriving-mail-in-ballots/>

3. https://www.supremecourt.gov/DocketPDF/24/24-1260/391323/20260109151956258_2026.01.09%20Alaska%20Amicus%20Watson%20v.%20RNC.pdf
4. <https://www.ncsl.org/elections-and-campaigns/table-11-receipt-and-postmark-deadlines-for-absentee-mail-ballots>
5. <https://www.amstat.org/docs/default-source/amstat-documents/pol-vote-by-mail.pdf>

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