House
Legislative
Analysis
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ALLOW ANY VOTER TO VOTE
BY ABSENTEE BALLOT

House Bill 4460
Sponsor: Rep. Marc Shulman
Committee: Constitutional Law and Ethics

Complete to 4-15-99

A SUMMARY OF HOUSE BILL 4460 AS INTRODUCED 4-13-99

The bill would amend the Michigan Election Law to allow any qualified voter to vote by absentee ballot.

Currently, the law requires that in order to qualify for an "absent voter ballot," a qualified and registered voter must be unable to attend the polls on election day for one of six statutory reasons, and "absent voter" is defined in the law to mean "a qualified and registered elector who meets [one] or more of the following requirements :

[1] On account of a physical disability, cannot without another's assistance attend the polls on the day of an election.

[2] On account of the tenets of his or her religion, cannot attend the polls on the day of election.

[3] Cannot attend the polls on the day of an election in the precinct in which he or she resides because of being an election precinct inspector in another precinct.

[4] Is 60 years of age or older.

[5] Is absent or expects to be absent from the township or city of in which he or she resides during the entire period the polls are open for voting on the day of an election.

[6] Cannot attend the polls on election day because of being confined in jail awaiting arraignment or trial."

Someone who meets the qualifications for being an "absent voter" can apply for an absent voter ballot in person or by mail with the clerk of the township, city, or village where he or she is registered. Application may be made by a written request signed by the voter, stating the statutory grounds for making the application; on an absent voter ballot application form (which must contain the list of statutory reasons upon which the request may be based) from the city, township, or village clerk; or on a federal postcard application.

The bill would delete the current definition of "absent voter" and redefine it to mean "a qualified and registered elector who wishes to vote without attending the polls on the day of an election." Such a person would have to apply with the clerk of the township, city, or village in which he or she lived, but the bill would delete "in person or by mail." The bill would eliminate the requirement that a written request for an absent ballot state the statutory grounds for making the application, as well as the list of statutory grounds on the application form available from the clerk.

Finally, the bill would allow an absent voter to return his or her application for an absent voter ballot to the clerk by delivering it in person, by mail, or, where available, by facsimile transmission.

MCL 168.758 and 168.759

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