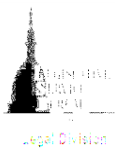


HOUSE BILL NO. 5782

May 19, 2020, Introduced by Reps. Chirkun, Cherry, Jones, Gay-Dagnogo and Tyrone Carter and referred to the Committee on Elections and Ethics.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 3, 31, 301, 305, 355, 385, 480, 491, 499e, 500d, 576, 579, 580, 653a, 654, 659, 660, 662, 668, 669, 672, 678, 679, 715, 720, 721, 723, 727, 731, 733, 736b, 736c, 736d, 736e, 737a, 741, 751, 754, 755a, 757, 759a, 759b, 761b, 764a, 764b, 765, 765a, 794, 795, 796, 797b, 811, 829, 931, and 932 (MCL 168.3, 168.31, 168.301, 168.305, 168.355, 168.385, 168.480, 168.491, 168.499e, 168.500d, 168.576, 168.579, 168.580, 168.653a, 168.654, 168.659, 168.660, 168.662, 168.668, 168.669, 168.672, 168.678,



168.679, 168.715, 168.720, 168.721, 168.723, 168.727, 168.731, 168.733, 168.736b, 168.736c, 168.736d, 168.736e, 168.737a, 168.741, 168.751, 168.754, 168.755a, 168.757, 168.759a, 168.759b, 168.761b, 168.764a, 168.764b, 168.765, 168.765a, 168.794, 168.795, 168.796, 168.797b, 168.811, 168.829, 168.931, and 168.932), sections 3, 491, 500d, 765, 811, and 829 as amended and sections 499e and 761b as added by 2018 PA 603, section 31 as amended by 2012 PA 271, sections 301 and 653a as amended by 2005 PA 71, section 305 as amended by 2010 PA 334, section 355 as amended by 2013 PA 51, section 385 as added by 2012 PA 586, section 480 as amended by 2012 PA 276, sections 576 and 579 as amended by 1996 PA 213, section 580 as amended by 1985 PA 160, section 659 as amended by 2014 PA 94, sections 662 and 727 as amended by 2004 PA 92, section 668 as amended by 2004 PA 96, sections 669, 679, 741, and 764b as amended by 2018 PA 120, sections 731 and 932 as amended by 1995 PA 261, sections 733 and 931 as amended by 1996 PA 583, sections 736b, 736c, 736d, and 736e as amended by 2018 PA 190, section 737a as amended by 2018 PA 611, section 755a as added by 2014 PA 79, section 759a as amended by 2012 PA 523, section 764a as amended by 2012 PA 128, section 765a as added by 2018 PA 123, section 794 as amended by 1992 PA 8, section 795 as amended by 2018 PA 127, and sections 796 and 797b as amended by 1990 PA 109, and by adding section 641a; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 3. As used in this act:
- 2 (a) "Locked and sealed" is defined in section 14.
- 3 (b) "Major political party" is defined in section 16.
- 4 (c) "Metal seal" or "seal" is defined in section 14a.
- 5 (d) "Name that was formally changed" means a name changed by a



1 proceeding under chapter XI of the probate code of 1939, 1939 PA
 2 288, MCL 711.1 to 711.3, or former 1915 PA 314, or through a
 3 similar, statutorily sanctioned procedure under the law of another
 4 state or country.

5 (e) "Odd year general election" means the election held on the
 6 November regular election date in an odd numbered year.

7 (f) "Odd year primary election" means the election held on the
 8 August regular election date in an odd numbered year.

9 (g) "Primary" or "primary election" is defined in section 7.

10 ~~(h) "Regular ballot" means a ballot that is issued to a voter
 11 on election day at a polling place location.~~

12 (h) ~~(i)~~ "Qualified elector" is defined in section 10.

13 (i) ~~(j)~~ "Qualified voter file" is defined in section 509m.

14 (j) ~~(k)~~ "Regular election" means an election held on a regular
 15 election date to elect an individual to, or nominate an individual
 16 for, elective office in the regular course of the terms of that
 17 elective office.

18 (k) ~~(l)~~ "Regular election date" means 1 of the dates
 19 established as a regular election date in section 641.

20 (l) ~~(m)~~ "Residence" is defined in section 11.

21 Sec. 31. (1) The secretary of state shall do all of the
 22 following:

23 (a) Subject to subsection (2), issue instructions and
 24 promulgate rules pursuant to the administrative procedures act of
 25 1969, 1969 PA 306, MCL 24.201 to 24.328, for the conduct of
 26 elections and registrations in accordance with the laws of this
 27 state.

28 (b) Advise and direct local election officials as to the
 29 proper methods of conducting elections.



1 (c) Publish and furnish for the use in each election precinct
2 before each state primary and election a manual of instructions.
3 ~~that includes specific instructions on assisting voters in casting~~
4 ~~their ballots, directions on the location of voting stations in~~
5 ~~polling places, procedures and forms for processing challenges, and~~
6 ~~procedures on prohibiting campaigning in the polling places as~~
7 ~~prescribed in this act.~~

8 (d) Publish indexed pamphlet copies of the registration,
9 primary, and election laws and furnish to the various county, city,
10 township, and village clerks a sufficient number of copies for
11 their own use and to enable them to include 1 copy with the
12 election supplies furnished each precinct board of election
13 inspectors under their respective jurisdictions. The secretary of
14 state may furnish single copies of the publications to
15 organizations or individuals who request the same for purposes of
16 instruction or public reference.

17 (e) Prescribe and require uniform forms, notices, and supplies
18 the secretary of state considers advisable for use in the conduct
19 of elections and registrations.

20 (f) Prepare the form of ballot for any proposed amendment to
21 the constitution or proposal under the initiative or referendum
22 provision of the constitution to be submitted to the voters of this
23 state.

24 (g) Require reports from the local election officials the
25 secretary of state considers necessary.

26 (h) Investigate, or cause to be investigated by local
27 authorities, the administration of election laws, and report
28 violations of the election laws and regulations to the attorney
29 general or prosecuting attorney, or both, for prosecution.



1 (i) Publish in the legislative manual the vote for governor
2 and secretary of state by townships and wards and the vote for
3 members of the state legislature cast at the preceding November
4 election, ~~which shall~~ **that must** be returned to the secretary of
5 state by the county clerks on or before the first day of December
6 following the election. All clerks shall furnish to the secretary
7 of state, promptly and without compensation, any further
8 information requested of them to be used in the compilation of the
9 legislative manual.

10 (j) Establish a curriculum for comprehensive training and
11 accreditation of all county, city, township, and village officials
12 who are responsible for conducting elections.

13 (k) Establish a continuing election education program for all
14 county, city, township, and village clerks.

15 (l) Establish and require attendance by all new appointed or
16 elected election officials at an initial course of instruction
17 within 6 months before the date of the election.

18 (m) Establish a comprehensive training curriculum for all
19 precinct inspectors.

20 (n) Create an election day dispute resolution team that has
21 regional representatives of the department of state, which team
22 shall appear on site, if necessary.

23 (2) Pursuant to the administrative procedures act of 1969,
24 1969 PA 306, MCL 24.201 to 24.328, the secretary of state shall
25 promulgate rules establishing uniform standards for state and local
26 nominating, recall, and ballot question petition signatures. The
27 standards for petition signatures may include, but need not be
28 limited to, standards for all of the following:

29 (a) Determining the validity of registration of a circulator



1 or individual signing a petition.

2 (b) Determining the genuineness of the signature of a
3 circulator or individual signing a petition, including digitized
4 signatures.

5 (c) Proper designation of the place of registration of a
6 circulator or individual signing a petition.

7 Sec. 301. (1) Unless a particular power or duty of an election
8 official or a particular election procedure is specifically
9 governed by a provision of this chapter, a school district election
10 is governed by the provisions of this act that generally govern
11 elections.

12 (2) Except as provided in section 305, the school district
13 election coordinator for a school district shall conduct each
14 regular election and each special election that is requested by the
15 school board to submit a ballot question or to fill a vacancy on
16 the school board. In addition to receiving requests from the school
17 board to hold special elections, the school district election
18 coordinator shall do all of the following:

19 (a) Receive filing fees or nominating petitions and affidavits
20 of identity from candidates for school board and petitions for
21 special elections.

22 (b) Procure the necessary qualified voter file precinct lists.

23 (c) Certify candidates.

24 (d) Receive ballot proposal language.

25 (e) Issue absent voter ballots.

26 (3) A school district election coordinator who is a county
27 clerk may delegate, if the city or township clerk agrees, all or a
28 portion of the school district election coordinator's duties to
29 that city or township clerk. The school district election

1 coordinator shall not delegate duties to any person not named in
2 this section.

3 (4) A school district election coordinator who is a county
4 clerk may delegate the following duties to the city or township
5 clerk, who shall perform the following duties:

6 (a) Distribute, receive, and process absent voter ballot
7 applications for a school election.

8 (b) Make voting systems available for the conduct of a school
9 election.

10 (c) Make available to the school district election coordinator
11 the list of election inspectors for that city or township.

12 (d) Notify school district electors of precinct ~~and polling~~
13 ~~place location~~ changes.

14 (5) If the county clerk is the school district election
15 coordinator for a school district, the county election commission
16 shall establish that school district's election precincts ~~and~~
17 ~~polling place locations~~ in accordance with this act.

18 Sec. 305. (1) Within 30 days after the effective date of this
19 chapter, the school district election coordinating committee for
20 each school district shall hold an initial meeting. Within 14 days
21 after convening the initial meeting, the school district election
22 coordinating committee shall file a report with the secretary of
23 state that sets forth the arrangements that are agreed upon for the
24 conduct of the school district's elections. Each school district
25 election coordinating committee member shall sign the report and
26 retain a copy.

27 (2) After filing its initial report under subsection (1) and
28 until December 31, 2012, a school district election coordinating
29 committee shall meet at 2-year intervals to review and, if



1 necessary, alter the election arrangements set forth in its
2 previous report. Beginning January 1, 2013, a school district
3 election coordinating committee shall meet at 4-year intervals or
4 earlier if determined necessary by the chairperson of the school
5 district election coordinating committee to review and, if
6 necessary, alter the election arrangements set forth in its
7 previous report. After each review, a school district election
8 coordinating committee shall either notify the secretary of state
9 in writing that its previous report is not being altered or file
10 with the secretary of state a report with the alterations. Until
11 December 31, 2012, election arrangements made by the clerks of the
12 jurisdictions participating in the school district election
13 coordinating committee meeting are binding on the participating
14 jurisdictions for at least 2 years after the report is filed, and
15 each jurisdiction continues to be bound until an altered report is
16 filed. Beginning January 1, 2013, election arrangements made by the
17 clerks of the jurisdictions participating in the school district
18 election coordinating committee meeting are binding on the
19 participating jurisdictions until an altered report is filed.

20 (3) The arrangements agreed upon by a school district election
21 coordinating committee for the conduct of the school district's
22 elections ~~shall~~**must** accomplish at least both of the following:

23 (a) If a school district election is held on the same day as
24 an election of a jurisdiction that overlaps with the school
25 district, an elector wishing to vote in both elections shall not be
26 required to vote at 2 different locations.

27 (b) If, before the filing of an initial report or of the
28 notice or altered report after its review, a city or township clerk
29 notifies the school district election coordinating committee that



1 the city or township clerk, in consultation with the city council
 2 or township board, as applicable, has decided to participate in the
 3 conduct of the school district's elections, the school district
 4 election coordinating committee shall include that city or township
 5 clerk in its initial or an altered report as the person conducting
 6 the school district's elections in the clerk's city or township.

7 (4) Notwithstanding the other provisions of this chapter, if a
 8 city or township is holding an election for elective office or on a
 9 ballot question at the same time that a school district located in
 10 whole or part in the city or township is holding an election, the
 11 city or township clerk shall also conduct the school district
 12 election within his or her jurisdiction. If a city or township
 13 clerk is conducting a school election under this subsection, the
 14 clerk shall use the same precincts that are used for state and
 15 federal elections as the precincts for the school district
 16 election. ~~If these precincts change the polling place location for~~
 17 ~~school district electors, the clerk shall notify those school~~
 18 ~~district electors of the location of the different polling place. A~~
 19 city or township clerk with the consent of the school district
 20 election coordinator may use the school election precincts. ~~and~~
 21 ~~polling places. A city or township clerk conducting an election~~
 22 under this subsection may consolidate election precincts in the
 23 manner provided in section 659.

24 Sec. 355. (1) The candidate or candidates of each political
 25 party to a township office receiving the greatest number of votes
 26 cast for candidates of that office, as set forth in the report of
 27 the board of county canvassers, based on the returns from the
 28 various election precincts, or as determined by the board of county
 29 canvassers as the result of a recount, ~~shall~~**must** be declared the



1 nominee or nominees of that political party for that office at the
 2 next ensuing November election. The board of county canvassers
 3 shall certify the nomination or nominations to the township clerk
 4 within 48 hours after ~~the polls close~~ **8 p.m. on election day.**

5 (2) Within 4 days following the primary, the township clerk
 6 shall deliver to the county clerk a list setting forth the names,
 7 addresses, political affiliation, and office sought of all
 8 candidates nominated at the primary.

9 Sec. 385. (1) Unless a particular power or duty of an election
 10 official or a particular election procedure is specifically
 11 governed by a provision of this chapter, a metropolitan district
 12 election is governed by the provisions of this act that generally
 13 govern elections.

14 (2) The metropolitan district election coordinator shall
 15 conduct each regular election that is requested by the legislative
 16 body of a metropolitan district to submit a ballot question or to
 17 fill a position or vacancy on the legislative body of the
 18 metropolitan district. The metropolitan district election
 19 coordinator shall do all of the following:

20 (a) Receive nominating petitions and affidavits of identity
 21 from candidates for officer to the legislative body of a
 22 metropolitan district and petitions for ballot questions.

23 (b) Procure the necessary qualified voter file precinct lists.

24 (c) Certify candidates.

25 (d) Receive ballot proposal language.

26 (e) Issue absent voter ballots.

27 (3) A metropolitan district election coordinator may delegate,
 28 if the city or township clerk agrees, all or a portion of the
 29 metropolitan district election coordinator's duties to that city or



1 township clerk. The metropolitan district election coordinator
2 shall not delegate duties to any person not named in this section.

3 (4) A metropolitan district election coordinator may delegate
4 the following duties to the city or township clerk, who shall
5 perform the following duties:

6 (a) Distribute, receive, and process absent voter ballot
7 applications for a metropolitan district election.

8 (b) Make voting systems available for the conduct of a
9 metropolitan district election.

10 (c) Make available to the metropolitan district election
11 coordinator the list of election inspectors for that city or
12 township.

13 (d) Notify metropolitan district electors of precinct ~~and~~
14 ~~polling place location~~ changes.

15 (5) The county election commission shall establish that
16 metropolitan district's election precincts ~~and polling place~~
17 ~~locations~~ in accordance with this act.

18 Sec. 480. If a proposed constitutional amendment or other
19 special question is to be submitted to the electors of this state
20 for popular vote, the secretary of state shall, not less than 60
21 days before the date of the election at which the proposed
22 constitutional amendment or other special question is to be
23 submitted, certify the statement of the purpose for designation on
24 the ballot to the clerk of each county in this state, together with
25 the form in which the constitutional amendment or other special
26 questions ~~shall~~ **must** be printed on the ballot. The secretary of
27 state shall also furnish the county clerks in this state 2 copies
28 of the text of each constitutional amendment or other special
29 question and 2 copies of each statement for each voting precinct in



1 their respective counties. Each county clerk shall furnish the
 2 copies of the statement to the township and city clerks in his or
 3 her county at the time other supplies for the election are
 4 furnished. ~~Each township or city clerk shall, before the opening of~~
 5 ~~the polls on election day, deliver the copies of the text and~~
 6 ~~statement to which each voting precinct in his or her township or~~
 7 ~~city is entitled to the board of election inspectors of the~~
 8 ~~precinct, who shall post the same in conspicuous places in the room~~
 9 ~~where the election is held.~~

10 Sec. 491. The inspectors of election at an election, primary
 11 election, or special election in this state shall not receive the
 12 vote of an individual whose name is not on the voter registration
 13 list generated from the qualified voter file for the precinct in
 14 which he or she offers to vote, ~~unless the individual meets the~~
 15 ~~requirements of section 523a, or the individual registered to vote~~
 16 ~~in person at the city or township clerk's office in the city or~~
 17 ~~township in which he or she resides during the 14 days before the~~
 18 ~~day of an election or on the day of an election. and the individual~~
 19 ~~presents a voter registration receipt to the inspectors of~~
 20 ~~election.~~

21 Sec. 499e. (1) The clerk of a city or township shall be
 22 present or have a deputy clerk be present at the clerk's office at
 23 all times ~~a polling place is open~~ **between 7 a.m. and 8 p.m.** on
 24 election day to receive and process voter registration
 25 applications.

26 (2) Immediately after approving a voter registration
 27 application under this section, the clerk or deputy clerk shall
 28 prepare a registration card or an insert to a registration list in
 29 a form prescribed by the secretary of state. In addition, the clerk



1 or deputy clerk shall provide to the individual registering to vote
 2 a voter registration receipt that is in a form as approved by the
 3 secretary of state.

4 (3) The clerk shall prepare and send a voter identification
 5 card in the manner prescribed for corrected voter identification
 6 cards in section 499 as soon as practical after the election.

7 Sec. 500d. An individual who has properly completed an
 8 application for registration at an office of the secretary of state
 9 or his or her agent is permitted to vote in all elections after
 10 making the application if the clerk determines the individual is
 11 qualified. If the clerk determines the individual is not qualified,
 12 the clerk immediately shall send a notice to the applicant at the
 13 address stated in the application stating the determination and the
 14 reasons the individual is not qualified. ~~An individual is permitted~~
 15 ~~to vote if he or she presents at the polls a validated voter~~
 16 ~~registration application receipt and the clerk determines the~~
 17 ~~individual is qualified.~~

18 Sec. 576. (1) An elector, after having received a ballot or
 19 ballots, ~~shall enter a booth or voting compartment and, while there~~
 20 ~~concealed from view,~~ shall vote the ballot or ballots by ~~making a~~
 21 ~~cross or a check mark in the square~~ **darkening the oval or box** at
 22 the left of the names of those candidates for whom the elector
 23 desires to vote, but in no case for more candidates for any office
 24 than is indicated under the title of each office. However, an
 25 elector may vote for ~~a person~~ **an individual** whose name is not
 26 printed on the ballot by inserting the name in a manner that will
 27 substitute it for any name that is printed on the ballot or where
 28 no candidate's name appears upon the ballot.

29 (2) The elector shall indicate his or her choice of candidates



1 on 1 party ticket only and, after marking the ballot, the elector
 2 shall fold it for deposit ~~pursuant to~~ **under** the provisions of this
 3 act. A ballot on which more than 1 party ticket has been voted is
 4 void.

5 ~~(3) This section is subject to section 736a.~~

6 Sec. 579. If an elector, after marking his or her ballot,
 7 exposes it to any ~~person~~ **individual** in a manner likely to reveal
 8 the name of any candidate for whom the elector voted, the board of
 9 election inspectors shall reject the ballot and the elector ~~shall~~
 10 ~~forfeit~~ **forfeits** the right to vote at the primary. A note of the
 11 occurrence ~~shall~~ **must** be made upon the poll list opposite the name
 12 of the elector. ~~This section does not apply to an elector who~~
 13 ~~exposes his or her ballot to a minor child accompanying that~~
 14 ~~elector in the booth or voting compartment under section 736a.~~

15 Sec. 580. In counting the ballots, ~~after the closing of the~~
 16 ~~polls,~~ only those candidates having crosses or check marks marked
 17 in the squares to the left of their names ~~shall be~~ **are** considered
 18 to have received votes, and any ballot upon which more votes have
 19 been recorded for candidates for any office than may, by law, be
 20 elected to that office ~~shall~~ **must** be rejected as to all names
 21 appearing on the ballot for that office only.

22 **Sec. 641a. (1) Beginning October 1, 2020, each regular and**
 23 **special election must be conducted by absent voter ballot only.**

24 **(2) Beginning 60 days before each regular election and special**
 25 **election conducted after October 1, 2020 in a city or township, the**
 26 **clerk of that city or township shall send to each registered**
 27 **elector in that city or township an absent voter ballot application**
 28 **for that election.**

29 Sec. 653a. (1) On receipt of the notice from the county clerk



1 ~~pursuant to~~**under** section 652, the clerk of each city and township
 2 shall give notice of the time and ~~place at which~~**date** the election
 3 is to be held, the offices to be filled, and the proposals to be
 4 submitted to the voters. The notice ~~shall~~**must** be published in a
 5 newspaper published, or of general circulation, in the city or
 6 township. A caption or brief description of the proposal or
 7 proposals along with the location where an elector can obtain the
 8 full text of the proposal or proposals ~~shall~~**must** be included in
 9 the notice. The publication ~~shall~~**must** be made not less than 7 days
 10 before the election. The notice ~~shall~~**must** be in substantially the
 11 following form:

ELECTION NOTICE

12
 13 To the qualified electors of the city or township
 14 _____ notice is hereby given that a
 15 _____

16 (indicate whether regular, special, or primary)
 17 election will be held in _____
 18 on _____ from 7 a.m. to 8 p.m. for the purpose of
 19 (date)

20 nominating or electing candidates for the following offices:

21 _____
 22 (list of offices)

23 and to vote on the following proposals:

24 _____
 25 (list all proposals to be submitted to voters)

26 ~~List of polling place locations:~~ _____.

27 _____
 28 (clerk)

29 (2) A county clerk may enter into an agreement with the clerk

1 of 1 or more townships or cities in the county or the clerks of 1
 2 or more cities or townships in a county may enter into an agreement
 3 to jointly publish the notice in subsection (1). The notice ~~shall~~
 4 **must** be published in a newspaper of general circulation in the
 5 cities and townships listed in the notice. If certain offices or
 6 proposals are to be voted on in less than all of the precincts, the
 7 notice ~~shall~~**must** specify the townships or cities that shall vote
 8 on only those offices or proposals.

9 Sec. 654. ~~The words "election precinct" as~~ **As** used in this
 10 act, ~~shall mean~~ **"election precinct" means** a political subdivision,
 11 the area of which is embraced in its entirety within the confines
 12 of a city, ward, township, or village, and for which not more than
 13 ~~1 polling place~~ **absent voter counting board** is provided for all
 14 qualified and registered electors residing ~~therein. When~~ **in that**
 15 **area. If** not divided according to law into 2 or more election
 16 precincts, each organized city, ward, township, and village shall
 17 be an election precinct.

18 Sec. 659. (1) If a county, city, ward, township, village,
 19 metropolitan district, or school district is divided into 2 or more
 20 election precincts, the county, city, ward, township, or village
 21 election commissioners may, by resolution, consolidate the election
 22 precincts for ~~a particular~~ **any** election. ~~that is not a general~~
 23 ~~November election, primary election immediately before a general~~
 24 ~~November election, or other statewide or federal election.~~ In
 25 making the determination to consolidate election precincts for a
 26 particular election, the election commission shall take into
 27 consideration the number of choices the voter must make, the
 28 percentage of registered voters who voted at the last similar
 29 election in the jurisdiction, and the intensity of the interest of



1 the electors in the jurisdiction concerning the candidates and
 2 proposals to be voted upon. Consolidated precincts ~~shall~~**must** not
 3 exceed 5,000 active registered electors.

4 (2) A consolidation under this section ~~shall~~**must** be made not
 5 less than 60 days before a primary, general, or special election.

6 (3) ~~Unless the polling places for the election precincts to be~~
 7 ~~consolidated are located in the same building, when~~**If** a county,
 8 city, ward, township, or village consolidates election precincts
 9 for a particular election under subsection (1), the election
 10 commissioners or other designated election officials shall ~~do both~~
 11 ~~of the following:~~

12 ~~(a) Provide~~**provide** notice to the registered electors of the
 13 affected election precincts of the consolidation of election
 14 precincts for the particular election. ~~and the location of the~~
 15 ~~polling place for the election precinct or precincts for that~~
 16 ~~election.~~ Notice may be provided by mail or other method designed
 17 to provide actual notice to the registered electors.

18 ~~(b) Post a written notice at each election precinct polling~~
 19 ~~place stating the location of the consolidated election precinct~~
 20 ~~polling place.~~

21 (4) If a county, city, ward, township, or village consolidates
 22 election precincts under this section, each affected election
 23 precinct ~~shall~~**must** be treated as a whole unit and ~~shall~~**must** not
 24 be divided during the consolidation.

25 Sec. 660. ~~When~~**If** a city, ward, township, or village is
 26 subdivided into election precincts, or the election precincts are
 27 altered or rearranged, the city, township, or village election
 28 commission, or other officials charged with the performance of the
 29 duty by the charter of the city or village, shall enter that action



1 of record in its proceedings, specify the numbers of the precincts
 2 altered or rearranged in numerical order, and describe the
 3 boundaries of each precinct. Notice of the subdivision, alteration,
 4 or rearrangement ~~shall~~**must** be given immediately by the city,
 5 township, or village clerk. The notification ~~shall~~**must** be effected
 6 by mailing to each qualified and registered elector affected by the
 7 subdivision, alteration, or rearrangement a notice by first class
 8 letter postage advising ~~of the location of his new polling place~~
 9 **subdivision, alteration, or rearrangement** and, if ~~deemed~~**considered**
 10 advisable by the city, township, or village election commission, by
 11 posting a public notice of the change in 2 places in each precinct
 12 affected, ~~thereby,~~ advising the boundaries of each of the
 13 precincts. A notice ~~shall~~**must** also be immediately transmitted to
 14 the county clerk, and the county clerk shall transmit to the
 15 secretary of state, not later than 200 days ~~prior to~~**before** the
 16 primary next preceding the general November election, the number of
 17 election precincts in ~~his~~**the** county. The city, township, or
 18 village clerk shall give like notice of the abolition of the
 19 division of a city, ward, township, or village into election
 20 precincts, and shall, in the notice of abolition, state that the
 21 city, ward, township, or village is restored as a single election
 22 precinct. ~~and indicate the location of the polling place therein.~~
 23 Notice of the abolition ~~shall~~**must** be immediately transmitted to
 24 the county clerk, and by him **or her** to the secretary of state, as
 25 in the case of the subdivision or alteration of boundaries as
 26 ~~herein~~ provided **in this section.**

27 Sec. 662. (1) The legislative body in each city, village, and
 28 township shall designate and prescribe the place or places of
 29 holding an election for a city, village, or township election, and



1 shall provide a suitable ~~polling place~~**location** in or for each
 2 precinct ~~located~~ in the city, village, or township for use **by an**
 3 **absent voter counting board** at each election. Except as otherwise
 4 provided in this section, school buildings, fire stations, police
 5 stations, and other publicly owned or controlled buildings ~~shall~~
 6 **must** be used as ~~polling places~~**locations**. If it is not possible or
 7 convenient to use a publicly owned or controlled building as a
 8 ~~polling place~~**location**, the legislative body of the city,
 9 township, or village may use as a ~~polling place~~**location** a building
 10 owned or controlled by an organization that is exempt from federal
 11 income tax as provided by section 501(c), other than 501(c)(4),
 12 (5), or (6), of the internal revenue code of 1986, ~~or any successor~~
 13 ~~statute~~**26 USC 501**. The legislative body of a city, township, or
 14 village shall not designate as a ~~polling place~~**location** a building
 15 that is owned by a person who is a sponsor of a political committee
 16 or independent committee. A city, township, or village shall not
 17 use as a ~~polling place~~**location** a building that does not meet the
 18 requirements of this section. As used in this subsection, "sponsor
 19 of a political committee or independent committee" means a person
 20 who is described as being a sponsor under section 24(3) of the
 21 Michigan campaign finance act, 1976 PA 388, MCL 169.224, and
 22 includes a subsidiary of a corporation or a local of a labor
 23 organization, if the corporation or labor organization is
 24 considered a sponsor under section 24(3) of the Michigan campaign
 25 finance act, 1976 PA 388, MCL 169.224.

26 (2) The legislative body in each city, village, and township
 27 shall make arrangements for the rental or erection of suitable
 28 buildings for use as ~~polling places~~**locations for absent voter**
 29 **counting boards** if publicly owned or controlled buildings are not



1 available, and shall have the ~~polling places~~**locations** equipped
 2 with the necessary facilities for lighting and with adequate
 3 facilities for heat and ventilation. ~~The legislative body may~~
 4 ~~establish a central polling place or places for 6 precincts or less~~
 5 ~~if it is possible and convenient for the electors to vote at the~~
 6 ~~central polling place. The legislative body may abolish other~~
 7 ~~polling places not required as a result of the establishment of a~~
 8 ~~central polling place.~~

9 (3) ~~The legislative body of a city, village, or township may~~
 10 ~~establish a polling place at a for profit or nonprofit residence or~~
 11 ~~facility in which 150 persons or more aged 62 or older reside or at~~
 12 ~~an apartment building or complex in which 150 persons or more~~
 13 ~~reside. A township board may provide polling places located~~
 14 **locations** within the limits of a city that has been incorporated
 15 from territory formerly a part of the township. ~~, and the electors~~
 16 ~~of the township may cast their ballots at those polling places. If~~
 17 2 contiguous townships utilize a combined township hall or other
 18 publicly owned or controlled building within 1 of the township's
 19 boundaries and outside of the other township's boundaries, and
 20 there is not another publicly owned or controlled building or a
 21 building owned or controlled by an organization that is exempt from
 22 federal income tax, as provided by section 501(c), other than
 23 501(c) (4), (5), or (6), of the internal revenue code of 1986, **26**
 24 **USC 501**, available or suitable for a ~~polling place~~**location** within
 25 the other township, then each township board may provide a ~~polling~~
 26 ~~place~~**location** in that publicly owned building for 1 or more
 27 election precinct.

28 (4) The legislative body of a city, village, or township shall
 29 not establish, move, or abolish a ~~polling place~~**location** less than



1 60 days before an election unless necessary because a ~~polling place~~
2 **location** has been damaged, destroyed, or rendered inaccessible or
3 unusable as a ~~polling place~~.**location**.

4 ~~(5) The legislative body of a city, village, or township shall~~
5 ~~ensure that a polling place established under this section is~~
6 ~~accessible and complies with the voting accessibility for the~~
7 ~~elderly and handicapped act and the help America vote act of 2002.~~

8 ~~(6) As used in this section, "accessible" means the removal or~~
9 ~~modification of policies, practices, and procedures that deny an~~
10 ~~individual with a disability the opportunity to vote, including the~~
11 ~~removal of physical barriers as identified in section 261(b) of the~~
12 ~~help America vote act of 2002, 42 USC 15421, so as to ensure~~
13 ~~individuals with disabilities the opportunity to participate in~~
14 ~~elections in this state.~~

15 Sec. 668. Before ~~the polls open,~~ **7 a.m. on election day**, the
16 city, township, or village clerk shall deliver to the board of
17 election inspectors of each **election** precinct the voter
18 registration list, the forms for poll lists and returns, and any
19 other supplies necessary. ~~to conduct the election.~~

20 Sec. 669. For a federal, state, district, or county primary or
21 election, a city or township board of election commissioners shall
22 provide **for each election precinct**, at the expense of the
23 respective city or township, ~~each of the following:~~

24 ~~(a) For each election precinct, a ballot container approved~~
25 ~~under section 24j to be utilized in the precinct.~~

26 ~~(b) For each polling place, a United States flag and any~~
27 ~~additional items needed to display the flag. The flag must measure~~
28 ~~not less than 3 feet wide and 5 feet long. The election inspectors~~
29 ~~shall ensure that the flag is displayed at or in each polling place~~

1 ~~during an election.~~

2 Sec. 672. At every election, there ~~shall~~**must** be a board of at
3 least 3 inspectors of election, constituted as in this chapter,
4 ~~provided,~~ in and for each election precinct. Not less than a
5 majority of the inspectors ~~shall~~**must** be present in the precinct.
6 ~~polling place during the time the polls are open.~~

7 Sec. 678. Each board of election inspectors ~~shall possess~~
8 **possesses** full authority to maintain peace, regularity, and order,
9 ~~at its polling place,~~ and to enforce obedience to their lawful
10 commands during any primary or election and during the canvass of
11 the votes. ~~after the poll is closed.~~

12 Sec. 679. (1) The legislative body of a city or township, by
13 resolution, may provide that for an election in a precinct of the
14 city or township, there ~~shall be~~**is** an additional board of election
15 inspectors, known as the counting board. The counting board must
16 consist of 3 or more election inspectors. Sections 673a and 674
17 apply to the appointment of election inspectors to counting boards
18 under this section. The counting board shall count the ballots cast
19 in the precinct at an election and make a statement of returns of
20 that count. The provisions of this chapter relative to the
21 appointment, qualifications, privileges, powers, duties, and oaths
22 of office of election inspectors apply to the members of a counting
23 board, to the extent that they apply to the counting of the votes
24 cast at and the making of the statement of returns of an election.

25 (2) In a precinct for which a counting board has been
26 provided, ~~the duties of the election inspectors who have conducted~~
27 ~~the election during the day cease on the closing of the polls and,~~
28 ~~upon the closing of the polls,~~ the counting board assumes charge
29 and control of the ~~place of voting, the ballot boxes, the ballots,~~



1 and all other equipment of the ~~polling place~~ **precinct location** and
 2 shall proceed with the counting of votes. ~~The counting board shall~~
 3 ~~perform all duties required by this act to be performed after the~~
 4 ~~closing of the polls at an election by the board of election~~
 5 ~~inspectors in a precinct that does not have a counting board, as~~
 6 ~~provided in this section.~~

7 (3) Section 662 applies to the designation and prescribing of
 8 the place or places in which the counting board performs its duties
 9 under this section.

10 Sec. 715. It ~~shall be~~ **is** the duty of county, city, and
 11 township clerks to keep safeguarded all official ballots for absent
 12 voters' use. The ~~said township or city clerk shall have~~ **has** the
 13 right to open the package or packages of absent voter ballots
 14 received ~~by him~~ for any precinct in ~~his~~ **the** township or city,
 15 provided ~~he shall receive application~~ **the clerk receives**
 16 **applications** for absent voter ballots from any qualified elector of
 17 ~~such~~ **the** precinct. ~~, but not otherwise. He~~ **The clerk** shall ~~in no~~
 18 ~~ease~~ **not** open any of the other packages of official ballots, but
 19 shall keep them intact in some safe and secure place, and shall
 20 deliver them and other election supplies, together with the absent
 21 voter ballots remaining in his possession, to the ~~chairman~~
 22 **chairperson** or some member of the board of inspectors of election
 23 of the proper precinct or precincts of his township or city ~~, as~~
 24 ~~the case may be, before 7 o'clock in the forenoon~~ **a.m.** of the day
 25 of election. On delivery of ~~said~~ **the** ballots to the ~~chairman~~
 26 **chairperson** or some other member of the board of election, ~~said~~ **the**
 27 clerk shall take a receipt ~~therefor, which receipt~~ **that** he **or she**
 28 shall file in his **or her** office.

29 Sec. 720. On the day of any election, ~~the polls shall be~~



1 ~~opened at 7 o'clock in the forenoon, and shall be continuously open~~
 2 ~~until 8 o'clock in the afternoon and no longer. Every~~ **every**
 3 ~~qualified elector present and in line at the polls at the hour~~
 4 ~~prescribed for the closing thereof shall be~~ **is** allowed to vote
 5 **until 8 p.m.**

6 Sec. 721. Unless otherwise specified, the hours for ~~the~~
 7 ~~opening and closing of polls and for the conducting of elections~~
 8 ~~shall be~~ **are** governed by eastern standard time. ~~Provided,~~
 9 ~~however, That~~ **However,** in the counties where central standard time
 10 is the observed time of any ~~such~~ county, the ~~opening and closing of~~
 11 ~~the polls and the conducting of elections may be governed by~~
 12 central standard time, upon resolution to ~~such~~ **that** effect adopted
 13 by the county board of ~~supervisors~~ **commissioners**.

14 Sec. 723. Before ~~opening the polls,~~ **7 a.m. on election day,**
 15 each ballot box to be used at the election ~~shall~~ **must** be examined
 16 by the board of inspectors of election and the contents, if any,
 17 removed ~~therefrom;~~ **it shall** ~~from the ballot box. The ballot box~~
 18 **must** then be locked, and the key ~~thereof~~ **for the ballot box**
 19 delivered to 1 of the inspectors, to be designated by the board.
 20 The ~~said~~ **ballot** box ~~shall~~ **must** not be opened during the election.

21 Sec. 727. (1) An election inspector shall challenge **the ballot**
 22 **of** an applicant ~~applying for a ballot~~ **elector** if the inspector
 23 knows or has good reason to suspect that the applicant ~~elector~~ **is**
 24 not a qualified and registered elector of the precinct, or if a
 25 challenge appears in connection with the applicant's ~~elector's~~ **name**
 26 in the registration book. A registered elector of the precinct
 27 ~~present in the polling place~~ may challenge the right of anyone
 28 attempting to vote if the elector knows or has good reason to
 29 suspect that individual is not a registered elector in that



1 precinct. An election inspector or other qualified challenger may
 2 challenge the right of an individual attempting to vote who has
 3 previously applied for an absent voter ballot and who on election
 4 day is claiming to have never received the absent voter ballot or
 5 to have lost or destroyed the absent voter ballot.

6 (2) Upon a challenge being made under subsection (1), an
 7 election inspector shall immediately do all of the following:

8 (a) Identify as provided in ~~sections~~**section** 745 and ~~746~~a
 9 ballot voted by the challenged individual, if any.

10 (b) Make a written report including all of the following
 11 information:

12 (i) All election disparities or infractions complained of or
 13 believed to have occurred.

14 (ii) The name of the individual making the challenge.

15 (iii) The time of the challenge.

16 (iv) The name, telephone number, and address of the challenged
 17 individual.

18 (v) Other information considered appropriate by the election
 19 inspector.

20 (c) Retain the written report created under subdivision (b)
 21 and make it a part of the election record.

22 (d) Inform a challenged elector of his or her rights. ~~under~~
 23 ~~section 729.~~

24 (3) A challenger shall not make a challenge indiscriminately
 25 and without good cause. A challenger shall not handle the poll
 26 books while observing election procedures or the ballots during the
 27 counting of the ballots. A challenger shall not interfere with or
 28 unduly delay the work of the election inspectors. An individual who
 29 challenges a qualified and registered elector of a voting precinct



1 for the purpose of annoying or delaying voters is guilty of a
2 misdemeanor.

3 Sec. 731. (1) Not less than 20 and not more than 30 days
4 before an election, an incorporated organization or organized
5 committee of interested citizens other than political party
6 committees authorized by this act intending to appoint challengers
7 at the election shall file with the clerk of the county, city,
8 village, or township in which the election is to be held, a
9 statement setting forth the intention of the organization or
10 committee to appoint challengers. The statement ~~shall~~**must** set
11 forth the reason why the organization or committee claims the right
12 to appoint challengers, with a facsimile of the card to be used,
13 and ~~shall~~**must** be signed and sworn to by the chief presiding
14 officer, the secretary, or some other officer of the organization
15 or committee. The clerk or secretary of state, as applicable under
16 subsection (2), may deny an organization or committee the
17 authorization to appoint challengers if that organization or
18 committee fails to furnish evidence satisfactory to the clerk or
19 secretary of state that the organization or committee is devoted to
20 the purposes enumerated in section 730.

21 (2) Not later than 2 business days after receipt of a
22 statement of intent to appoint challengers under subsection (1), a
23 clerk shall approve or deny the organization's or committee's
24 authorization to appoint challengers and notify the organization or
25 committee of that approval or denial. If authorization is denied
26 under this subsection, an organization or committee may appeal the
27 denial with the secretary of state not later than 2 business days
28 after receipt of the denial. Not later than 2 business days after
29 receipt of an appeal of a denial under this subsection, the



1 secretary of state shall review the clerk's denial and approve or
 2 deny the organization's or committee's authorization to appoint
 3 challengers and notify the organization or committee and the clerk
 4 of that decision.

5 (3) Before ~~the opening of the polls,~~ **7 a.m. on election day,**
 6 the clerk shall certify in writing to the board of election
 7 inspectors in a county, city, village, or township in which the
 8 election will be conducted the names of organizations and
 9 committees that are authorized under this section to appoint and
 10 keep challengers ~~at the polling places~~ in the county, city,
 11 village, or township.

12 (4) A person who files a statement under this section on
 13 behalf of an organization or committee that is not authorized by
 14 this act to appoint challengers or a clerk who knowingly fails to
 15 perform the duties required by this section is guilty of a felony ~~τ~~
 16 punishable by a fine of not more than \$1,000.00 ~~τ~~ or by
 17 imprisonment for not more than 2 years, or both.

18 Sec. 733. (1) The board of election inspectors shall provide
 19 space for the challengers within the polling place that enables the
 20 challengers to observe the election procedure and each person
 21 applying to vote. A challenger may do 1 or more of the following:

22 (a) Under the scrutiny of an election inspector, inspect
 23 without handling the poll books. ~~as ballots are issued to electors~~
 24 ~~and the electors' names being entered in the poll book.~~

25 (b) Observe the manner in which the duties of the election
 26 inspectors are being performed.

27 (c) Challenge the voting rights of ~~a person~~ **an individual** who
 28 the challenger has good reason to believe is not a registered
 29 elector.



1 (d) Challenge an election procedure that is not being properly
2 performed.

3 (e) Bring to an election inspector's attention any of the
4 following:

5 (i) Improper handling of a ballot by an ~~elector or~~ election
6 inspector.

7 ~~(ii) A violation of a regulation made by the board of election~~
8 ~~inspectors pursuant to section 742.~~

9 ~~(iii) Campaigning being performed by an election inspector or~~
10 ~~other person in violation of section 744.~~

11 (ii) ~~(iv)~~ A violation of election law or other prescribed
12 election procedure.

13 (f) Remain during the canvass of votes and until the statement
14 of returns is duly signed and made.

15 (g) Examine without handling each ballot as it is being
16 counted.

17 (h) Keep records of votes cast and other election procedures
18 as the challenger desires.

19 (i) Observe the recording of absent voter ballots on voting
20 machines.

21 (2) The board of election inspectors shall provide space for
22 each challenger, if any, at each counting board that enables the
23 challengers to observe the counting of the ballots. A challenger at
24 the counting board may do 1 or more of the activities allowed in
25 subsection (1), as applicable.

26 (3) Any evidence of drinking of alcoholic beverages or
27 disorderly conduct is sufficient cause for the expulsion of a
28 challenger from the ~~polling place or the~~ counting board. The
29 election inspectors and other election officials on duty shall



1 protect a challenger in the discharge of his or her duties.

2 (4) ~~A person~~ **An individual** shall not threaten or intimidate a
3 challenger while performing an activity allowed under subsection
4 (1). ~~A challenger shall not threaten or intimidate an elector while~~
5 ~~the elector is entering the polling place, applying to vote,~~
6 ~~entering the voting compartment, voting, or leaving the polling~~
7 ~~place.~~

8 Sec. 736b. ~~Each ballot secrecy sleeve used at a primary~~
9 ~~election must either contain the following ballot marking~~
10 ~~instructions printed on the front of the ballot secrecy sleeve or~~
11 ~~must have a clear plastic pocket on the front of the ballot secrecy~~
12 ~~sleeve that contains a printed copy of the~~ **The** following ballot
13 marking instructions **must be used at a primary election:**

14 **PRIMARY ELECTION**

15 **TO VOTE:** Completely darken the oval opposite each choice as shown:
16 [insert graphic here].

17 -- OR --

18 **TO VOTE:** Completely darken the box opposite each choice as shown:
19 [insert graphic here].

20 **IMPORTANT:** To mark your ballot, use only a black or blue ink pen.

21 **DO NOT USE ANY OTHER INK COLOR!**

22 **PARTISAN SECTION:** There may be multiple party sections on the
23 ballot. Select the party section of your choice. **YOU MAY VOTE IN ONE**
24 **PARTY SECTION ONLY; YOU CANNOT "SPLIT YOUR TICKET." IF YOU VOTE IN**
25 **MORE THAN ONE PARTY SECTION, YOUR PARTISAN BALLOT WILL BE REJECTED.**
26 **DO NOT** vote for more candidates than indicated under each office
27 title.

1 **WRITE-IN CANDIDATES:** To vote for a candidate whose name is not
2 printed on the ballot, write or place the name of that candidate in
3 the blank space provided and completely darken the voting target
4 area. Do not cast a write-in vote for a candidate whose name is
5 already printed on the ballot for that office.

6 **CHECK BOTH SIDES OF BALLOT:** This ballot has two sides. Be certain to
7 check the reverse side of the ballot.

8 ~~**WHEN YOU HAVE COMPLETED VOTING:** Place the ballot in the secrecy
9 sleeve so that votes cannot be seen and the numbered stub is
10 visible. Return the ballot to the election official stationed at the
11 tabulator. (If voting by absentee ballot, follow the instructions
12 provided by the clerk for returning the ballot.)~~

13 ~~**NOTE:** If you make a mistake, return your ballot to the election
14 official and obtain a new ballot. Do not attempt to erase or correct
15 any marks made in error.~~

16 Sec. 736c. ~~Each ballot secrecy sleeve used at a general
17 election must either contain the following ballot marking
18 instructions printed on the front of the ballot secrecy sleeve or
19 must have a clear plastic pocket on the front of the ballot secrecy
20 sleeve that contains a printed copy of the **The** following ballot
21 marking instructions **must be used at a general election:**~~

22 **GENERAL ELECTION**

23 **TO VOTE:** Completely darken the oval opposite each choice as shown:
24 [insert graphic here].

25 **-- OR --**

26 **TO VOTE:** Completely darken the box opposite each choice as shown:
27 [insert graphic here].

28 **IMPORTANT:** To mark your ballot, use only a black or blue ink pen.

29 **DO NOT USE ANY OTHER INK COLOR!**



1 **PARTISAN SECTION:** To vote the partisan section of the ballot, you
2 may cast a "mixed ticket."

3 **Mixed Ticket:** Vote for the individual candidates of your choice in
4 each office.

5 **NONPARTISAN** and **PROPOSAL SECTIONS** of the ballot (if any) must be
6 voted separately.

7 **DO NOT** vote for more candidates than indicated under each office
8 title.

9 **WRITE-IN CANDIDATES:** To vote for a candidate whose name is not
10 printed on the ballot, write or place the name of that candidate in
11 the blank space provided and completely darken the voting target
12 area. Do not cast a write-in vote for a candidate whose name is
13 already printed on the ballot for that office.

14 **CHECK BOTH SIDES OF BALLOT:** This ballot has two sides. Be certain
15 to check the reverse side of the ballot.

16 ~~**WHEN YOU HAVE COMPLETED VOTING:** Place the ballot in the secrecy
17 sleeve so that votes cannot be seen and the numbered stub is
18 visible. Return the ballot to the election official stationed at
19 the tabulator. (If voting by absentee ballot, follow the
20 instructions provided by the clerk for returning the ballot.)~~

21 ~~**NOTE:** If you make a mistake, return your ballot to the election
22 official and obtain a new ballot. Do not attempt to erase or
23 correct any marks made in error.~~

24 Sec. 736d. Each ballot secrecy sleeve used at a nonpartisan
25 election must either contain the following ballot marking
26 instructions printed on the front of the ballot secrecy sleeve or
27 must have a clear plastic pocket on the front of the ballot secrecy
28 sleeve that contains a printed copy of the ~~The~~ following ballot
29 marking instructions **must be used at a nonpartisan election:**



1 **NONPARTISAN ELECTION**

2 **TO VOTE:** Completely darken the oval opposite each choice as shown:
3 [insert graphic here].

4 **-- OR --**

5 **TO VOTE:** Completely darken the box opposite each choice as shown:
6 [insert graphic here].

7 **IMPORTANT:** To mark your ballot, use only a black or blue ink pen.

8 **DO NOT USE ANY OTHER INK COLOR!**

9 **DO NOT** vote for more candidates than indicated under each office
10 title.

11 **WRITE-IN CANDIDATES:** To vote for a candidate whose name is not
12 printed on the ballot, write or place the name of that candidate in
13 the blank space provided and completely darken the voting target
14 area. Do not cast a write-in vote for a candidate whose name is
15 already printed on the ballot for that office.

16 **CHECK BOTH SIDES OF BALLOT:** This ballot has two sides. Be certain
17 to check the reverse side of the ballot.

18 ~~**WHEN YOU HAVE COMPLETED VOTING:** Place the ballot in the secrecy
19 sleeve so that votes cannot be seen and the numbered stub is
20 visible. Return the ballot to the election official stationed at
21 the tabulator. (If voting by absentee ballot, follow the
22 instructions provided by the clerk for returning the ballot.)~~

23 ~~**NOTE:** If you make a mistake, return your ballot to the election
24 official and obtain a new ballot. Do not attempt to erase or
25 correct any marks made in error.~~

26 ~~Sec. 736e. Each ballot secrecy sleeve used at a special
27 election must either contain the following ballot marking
28 instructions printed on the front of the ballot secrecy sleeve or
29 must have a clear plastic pocket on the front of the ballot secrecy~~



1 ~~sleeve that contains a printed copy of the~~ **The** following ballot
2 marking instructions **must be used at a special election:**

3 **SPECIAL ELECTION**

4 **TO VOTE:** Completely darken the oval opposite each choice as shown:
5 [insert graphic here].

6 -- OR --

7 **TO VOTE:** Completely darken the box opposite each choice as shown:
8 [insert graphic here].

9 **IMPORTANT:** To mark your ballot, use only a black or blue ink pen.

10 **DO NOT USE ANY OTHER INK COLOR!**

11 **CHECK BOTH SIDES OF BALLOT:** This ballot has two sides. Be certain
12 to check the reverse side of the ballot.

13 ~~**WHEN YOU HAVE COMPLETED VOTING:** Place the ballot in the secrecy~~
14 ~~sleeve so that votes cannot be seen and the numbered stub is~~
15 ~~visible. Return the ballot to the election official stationed at~~
16 ~~the tabulator. (If voting by absentee ballot, follow the~~
17 ~~instructions provided by the clerk for returning the ballot.)~~

18 ~~**NOTE:** If you make a mistake, return your ballot to the election~~
19 ~~official and obtain a new ballot. Do not attempt to erase or~~
20 ~~correct any marks made in error.~~

21 Sec. 737a. (1) Except as otherwise provided in this section,
22 the board of election inspectors shall not count a write-in vote
23 for a ~~person~~ **an individual** unless that ~~person~~ **individual** has filed
24 a declaration of intent to be a write-in candidate as provided in
25 this section. The write-in candidate shall file the declaration of
26 intent to be a write-in candidate with the filing official for that
27 elective office on or before 4 p.m. on the second Friday
28 immediately before the election. The secretary of state,
29 immediately after the 4 p.m. filing deadline under this subsection,

1 shall prepare and have delivered a list of all ~~persons~~**individuals**
 2 who have filed a declaration of intent to be a write-in candidate
 3 under this subsection, if any, to the appropriate county clerks. A
 4 filing official other than the secretary of state who receives a
 5 declaration of intent to be a write-in candidate or list of ~~persons~~
 6 **individuals** who filed a declaration of intent from another filing
 7 official under this subsection shall prepare and have delivered a
 8 list of all ~~persons~~**individuals** who have filed a declaration of
 9 intent to be a write-in candidate to the board of election
 10 inspectors in the appropriate precincts before ~~the close of the~~
 11 ~~polls~~**8 p.m.** on election day.

12 (2) If a candidate whose name is printed on the official
 13 ballot for the election dies or is otherwise disqualified after 4
 14 p.m. on the second Friday immediately before the election, the
 15 requirement of filing a declaration of intent to be a write-in
 16 candidate under subsection (1) does not apply to a write-in
 17 candidate. If a death or disqualification has occurred as described
 18 in this subsection, the board of election inspectors shall count
 19 all write-in votes for write-in candidates for the office sought by
 20 the deceased or disqualified candidate.

21 (3) Subsections (1) and (2) do not apply to a write-in
 22 candidate for precinct delegate. The board of election inspectors
 23 shall not count a write-in vote for a write-in candidate for
 24 precinct delegate unless that candidate has filed a declaration of
 25 intent to be a write-in candidate as provided in this subsection. A
 26 write-in candidate for precinct delegate shall file a declaration
 27 of intent to be a write-in candidate with the county clerk of the
 28 county in which that precinct is located on or before 4 p.m. on the
 29 Friday immediately before the election or with the board of



1 election inspectors in the appropriate precinct before ~~the close of~~
 2 ~~the polls~~ **8 p.m.** on election day. A county clerk who receives a
 3 declaration of intent to be a write-in candidate from a write-in
 4 candidate for precinct delegate under this subsection shall prepare
 5 and have delivered a list of all ~~persons~~ **individuals** who have filed
 6 a declaration of intent to be a write-in candidate to the city and
 7 township clerks for the appropriate precincts before election day.
 8 A city or township clerk shall deliver a list of all ~~persons~~
 9 **individuals** who have filed a declaration of intent to be a write-in
 10 candidate for precinct delegate to the board of election inspectors
 11 in the appropriate precincts before ~~the close of the polls~~ **8 p.m.**
 12 on election day.

13 (4) The secretary of state shall prescribe forms for the
 14 declaration of intent to be a write-in candidate. Clerks shall
 15 maintain a supply of declaration of intent to be a write-in
 16 candidate forms in the clerk's office. ~~and make the forms available~~
 17 ~~in the polling places during the August primary for this purpose.~~
 18 The declaration of intent to be a write-in candidate form must
 19 include all of the following information:

20 (a) The name of the ~~person~~ **individual** intending to be a write-
 21 in candidate.

22 (b) The elective office that the ~~person~~ **individual** seeks as a
 23 write-in candidate.

24 (c) The residence address of the ~~person~~ **individual** seeking
 25 elective office as a write-in candidate.

26 (d) Other information the secretary of state considers
 27 appropriate.

28 Sec. 741. The ~~board of inspectors of election~~ **clerks** shall
 29 preserve the unused ballots, together with the ballots that have



1 been spoiled by the electors and in place of which other ballots
 2 have been issued. ~~, and return them to the city or township clerk,~~
 3 ~~or other officer provided by a city charter, with a statement of~~
 4 ~~the number of ballots voted, and the clerk shall give to the~~
 5 ~~election inspectors a receipt that must be filed with the~~
 6 ~~chairperson of the board.~~

7 Sec. 751. ~~When~~ **If** at an election an elector ~~shall state~~ **states**
 8 that the elector cannot mark his or her ballot, the elector shall
 9 be assisted in the marking of his or her ballot by ~~2 inspectors of~~
 10 ~~election.~~ **the clerk of the city or township in which that elector**
 11 **resides.** If an elector is so disabled on account of blindness, the
 12 elector may be assisted in the marking of his or her ballot by a
 13 member of his or her immediate family or by a ~~person~~ **an individual**
 14 over 18 years of age designated by the **individual who is** blind.
 15 ~~person.~~

16 Sec. 754. The ~~inspectors~~ **clerk** upon whom ~~shall fall~~ **falls** the
 17 duty of assisting a voter shall render ~~such~~ **the** assistance inside
 18 the ~~voting booth~~ **clerk's office** by showing him **or her** how to mark
 19 his **or her** ballot in order to vote as ~~he desires,~~ **desired,** or the
 20 ~~inspector~~ **clerk** shall himself **or herself** mark the ballot as
 21 directed by the voter, but ~~no~~ **a** ballot ~~shall~~ **must not** be marked by
 22 the ~~inspector~~ **clerk** from any written or printed list or slip
 23 furnished him **or her** by the voter or any other ~~person.~~ **individual.**
 24 The ~~inspector~~ **clerk** shall not suggest to the voter how he **or she**
 25 should vote, or in any manner attempt to influence him **or her** as to
 26 the marking of ~~his~~ **the** ballot, nor allow any other ~~person~~ **se**
 27 **individual** to do ~~÷ Provided, That the~~ **so.** **The** duties and
 28 restrictions with respect to ~~inspectors~~ **clerks** as provided for in
 29 this section ~~shall~~ apply to and govern any ~~person~~ **individual**



1 assisting the voter in the marking of his **or her** ballot, in
2 accordance with the authorization in section 751. ~~of this act.~~

3 Sec. 755a. (1) If an elector is unable to write, or sign his
4 or her name on an election document because of a physical
5 disability, the elector may execute the election document where a
6 signature is required either by making his or her mark or by using
7 a signature stamp.

8 (2) As used in this section, "election document" includes, but
9 is not limited to, any of the following:

10 ~~(a) A voter application as described in section 523.~~

11 **(a)** ~~(b)~~An absent voter ballot application as described in
12 section 759 or 759a.

13 **(b)** ~~(c)~~An emergency absent voter ballot application as
14 described in section 759b.

15 **(c)** ~~(d)~~An absent voter ballot return envelope as described in
16 section 761.

17 Sec. 757. ~~Any inspector~~ **A clerk** who ~~shall wilfully assist~~
18 **willfully assists** any elector in any manner contrary to the
19 provisions contained in this ~~section, shall, act is,~~ upon
20 conviction, ~~be~~ guilty of a felony.

21 Sec. 759a. (1) An absent uniformed services voter or an
22 overseas voter who is not registered, but possessed the
23 qualifications of an elector under section 492, may apply for
24 registration by using the federal postcard application. The
25 department of state, bureau of elections, is responsible for
26 disseminating information on the procedures for registering and
27 voting to an absent uniformed services voter and an overseas voter.

28 (2) Upon the request of an absent uniformed services voter or
29 an overseas voter, the clerk of a county, city, township, or



1 village shall electronically transmit a blank voter registration
 2 application or blank absent voter ballot application to the voter.
 3 The clerk of a county, city, township, or village shall accept a
 4 completed voter registration application or completed absent voter
 5 ballot application electronically transmitted by an absent
 6 uniformed services voter or overseas voter. A voter registration
 7 application or absent voter ballot application submitted by an
 8 absent uniformed services voter or overseas voter ~~shall~~**must**
 9 contain the signature of the voter.

10 (3) A spouse or dependent of an overseas voter who is a
 11 citizen of the United States, is accompanying that overseas voter,
 12 and is not a qualified and registered elector anywhere else in the
 13 United States, may apply for an absent voter ballot even though the
 14 spouse or dependent is not a qualified elector of a city or
 15 township of this state.

16 (4) An absent uniformed services voter or an overseas voter,
 17 whether or not registered to vote, may apply for an absent voter
 18 ballot. Upon receipt of an application for an absent voter ballot
 19 under this section that complies with this act, a county, city,
 20 village, or township clerk shall forward to the applicant the
 21 absent voter ballots requested, the forms necessary for
 22 registration, and instructions for completing the forms. If the
 23 ballots are not yet available at the time of receipt of the
 24 application, the clerk shall immediately forward to the applicant
 25 the registration forms and instructions, and forward the ballots as
 26 soon as they are available. If a federal postcard application or an
 27 application from the official United States ~~department~~**Department**
 28 of ~~defense~~**Defense** website is filed, the clerk shall accept the
 29 federal postcard application or the application from the official



1 United States ~~department~~**Department** of ~~defense~~**Defense** website as
 2 the registration application and shall not send any additional
 3 registration forms to the applicant. If the ballots and
 4 registration forms are received before ~~the close of the polls~~**8**
 5 **p.m.** on election day and if the registration complies with the
 6 requirements of this act, the absent voter ballots ~~shall~~**must** be
 7 delivered to the proper election board to be tabulated. If the
 8 registration does not comply with the requirements of this act, the
 9 clerk shall retain the absent voter ballots until the expiration of
 10 the time that the voted ballots must be kept and shall then destroy
 11 the ballots without opening the envelope. The clerk may retain
 12 registration forms completed under this section in a separate file.
 13 The address in this state shown on a registration form is the
 14 residence of the registrant.

15 (5) Not later than 45 days before an election, a county, city,
 16 township, or village clerk shall electronically transmit or mail as
 17 appropriate an absent voter ballot to each absent uniformed
 18 services voter or overseas voter who applied for an absent voter
 19 ballot 45 days or more before the election.

20 (6) Upon the request of an absent uniformed services voter or
 21 overseas voter, the clerk of a county, city, township, or village
 22 shall electronically transmit an absent voter ballot to the voter.
 23 The voter shall print the absent voter ballot and return the voted
 24 ballot by mail to the appropriate clerk.

25 (7) The secretary of state shall prescribe electronic absent
 26 voter ballot formats and electronic absent voter ballot
 27 transmission methods. Each county, city, township, or village clerk
 28 shall employ the prescribed electronic ballot formats to fulfill an
 29 absent voter ballot request received from an absent uniformed



1 services voter or overseas voter who wishes to receive his or her
2 absent voter ballot through an electronic transmission. The
3 secretary of state shall establish procedures to implement the
4 requirements in this section and for the processing of a marked
5 absent voter ballot returned by an absent uniformed services voter
6 or overseas voter who obtained his or her absent voter ballot
7 through an electronic transmission.

8 (8) The secretary of state shall modify the printed statement
9 provided under section 761(4) and the absent voter ballot
10 instructions provided under section 764a as appropriate to
11 accommodate the procedures developed for electronically
12 transmitting an absent voter ballot to an absent uniformed services
13 voter or overseas voter. A statement ~~shall~~**must** be included in the
14 certificate signed by the absent voter who obtained his or her
15 absent voter ballot through an electronic transmission that the
16 secrecy of the absent voter ballot may be compromised during the
17 duplication process. The absent voter ballot instructions provided
18 to an absent uniformed services voter or overseas voter ~~shall~~**must**
19 include the proper procedures for returning the absent voter ballot
20 to the appropriate clerk.

21 (9) The size of a precinct ~~shall~~**must** not be determined by
22 registration forms completed under this section.

23 (10) An absent uniformed services voter or an overseas voter
24 who submits an absent voter ballot application is eligible to vote
25 as an absent voter in any local, state, or federal election
26 occurring in the calendar year in which the election is held for
27 that ballot requested if the absent voter ballot application is
28 received by the county, city, village, or township clerk not later
29 than 2 p.m. of the Saturday before the election. A county, city, or



1 township clerk receiving an absent voter ballot application from an
2 absent uniformed services voter or overseas voter shall transmit to
3 a village clerk and the school district election coordinators,
4 where applicable, the necessary information to enable the village
5 clerk and school district election coordinators to forward an
6 absent voter ballot for each applicable election in that calendar
7 year to the absent voter. A village clerk receiving an absent voter
8 ballot application from an absent uniformed services voter or
9 overseas voter shall transmit to the township clerk and the school
10 district election coordinators, where applicable, the necessary
11 information to enable the city or township clerk and school
12 district election coordinators to forward an absent voter ballot
13 for each applicable election in that calendar year to the absent
14 voter. If the local elections official rejects a voter registration
15 application or absent voter ballot application submitted by an
16 absent uniformed services voter or overseas voter, the election
17 official shall notify the voter of the rejection.

18 (11) An electronic mail address provided by an absent
19 uniformed services voter or overseas voter for the purposes of this
20 section is confidential and exempt from disclosure under the
21 freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

22 (12) Under the uniformed and overseas citizens absentee voting
23 act, the state director of elections shall approve a ballot form
24 and registration procedures for absent uniformed services voters
25 and overseas voters.

26 (13) An absent uniformed services voter or an overseas voter
27 may use the federal write-in absentee ballot, in accordance with
28 the provisions of the uniformed and overseas citizens absentee
29 voting act, at a regular election or special election to vote for a



1 local, state, or federal office or on a ballot question. An absent
2 uniformed services voter or an overseas voter who uses the federal
3 write-in absentee ballot shall return his or her voted federal
4 write-in absentee ballot by mail to the appropriate clerk. The
5 state bureau of elections shall do both of the following:

6 (a) Make the ballot format for each election available to
7 absent uniformed services voters and overseas voters by electronic
8 mail or on an internet website maintained by the department of
9 state.

10 (b) Make the ballot information, including the offices, names
11 of candidates, and ballot proposals, for each election available to
12 absent uniformed services voters and overseas voters on an internet
13 website maintained by the department of state.

14 (14) The clerk of a city, village, or township shall submit to
15 the county clerk of the county in which that city, village, or
16 township is located a written statement no later than 45 days
17 before each election indicating whether absent voter ballots were
18 issued to absent uniformed services voters or overseas voters in
19 compliance with this section and the uniformed and overseas
20 citizens absentee voting act. The city, village, or township clerk
21 shall provide to the county clerk a written explanation describing
22 remedial actions taken by the city, village, or township clerk if
23 the city, village, or township clerk fails to comply with this
24 section and the uniformed and overseas citizens absentee voting
25 act. Not later than 42 days before each election, each county clerk
26 shall submit to the state bureau of elections a written report
27 compiled from the written statements submitted by the city,
28 village, and township clerks. The written report ~~shall~~**must**
29 identify the cities, villages, and townships that complied with the



1 45-day deadline under this subsection, the cities, villages, and
2 townships that did not comply with the 45-day deadline under this
3 subsection, but provided a written explanation, and those cities,
4 villages, and townships that did not comply with the 45-day
5 deadline under this subsection and that did not provide a written
6 explanation. The state bureau of elections may require the clerk of
7 a city, village, or township that did not comply with the 45-day
8 deadline under this subsection, but provided a written explanation,
9 to provide additional information. The state bureau of elections
10 shall require the clerk of a city, village, or township that did
11 not comply with the 45-day deadline and that did not provide a
12 written explanation to file a written explanation, describing the
13 remedial actions taken by the city, village, or township clerk,
14 within 1 business day after the state bureau of elections notifies
15 the clerk of that city, village, or township.

16 (15) For a presidential primary election, the secretary of
17 state shall prescribe procedures for contacting an elector who is
18 an absent uniformed services voter or an overseas voter, as
19 described in this section, and who is eligible to receive an absent
20 voter ballot or who applies for an absent voter ballot for the
21 presidential primary election, offering the elector the opportunity
22 to select a political party ballot for the presidential primary
23 election.

24 (16) The secretary of state shall order a city, village, or
25 township clerk to extend the ballot receipt deadline for any
26 absentee voter ballots under this section that were not transmitted
27 to an absent uniformed services voter or overseas voter in
28 compliance with subsection (5). The extension ~~shall~~**must** equal the
29 total number of days beyond the deadline as provided in subsection



1 (5) that the city, village, or township clerk transmitted the
 2 requested absentee voter ballots. These absentee voter ballots
 3 received during the extension time ~~shall~~**must** be counted and
 4 tabulated for the final results of the election provided that the
 5 absentee voter ballots are executed and sent by ~~the close of the~~
 6 ~~polls~~**8 p.m.** on election day. The election may be formally
 7 certified before the end of the extension time if the number of
 8 outstanding absentee voter ballots under this subsection will not
 9 alter the outcome of the election.

10 (17) As used in this section:

11 (a) "Absent uniformed services voter" means any of the
 12 following:

13 (i) A member of a uniformed service on active duty who, by
 14 reason of being on active duty, is absent from the place of
 15 residence where the member is otherwise qualified to vote.

16 (ii) A member of the merchant marine who, by reason of service
 17 in the merchant marine, is absent from the place of residence where
 18 the member is otherwise qualified to vote.

19 (iii) A spouse or dependent of a member referred to in
 20 subparagraph (i) or (ii) who, by reason of the active duty or service
 21 of the member, is absent from the place of residence where the
 22 spouse or dependent is otherwise qualified to vote.

23 (b) "Member of the merchant marine" means an individual, other
 24 than a member of a uniformed service or an individual employed,
 25 enrolled, or maintained on the Great Lakes or the inland waterways,
 26 who is either of the following:

27 (i) Employed as an officer or crew member of a vessel
 28 documented under the laws of the United States, a vessel owned by
 29 the United States, or a vessel of foreign-flag registry under



1 charter to or control of the United States.

2 (ii) Enrolled with the United States for employment or training
3 for employment, or maintained by the United States for emergency
4 relief service, as an officer or crew member of a vessel documented
5 under the laws of the United States, a vessel owned by the United
6 States, or a vessel of foreign-flag registry under charter to or
7 control of the United States.

8 (c) "Overseas voter" means any of the following:

9 (i) An absent uniformed services voter who, by reason of active
10 duty or service, is absent from the United States on the date of an
11 election.

12 (ii) A person who resides outside of the United States and is
13 qualified to vote in the last place in which the person was
14 domiciled before leaving the United States.

15 (iii) A person who resides outside of the United States and who,
16 but for such residence outside of the United States, would be
17 qualified to vote in the last place in which he or she was
18 domiciled before leaving the United States.

19 (d) "Uniformed services" means the ~~army, navy, air force,~~
20 ~~marine corps, coast guard,~~ **Army, Navy, Air Force, Marine Corps,**
21 **Coast Guard,** the ~~commissioned corps~~ **Commissioned Corps** of the
22 ~~public health service,~~ **Public Health Service,** the ~~commissioned~~
23 ~~corps~~ **Commissioned Corps** of the ~~national oceanic~~ **National Oceanic**
24 ~~and atmospheric administration,~~ **Atmospheric Administration,** a
25 reserve component of a uniformed service, or the Michigan ~~national~~
26 ~~guard~~ **National Guard** as **that term is** defined in section 105 of the
27 Michigan military act, 1967 PA 150, MCL 32.505.

28 Sec. 759b. (1) Any registered elector may apply for absent
29 voter ballots at any time ~~prior to~~ **before** 4 p.m. on election day if



1 ~~he shall have become~~ **the elector becomes** physically disabled or
 2 ~~shall be~~ **is** absent from the city or township because of sickness or
 3 death in the family ~~which has~~ **that** occurred at a time which has
 4 made it impossible to apply for absent voter ballots by the
 5 statutory deadline. The application ~~shall~~ **must** be called an
 6 emergency absent voter application.

7 (2) Emergency absent voter applications may be made by letter
 8 or on a form provided by the clerk. The application ~~shall~~ **must** set
 9 forth that the voter is qualified to vote in the election, stating
 10 the statutory reason for applying for an emergency absent voter
 11 ballot, and that the reason for applying after the statutory
 12 deadline occurred at such a time to make it impossible to file an
 13 application for absent voter ballots by the statutory deadline.

14 (3) Any person intentionally making a false statement in ~~such~~
 15 **an emergency absent voter** application is guilty of a felony. Any
 16 person aiding or abetting any person to make a false statement on
 17 ~~such an emergency absent voter~~ application is guilty of a felony.

18 (4) Upon receipt by the clerk of a valid application for an
 19 emergency absent voter ballot, the clerk may deliver the ballots to
 20 the applicant in person, through a deputy or an election assistant,
 21 or ~~he~~ **the clerk** may deliver them at his **or her** office to ~~a person~~
 22 **an individual** named by the applicant in the application. The voter
 23 may return the ballots to the clerk in the sealed envelope provided
 24 ~~therefor~~ **with the ballots** in any manner he **or she** sees fit. To be
 25 valid, ballots must be returned to the clerk in time to be
 26 delivered to the ~~polls prior to~~ **absent voter counting board before**
 27 8 p.m. on election day.

28 Sec. 761b. (1) ~~Beginning January 1, 2019, the~~ **The** clerk of
 29 each city or township shall be available in his or her office to



1 issue and receive absent voter ballots for any combination of at
2 least 8 hours on the Saturday or Sunday immediately before election
3 day.

4 (2) At least 30 days before the date of an election, the clerk
5 of each city or township shall post and notify the secretary of
6 state of the hours that the clerk's office will be open on the
7 Saturday or Sunday, or both, immediately before the election to
8 issue and receive absent voter ballots.

9 (3) Subject to the requirements ~~for polling places~~ in section
10 662, upon the approval by resolution of the governing body of a
11 city or township, the clerk of that city or township may specify
12 additional locations and hours that the clerk will be available to
13 issue and receive absent voter ballots. These additional locations
14 must allow challengers as described in section 730.

15 (4) At least 30 days before the date of an election, the clerk
16 of each city or township shall post and notify the secretary of
17 state, if applicable, concerning the additional locations and hours
18 that the clerk will be available to issue and receive absent voter
19 ballots as provided under subsection (3).

20 Sec. 764a. The following instructions for an absent voter
21 ~~shall~~ **must** be included with each ballot or set of ballots furnished
22 an absent voter:

23 INSTRUCTIONS FOR ABSENT VOTERS

24 Step 1. Enclosed you will find voting instructions as to the
25 method of voting. Read these carefully and then vote the ballot.

26 Step 2. After voting a ballot, place the ballot in the secrecy
27 sleeve, if any. If a secrecy sleeve is not provided, refold the
28 ballot to conceal your votes.

29 Step 3. Place the ballot or ballots in the return envelope and

1 securely seal the envelope.

2 Step 4. Sign and date the return envelope in the place
3 designated. Your signature must appear on the return envelope or
4 the ballot will not be counted. If you are disabled or otherwise
5 unable to mark the ballot and required assistance in voting your
6 absent voter ballot, have the person who assisted you complete the
7 section on the return envelope entitled "TO BE COMPLETED ONLY IF
8 VOTER IS ASSISTED IN VOTING BY ANOTHER PERSON".

9 Step 5. Deliver the return envelope by 1 of the following
10 methods:

11 (a) Place the necessary postage upon the return envelope and
12 deposit it in the United States mail or with another public postal
13 service, express mail service, parcel post service, or common
14 carrier.

15 (b) Deliver the envelope personally to the office of the
16 clerk, to the clerk, or to an authorized assistant of the clerk.

17 (c) In either (a) or (b), a member of the immediate family of
18 the voter including a father-in-law, mother-in-law, brother-in-law,
19 sister-in-law, son-in-law, daughter-in-law, grandparent, or
20 grandchild or a person residing in the voter's household may mail
21 or deliver a ballot to the clerk for the voter.

22 (d) You may request by telephone that the clerk who issued the
23 ballot provide assistance in returning the ballot. The clerk is
24 required to provide assistance if you are unable to return your
25 absent voter ballot as specified in (a), (b), or (c) above, if it
26 is before 5 p.m. on the Friday immediately preceding the election,
27 and if you are asking the clerk to ~~pickup~~**pick up** the absent voter
28 ballot within the jurisdictional limits of the city, township, or
29 village in which you are registered. Your absent voter ballot will



1 then be picked up by the clerk or an election assistant sent by the
 2 clerk. All ~~persons~~**individuals** authorized to pick up absent voter
 3 ballots are required to carry credentials issued by the clerk. If
 4 using this absent voter ballot return method, do not give your
 5 ballot to anyone until you have checked their credentials.

6 Step 6. The ballot must reach the clerk or an authorized
 7 assistant of the clerk before ~~the close of the polls~~**8 p.m.** on
 8 election day. An absent voter ballot received by the clerk or
 9 assistant of the clerk after ~~the close of the polls~~**8 p.m.** on
 10 election day will not be counted.

11 WARNING

12 All of the following actions are violations of the Michigan
 13 election law and are illegal in this state:

14 (1) To vote an absent voter ballot at a meeting or gathering
 15 at which other people are voting absent voter ballots.

16 (2) For a ~~person~~**an individual** who is assisting an absent
 17 voter in marking the ballot to suggest or in any manner attempt to
 18 influence the absent voter on how he or she should vote.

19 (3) For a ~~person~~**an individual** who is present and knows that a
 20 ~~person~~**an individual** is voting an absent voter ballot to suggest or
 21 in any manner attempt to influence the absent voter on how he or
 22 she should vote.

23 (4) For a ~~person~~**an individual** other than those listed in
 24 these instructions to return, offer to return, agree to return, or
 25 solicit to return an absent voter ballot to the clerk.

26 (5) For a ~~person~~**an individual** other than the absent voter; a
 27 ~~person~~**an individual** listed in these instructions; or a ~~person~~**an**
 28 **individual** whose job it is to handle mail before, during, or after
 29 being transported by a public postal service, express mail service,



1 parcel post service, or common carrier, but only during the normal
2 course of his or her employment to be in possession of a voted or
3 unvoted absent voter ballot.

4 Sec. 764b. (1) An absent voter ballot must be delivered to the
5 clerk only as authorized in the instructions for an absent voter
6 provided in section 764a.

7 (2) The clerk of a city or township may accept delivery of
8 absent voter ballots at any location in the city or township.

9 (3) The clerk of a city or township may appoint the number of
10 assistants necessary to accept delivery of absent voter ballots at
11 any location in the city or township. An appointment as assistant
12 to accept delivery of absent voter ballots must be for 1 election
13 only. An assistant appointed to receive ballots at a location other
14 than the office of the clerk must be furnished credentials of
15 authority by the clerk. If an absent voter's ballot is received by
16 an assistant at any location other than the clerk's office the
17 assistant, upon request, shall exhibit the credentials to the
18 absent voter before the assistant accepts an absent voter ballot.
19 An assistant, before entering upon the discharge of duties, shall
20 take and subscribe to the oath of office as provided in section 1
21 of article XI of the state constitution of 1963. An assistant shall
22 perform only the duties assigned by the clerk. ~~A person~~ **An**
23 **individual** must not be appointed as an assistant to accept delivery
24 of absent voter ballots who is a candidate or a member of the
25 immediate family of a candidate whose name appears on the ballot at
26 that election.

27 (4) A clerk who receives a request from an absent voter under
28 section 764a for assistance in returning his or her absent voter
29 ballot shall make arrangements to collect the ballot from the voter



1 either personally or by sending an authorized assistant, if all of
2 the following conditions are satisfied:

3 (a) The clerk's office issued the absent voter ballot to that
4 absent voter.

5 (b) Upon the clerk's request, the absent voter states that he
6 or she is unable to return the absent voter ballot by the other
7 means specified in instructions (a), (b), or (c) of Step 5 under
8 section 764a.

9 (c) The absent voter telephones the appropriate clerk for
10 assistance on or before 5 p.m. on the Friday immediately before the
11 election.

12 (d) The absent voter requests the clerk to pick up the absent
13 voter ballot within the jurisdictional limits of the city or
14 township in which the absent voter is registered.

15 (5) Notwithstanding subsection (4), a clerk who receives a
16 request from an absent voter under section 764a for assistance in
17 returning his or her absent voter ballot may make arrangements to
18 collect the ballot from the voter either personally or by sending
19 an authorized assistant, if all of the following conditions are
20 satisfied:

21 (a) The clerk's office issued the absent voter ballot to that
22 absent voter.

23 (b) Upon the clerk's request, the absent voter states that he
24 or she is unable to return the absent voter ballot by the other
25 means specified in instructions (a), (b), or (c) of Step 5 under
26 section 764a.

27 (6) The clerk shall maintain a list open to the public that
28 contains the names and addresses of all authorized assistants
29 appointed under this section who are available to collect absent

1 voter ballots on or before election day in that city or township.

2 (7) An absent voter ballot received by the clerk before ~~the~~
 3 ~~close of the polls~~ **8 p.m.** on election day must not be invalidated
 4 solely because the delivery to the clerk was not in compliance with
 5 section 764a or this section, however the ballot must be considered
 6 challenged and must be marked and processed as provided in section
 7 745.

8 Sec. 765. (1) A clerk who receives an absent voter ballot
 9 return envelope containing the marked ballots of an absent voter
 10 shall not open that envelope before delivering the envelope to the
 11 board of election inspectors as provided in this section. The city
 12 or township clerk shall safely keep in his or her office until
 13 election day any absent voter ballot return envelopes received by
 14 the clerk before election day containing the marked ballots of an
 15 absent voter.

16 (2) Before ~~the opening of the polls~~ **7 a.m.** on election day or
 17 as soon after ~~the opening of the polls~~ **7 a.m. on election day** as
 18 possible, the clerk shall deliver the absent voter ballot return
 19 envelopes to the chairperson or other member of the board of
 20 election inspectors in the absent voter's precinct, together with
 21 the signed absent voter ballot applications received by the clerk
 22 from any voters of that precinct and the clerk's list or record
 23 kept relative to those absent voters. ~~However, if higher numbered~~
 24 ~~ballots are used under section 717, the clerk shall retain the~~
 25 ~~applications and lists in his or her office and shall keep the~~
 26 ~~applications and lists open to public inspection at all reasonable~~
 27 ~~hours.~~ Absent voter ballots must not be tabulated before ~~the~~
 28 ~~opening of the polls~~ **7 a.m.** on election day.

29 (3) The city or township clerk, or authorized designee of the



1 clerk, shall call for and receive absent voter ballots from the
 2 post office at which the city or township clerk regularly receives
 3 mail addressed to the city or township clerk on election day. Any
 4 envelopes containing absent voter ballots that are received from
 5 the post office or from voters who voted by absentee ballot in
 6 person in the clerk's office on election day must be delivered to
 7 the board of election inspectors ~~or at~~ the absent voter counting
 8 boards to be tabulated.

9 (4) If a marked absent voter ballot is received by the clerk
 10 after ~~the close of the polls, 8 p.m. on election day,~~ the clerk
 11 shall plainly mark the envelope with the time and date of receipt
 12 and shall file the envelope in his or her office.

13 (5) On or before 8 a.m. on election day, the clerk shall post
 14 in the clerk's office or otherwise make public the number of absent
 15 voter ballots the clerk distributed to absent voters and the number
 16 of absent voter ballot return envelopes containing the marked
 17 ballots of absent voters received by the clerk before election day
 18 and to be delivered to the board of election inspectors ~~or at~~ the
 19 absent voter counting boards under this act. On or before 9 p.m. on
 20 election day, the clerk shall post in the clerk's office or
 21 otherwise make public the number of absent voter ballot return
 22 envelopes containing the marked ballots of absent voters received
 23 by the clerk on election day and delivered to the board of election
 24 inspectors, under subsection (3), along with the total number of
 25 absent voter ballot return envelopes containing the marked ballots
 26 of absent voters received by the clerk both before and on election
 27 day and delivered to the board of election inspectors ~~or at~~ the
 28 absent voter counting boards under this act. ~~As seen as possible~~
 29 ~~after all precincts in the city or township are processed, the~~



1 ~~clerk shall post in the clerk's office or otherwise make public the~~
 2 ~~number of absent voter ballot return envelopes containing the~~
 3 ~~marked ballots of absent voters received by the election inspectors~~
 4 ~~at the precincts on election day, along with the total number of~~
 5 ~~absent voter ballot return envelopes containing the marked ballots~~
 6 ~~of absent voters received in the city or township for that~~
 7 ~~election. This subsection applies only to elections in which a~~
 8 ~~federal or state office appears on the ballot.~~

9 ~~Sec. 765a. (1) If a city or township decides to use absent~~
 10 ~~voter counting boards, the~~ **The** board of election commissioners of
 11 ~~that~~ **each** city or township shall establish an absent voter counting
 12 board for each election day precinct in that city or township. ~~The~~
 13 ~~ballot form of an absent voter counting board must correspond to~~
 14 ~~the ballot form of the election day precinct for which it is~~
 15 ~~established. After the polls close 8 p.m. on election day, the~~
 16 county, city, or township clerk responsible for producing the
 17 accumulation report of the election results ~~submitted by the boards~~
 18 ~~of precinct election inspectors shall format the accumulation~~
 19 report to clearly indicate all of the following:

- 20 ~~(a) The election day precinct returns.~~
 21 ~~(b) The corresponding~~ **the** absent voter counting board returns.
 22 ~~(c) A total of each election day precinct return and each~~
 23 ~~corresponding absent voter counting board return.~~

24 (2) The board of election commissioners shall establish the
 25 absent voter counting boards. The board of election commissioners
 26 shall appoint the election inspectors to those absent voter
 27 counting boards not less than 21 days or more than 40 days before
 28 the election at which they are to be used. Sections 673a and 674
 29 apply to the appointment of election inspectors to absent voter



1 counting boards under this section. The board of election
 2 commissioners shall determine the number of ballots that may be
 3 expeditiously counted by an absent voter counting board in a
 4 reasonable period of time, taking into consideration the size and
 5 complexity of the ballot to be counted pursuant to the guidelines
 6 of the secretary of state. Combined ballots must be regarded as the
 7 number of ballots as there are sections to the ballot.

8 (3) If more than 1 absent voter counting board is to be used,
 9 the city or township clerk shall determine the number of electronic
 10 voting systems or the number of ballot boxes and the number of
 11 election inspectors to be used in each of the absent voter counting
 12 boards and to which absent voter counting board the absent voter
 13 ballots for each precinct are assigned for counting.

14 (4) ~~In a city or township that uses absent voter counting~~
 15 ~~boards under this section, absent voter ballots must be counted in~~
 16 ~~the manner provided in this section and absent voter ballots must~~
 17 ~~not be delivered to the polling places.~~ The board of election
 18 commissioners shall provide a place for each absent voter counting
 19 board to count the absent voter ballots. Section 662 applies to the
 20 designation and prescribing of the absent voter counting place or
 21 places in which the absent voter counting board performs its duties
 22 under this section, except the location may be in a different
 23 jurisdiction if the county provides a tabulator for use at a
 24 central absent voter counting board location in that county. The
 25 places must be designated as absent voter counting places. ~~Except~~
 26 ~~as otherwise provided in this section, laws relating to paper~~
 27 ~~ballot precincts, including laws relating to the appointment of~~
 28 ~~election inspectors, apply to absent voter counting places.~~ The
 29 provisions of this section relating to placing of absent voter



1 ballots on electronic voting systems apply. More than 1 absent
2 voter counting board may be located in 1 building.

3 (5) The clerk of a city or township ~~that uses absent voter~~
4 ~~counting boards~~ shall supply each absent voter counting board with
5 supplies necessary to carry out its duties under this act. ~~The~~
6 ~~supplies must be furnished to the city or township clerk in the~~
7 ~~same manner and by the same persons or agencies as for other~~
8 ~~precincts.~~

9 (6) Absent voter ballots received by the clerk before election
10 day must be delivered to the absent voter counting board by the
11 clerk or the clerk's authorized assistant at the time the election
12 inspectors of the absent voter counting boards report for duty,
13 which time must be established by the board of election
14 commissioners. Absent voter ballots received by the clerk before
15 ~~the time set for the closing of the polls 8 p.m.~~ on election day
16 must be delivered to the absent voter counting boards. Absent voter
17 ballots must be delivered to the absent voter counting boards in
18 the sealed absent voter ballot return envelopes in which they were
19 returned to the clerk. Written or stamped on each of the return
20 envelopes must be the time and the date that the envelope was
21 received by the clerk and a statement by the clerk that the
22 signatures of the absent voters on the envelopes have been checked
23 and found to agree with the signatures of the voters on the
24 registration cards or the digitized signatures of voters contained
25 in the qualified voter file as provided under section 766. If a
26 signature on the registration card or a digitized signature
27 contained in the qualified voter file and on the absent voter
28 ballot return envelope does not agree as provided under section
29 766, if the absent voter failed to sign the envelope, or if the



1 statement of the absent voter is not properly executed, the clerk
 2 shall mark the envelope "rejected" and the reason for the rejection
 3 and shall place his or her name under the notation. An envelope
 4 marked "rejected" must not be delivered to the absent voter
 5 counting board but must be preserved by the clerk until other
 6 ballots are destroyed in the manner provided in this act. The clerk
 7 shall also comply with section 765(5).

8 ~~(7) This chapter does not prohibit an absent voter from voting~~
 9 ~~in person within the voter's precinct at an election,~~
 10 ~~notwithstanding that the voter may have applied for an absent voter~~
 11 ~~ballot and the ballot may have been mailed or otherwise delivered~~
 12 ~~to the voter. The voter, the election inspectors, and other~~
 13 ~~election officials shall proceed in the manner prescribed in~~
 14 ~~section 769. The clerk shall preserve the canceled ballots for 2~~
 15 ~~years.~~

16 (7) ~~(8) The absent voter counting boards shall process the~~
 17 ~~ballots and returns in as nearly as possible the same manner as~~
 18 ~~ballots are processed in paper ballot precincts. The poll book may~~
 19 be combined with the absent voter list or record required by
 20 section 760, and the applications for absent voter ballots may be
 21 used as the poll list. The processing and tallying of absent voter
 22 ballots may commence at 7 a.m. on the day of the election.

23 (8) ~~(9) An election inspector, challenger, or any other person~~
 24 **individual** in attendance at an absent voter counting place at any
 25 time after the processing of ballots has begun shall take and sign
 26 the following oath that may be administered by the chairperson or a
 27 member of the absent voter counting board:

28 "I (name of person taking oath) do solemnly swear (or affirm)
 29 that I shall not communicate in any way any information relative to



1 the processing or tallying of votes that may come to me while in
 2 this counting place until after ~~the polls are closed.~~ **8 p.m. on**
 3 **election day.**"

4 (9) ~~(10)~~—The oaths administered under subsection ~~(9)~~ **(8)** must
 5 be placed in an envelope provided for the purpose and sealed with
 6 the red state seal. Following the election, the oaths must be
 7 delivered to the city or township clerk. Except as otherwise
 8 provided in subsection ~~(12)~~, ~~a person~~ **(11), an individual** in
 9 attendance at the absent voter counting place shall not leave the
 10 counting place after the tallying has begun until ~~the polls close.~~
 11 ~~A person~~ **8 p.m. on election day. An individual** who causes the polls
 12 to be closed or who discloses an election result or in any manner
 13 characterizes how any ballot being counted has been voted in a
 14 voting precinct before ~~the time the polls can be legally closed~~ **8**
 15 **p.m.** on election day is guilty of a felony.

16 (10) ~~(11)~~—Voted absent voter ballots must be placed in an
 17 approved ballot container, and the ballot container must be sealed
 18 in the manner provided by this act for paper ballot precincts. The
 19 seal numbers must be recorded on the statement sheet and in the
 20 poll book.

21 (11) ~~(12)~~—Subject to this subsection, a local election
 22 official who has established an absent voter counting board, the
 23 deputy or employee of that local election official, an employee of
 24 the state bureau of elections, a county clerk, an employee of a
 25 county clerk, or a representative of a voting equipment company may
 26 enter and leave an absent voter counting board after the tally has
 27 begun but before ~~the polls close.~~ ~~A person~~ **8 p.m. on election day.**
 28 **An individual** described in this subsection may enter an absent
 29 voter counting board only for the purpose of responding to an



1 inquiry from an election inspector or a challenger or providing
 2 instructions on the operation of the counting board. Before
 3 entering an absent voter counting board, ~~a person~~ **an individual**
 4 described in this subsection must take and sign the oath prescribed
 5 in subsection ~~(9)~~ **(8)**. The chairperson of the absent voter
 6 counting board shall record in the poll book the name of ~~a person~~
 7 **an individual** described in this subsection who enters the absent
 8 voter counting board. ~~A person~~ **An individual** described in this
 9 subsection who enters an absent voter counting board and who
 10 discloses an election result or in any manner characterizes how any
 11 ballot being counted has been voted in a precinct before ~~the time~~
 12 ~~the polls can be legally closed~~ **8 p.m.** on election day is guilty of
 13 a felony. As used in this subsection, "local election official"
 14 means a county, city, or township clerk.

15 **(12)** ~~(13)~~—The secretary of state shall develop instructions
 16 consistent with this act for the conduct of absent voter counting
 17 boards. The secretary of state shall distribute the instructions
 18 developed under this subsection to city and township clerks 40 days
 19 or more before a general election in which absent voter counting
 20 boards will be used. A city or township clerk shall make the
 21 instructions developed under this subsection available to the
 22 public and shall distribute the instructions to each challenger in
 23 attendance at an absent voter counting board. The instructions
 24 developed under this subsection are binding upon the operation of
 25 an absent voter counting board used in an election conducted by a
 26 county, city, or township.

27 Sec. 794. As used in sections 794 to 799a:

28 (a) "Audit trail" means a record of the votes cast by each
 29 voter that can be printed, recorded, or visually reviewed after ~~the~~



1 ~~polls are closed. 8 p.m. on election day.~~ The record ~~shall~~**must** not
 2 allow for the identification of the voter.

3 (b) "Ballot" means a card, ballot label, paper ballot,
 4 envelope, or any medium through which votes are recorded.

5 (c) "Ballot label" means the display or material containing
 6 the names of offices and candidates or the questions to be voted
 7 on.

8 (d) "Counting center" means 1 or more locations selected by
 9 the board of election commissioners of the city, county, township,
 10 village, or school district at which ballots are counted by means
 11 of electronic tabulating equipment or vote totals are
 12 electronically received from electronic tabulating equipment and
 13 electronically compiled.

14 (e) "Electronic tabulating equipment" means an apparatus that
 15 electronically examines and counts votes recorded on ballots and
 16 tabulates the results.

17 (f) "Electronic voting system" means a system in which votes
 18 are recorded and counted by electronic tabulating equipment.

19 (g) "Escrow account" means a third party approved by the
 20 secretary of state for the purpose of taking custody of all source
 21 codes, including all revisions or modifications of source codes.

22 (h) **"Memory device" means a method or device used to store**
 23 **electronic data.**

24 (i) ~~(h)~~—"Source code" means the assembly language or ~~high~~
 25 ~~level~~**high-level** language used to program the electronic voting
 26 system.

27 (j) ~~(i)~~—"Voting device" means an apparatus that contains the
 28 ballot label and allows the voter to record his or her vote.

29 (k) ~~(j)~~—"Voting station" means an enclosure provided to ensure



1 ballot secrecy during the voting of the ballot.

2 ~~(k) "Memory device" means a method or device used to store~~
 3 ~~electronic data.~~

4 Sec. 795. (1) An electronic voting system acquired or used
 5 under sections 794 to 799a must meet all of the following
 6 requirements:

7 (a) Provide for voting in secrecy, except in the case of
 8 voters who receive assistance as provided by this act.

9 (b) Utilize a paper ballot for tabulating purposes.

10 (c) Permit each elector to vote at an election for all ~~persons~~
 11 **individuals** and offices for whom and for which the elector is
 12 lawfully entitled to vote; to vote for as many ~~persons~~**individuals**
 13 for an office as the elector is entitled to vote for; and to vote
 14 for or against any question upon which the elector is entitled to
 15 vote. Except as otherwise provided in this subdivision, the
 16 electronic tabulating equipment must reject all choices recorded on
 17 the elector's ballot for an office or a question if the number of
 18 choices exceeds the number that the elector is entitled to vote for
 19 on that office or question. Electronic tabulating equipment that
 20 can detect that the choices recorded on an elector's ballot for an
 21 office or a question exceeds the number that the elector is
 22 entitled to vote for on that office or question must be located at
 23 each ~~polling place~~**absent voter counting board location** and
 24 programmed to reject a ballot containing that type of an error. ~~If~~
 25 ~~a choice on a ballot is rejected as provided in this subdivision,~~
 26 ~~an elector must be given the opportunity to have that ballot~~
 27 ~~considered a spoiled ballot and to vote another ballot.~~

28 (d) Permit an elector, at a presidential election, by a single
 29 selection to vote for the candidates of a party for ~~president,~~



1 ~~vice president,~~ **President, Vice President,** and presidential
2 electors.

3 (e) Permit an elector in a primary election to vote for the
4 candidates in the party primary of the elector's choice. Except as
5 otherwise provided in this subdivision, the electronic tabulating
6 equipment must reject each ballot on which votes are cast for
7 candidates of more than 1 political party. Electronic tabulating
8 equipment that can detect that the elector has voted for candidates
9 of more than 1 political party must be located at each ~~polling~~
10 ~~place~~ **absent voter counting board** and programmed to reject a ballot
11 containing that type of an error. ~~If a choice on a ballot is~~
12 ~~rejected as provided in this subdivision, an elector must be given~~
13 ~~the opportunity to have that ballot considered a spoiled ballot and~~
14 ~~to vote another ballot.~~

15 (f) Prevent an elector from voting for the same ~~person~~
16 **individual** more than once for the same office.

17 (g) Reject a ballot on which no valid vote is cast. Electronic
18 tabulating equipment must be programmed to reject a ballot on which
19 no valid vote is cast.

20 (h) Be suitably designed for the purpose used; be durably
21 constructed; and be designed to provide for safety, accuracy, and
22 efficiency.

23 (i) Be designed to accommodate the needs of an elderly voter
24 or a person with 1 or more disabilities.

25 (j) Record correctly and count accurately each vote properly
26 cast.

27 (k) Provide an audit trail.

28 (l) Provide an acceptable method for an elector to vote for a
29 ~~person~~ **an individual** whose name does not appear on the ballot.



1 (m) Allow for accumulation of vote totals from the precincts
 2 in the jurisdiction. The accumulation software must meet
 3 specifications prescribed by the secretary of state and must be
 4 certified by the secretary of state as meeting these
 5 specifications.

6 (n) Be compatible with or include at least 1 voting device
 7 that is accessible for an individual with disabilities to vote in a
 8 manner that provides the same opportunity for access and
 9 participation, including secrecy and independence, as provided for
 10 other voters. The voting device must include nonvisual
 11 accessibility for the blind and visually impaired.

12 (2) Electronic tabulating equipment that counts votes at the
 13 precinct before ~~the close of the polls~~ **8 p.m. on election day** must
 14 provide a method for rendering the equipment inoperable if vote
 15 totals are revealed before ~~the close of the polls.~~ **8 p.m. on**
 16 **election day**. Electronic tabulating equipment that tabulates
 17 ~~ballots, including absentee ballots,~~ at a central location must be
 18 programmed to reject a ballot if the choices recorded on an
 19 elector's ballot for an office or a question exceed the number that
 20 the elector is entitled to vote for on that office or question, if
 21 no valid choices are recorded on an elector's ballot, or if, in a
 22 primary election, votes are recorded for candidates of more than 1
 23 political party.

24 (3) Each jurisdiction in this state conducting an election
 25 ~~shall equip each polling place with~~ **must have** at least 1 accessible
 26 voting device as required under subsection (1) (n).

27 Sec. 796. Sample ballots, ~~which shall be~~ **that are** facsimile
 28 copies of the official ballot or ballot labels, ~~shall~~ **must** be
 29 provided as required by law. ~~At least 2 copies shall be posted in~~



1 ~~each polling place on election day.~~ Sample ballots may be printed
 2 on a single page or on a number of pages stapled together.

3 Sec. 797b. The secretary of state shall promulgate rules
 4 pursuant to the administrative procedures act of 1969, ~~Act No. 306~~
 5 ~~of the Public Acts of 1969, being sections 24.201 to 24.328 of the~~
 6 ~~Michigan Compiled Laws, 1969 PA 306, MCL 24.201 to 24.328,~~
 7 governing the tabulation of ballots, certification of results,
 8 delivery of ballots and certified results, and sealing of devices
 9 and ballot boxes after ~~the polls are closed.~~ **8 p.m. on election day.**

10 Sec. 811. All election returns, including poll lists,
 11 statements, tally sheets, absent voters' return envelopes bearing
 12 the statement required by section 761, absent voters' records
 13 required by section 760, and other returns made by the inspectors
 14 of election of the several precincts must be carefully preserved
 15 and may be destroyed after the expiration of 2 years following the
 16 primary or election at which the same were used. All ~~applications~~
 17 ~~executed under section 523, all voter registration applications~~
 18 ~~executed by applicants under section 497(3) and (4) and all~~
 19 ~~absent voters' applications must be carefully preserved and may be~~
 20 ~~destroyed after the expiration of 6 years following the primary or~~
 21 ~~election at which those applications were executed. All ballots~~
 22 ~~used at any primary or election may be destroyed after 30 days~~
 23 ~~following the final determination of the board of canvassers with~~
 24 ~~respect to the primary or election unless a petition for recount~~
 25 ~~has been~~ **is** filed and not completed or unless their destruction is
 26 stayed by an order of a court.

27 Sec. 829. (1) The board of county canvassers shall include the
 28 results of the tabulated provisional ballots in the canvass of the
 29 election following procedures prescribed by the secretary of state



1 designed to maintain the secrecy of the ballot.

2 (2) Within 14 days after a primary or election, the county
3 clerk shall transmit a county provisional ballot report to the
4 secretary of state. The county provisional ballot report must be in
5 a manner prescribed by the secretary of state. After the secretary
6 of state receives a county provisional ballot report, the county
7 provisional ballot report must be immediately available for public
8 inspection.

9 (3) Within 14 days after an election, the county clerk shall
10 transmit a county affidavit report to the secretary of state. ~~The~~
11 ~~county affidavit report must include the number of affidavits~~
12 ~~signed by voters under section 523(2).~~ The county affidavit report
13 must be transmitted in a form prescribed by the secretary of state.
14 After the secretary of state receives the county affidavit report
15 from the county clerk, the county affidavit report must immediately
16 be available for public inspection.

17 (4) Within 14 days after an election, the secretary of state
18 shall transmit to the house and senate committees dealing with
19 elections a voter registration application report that includes the
20 number of voter registration applications executed by applicants
21 under section 497(3) and (4).

22 Sec. 931. (1) A person who violates 1 or more of the following
23 subdivisions is guilty of a misdemeanor:

24 (a) A person shall not, either directly or indirectly, give,
25 lend, or promise valuable consideration ~~to~~ to or for any person, as
26 an inducement to influence the manner of voting by a person
27 relative to a candidate or ballot question ~~or~~ or as a reward for
28 refraining from voting.

29 (b) A person shall not, either before, on, or after an



1 election, for the person's own benefit or on behalf of any other
2 person, receive, agree, or contract for valuable consideration for
3 1 or more of the following:

4 (i) Voting or agreeing to vote, or inducing or attempting to
5 induce another to vote, at an election.

6 (ii) Refraining or agreeing to refrain, or inducing or
7 attempting to induce another to refrain, from voting at an
8 election.

9 (iii) Doing anything prohibited by this act.

10 (iv) Both distributing absent voter ballot applications to
11 voters and receiving signed applications from voters for delivery
12 to the appropriate clerk or assistant of the clerk. This
13 subparagraph does not apply to an authorized election official.

14 (c) A person shall not solicit any valuable consideration from
15 a candidate for nomination for, or election to, an office described
16 in this act. This subdivision does not apply to requests for
17 contributions of money by or to an authorized representative of the
18 political party committee of the organization to which the
19 candidate belongs. This subdivision does not apply to a regular
20 business transaction between a candidate and any other person that
21 is not intended for, or connected with, the securing of votes or
22 the influencing of voters in connection with the nomination or
23 election.

24 (d) A person shall not, either directly or indirectly,
25 discharge or threaten to discharge an employee of the person for
26 the purpose of influencing the employee's vote at an election.

27 (e) A priest, pastor, curate, or other officer of a religious
28 society shall not for the purpose of influencing a voter at an
29 election, impose or threaten to impose upon the voter a penalty of



1 excommunication, dismissal, or expulsion, or command or advise the
2 voter, under pain of religious disapproval.

3 (f) A person shall not hire a motor vehicle or other
4 conveyance or cause the same to be done, for conveying voters,
5 other than voters physically unable to walk, to an election.

6 (g) In a city, township, village, or school district that has
7 a board of election commissioners authorized to appoint inspectors
8 of election, an inspector of election, a clerk, or other election
9 official who accepts an appointment as an inspector of election
10 shall not fail to report ~~at the polling place designated on~~
11 election morning at the time specified by the board of election
12 commissioners, unless excused as provided in this subdivision. A
13 person who violates this subdivision is guilty of a misdemeanor ~~r~~
14 punishable by a fine of not more than \$10.00 or imprisonment for
15 not more than 10 days, or both. An inspector of election, clerk, or
16 other election official who accepts an appointment as an inspector
17 of election is excused for failing to report ~~at the polling place~~
18 on election day and is not subject to a fine or imprisonment under
19 this subdivision if 1 or more of the following requirements are
20 met:

21 (i) The inspector of election, clerk, or other election
22 official notifies the board of election commissioners or other
23 officers in charge of elections of his or her inability to serve at
24 the time and place specified, 3 days or more before the election.

25 (ii) The inspector of election, clerk, or other election
26 official is excused from duty by the board of election
27 commissioners or other officers in charge of elections for cause
28 shown.

29 (h) A person shall not willfully fail to perform a duty



1 imposed upon that person by this act, or disobey a lawful
2 instruction or order of the secretary of state as chief state
3 election officer or of a board of county election commissioners,
4 board of city election commissioners, or board of inspectors of
5 election.

6 (i) A delegate or member of a convention shall not solicit a
7 candidate for nomination before the convention for money, reward,
8 position, place, preferment, or other valuable consideration in
9 return for support by the delegate or member in the convention. A
10 candidate or other person shall not promise or give to a delegate
11 money, reward, position, place, preferment, or other valuable
12 consideration in return for support by or vote of the delegate in
13 the convention.

14 (j) A person elected to the office of delegate to a convention
15 shall not accept or receive any money or other valuable
16 consideration for his or her vote as a delegate.

17 ~~(k) A person shall not, while the polls are open on an~~
18 ~~election day, solicit votes in a polling place or within 100 feet~~
19 ~~from an entrance to the building in which a polling place is~~
20 ~~located.~~

21 (k) ~~(l)~~—A person shall not keep a room or building for the
22 purpose, in whole or in part, of recording or registering bets or
23 wagers, or of selling pools upon the result of a political
24 nomination, appointment, or election. A person shall not wager
25 property, money, or thing of value, or be the custodian of money,
26 property, or thing of value, staked, wagered, or pledged upon the
27 result of a political nomination, appointment, or election.

28 (l) ~~(m)~~—A person shall not participate in a meeting or a
29 portion of a meeting of more than 2 persons, other than the



1 person's immediate family, at which an absent voter ballot is
2 voted.

3 (m) ~~(n)~~—A person, other than an authorized election official,
4 shall not, either directly or indirectly, give, lend, or promise
5 any valuable consideration to or for a person to induce that person
6 to both distribute absent voter ballot applications to voters and
7 receive signed absent voter ballot applications from voters for
8 delivery to the appropriate clerk.

9 (2) A person who violates a provision of this act for which a
10 penalty is not otherwise specifically provided in this act ~~is~~
11 guilty of a misdemeanor.

12 (3) A person or a person's agent who knowingly makes,
13 publishes, disseminates, circulates, or places before the public,
14 or knowingly causes directly or indirectly to be made, published,
15 disseminated, circulated, or placed before the public, in this
16 state, either orally or in writing, an assertion, representation,
17 or statement of fact concerning a candidate for public office at an
18 election in this state, that is false, deceptive, scurrilous, or
19 malicious, without the true name of the author being subscribed to
20 the assertion, representation, or statement if written, or
21 announced if unwritten, is guilty of a misdemeanor.

22 (4) As used in this section, "valuable consideration"
23 includes, but is not limited to, money, property, a gift, a prize
24 or chance for a prize, a fee, a loan, an office, a position, an
25 appointment, or employment.

26 Sec. 932. A person who violates 1 or more of the following
27 subdivisions is guilty of a felony:

28 (a) A person shall not attempt, by means of bribery, menace,
29 or other corrupt means or device, either directly or indirectly, to



1 influence an elector in giving his or her vote, or to deter the
 2 elector from, or interrupt the elector in giving his or her vote at
 3 any election held in this state.

4 (b) A person not duly authorized by law shall not, during the
 5 progress of any election or after ~~the closing of the polls~~ **8 p.m.**
 6 **on election day** and before the final results of the election have
 7 been ascertained, break open or violate the seals or locks of any
 8 ballot box or voting machine used or in use at that election. A
 9 person shall not willfully damage or destroy any ballot box or
 10 voting machine. A person shall not obtain undue possession of that
 11 ballot box or voting machine. A person shall not conceal, withhold,
 12 or destroy a ballot box or voting machine, or fraudulently or
 13 forcibly add to or diminish the number of ballots legally deposited
 14 in the box or the totals on the voting machine. A person shall not
 15 aid or abet in any act prohibited by this subdivision.

16 (c) An inspector of election, clerk, or other officer or
 17 person having custody of any record, election list of voters,
 18 affidavit, return, statement of votes, certificates, poll book, or
 19 of any paper, document, or vote of any description, which ~~pursuant~~
 20 ~~to~~ **under** this act is directed to be made, filed, or preserved,
 21 shall not willfully destroy, mutilate, deface, falsify, or
 22 fraudulently remove or secrete any or all of those items, in whole
 23 or in part, or fraudulently make any entry, erasure, or alteration
 24 on any or all of those items, or permit any other person to do so.

25 (d) A person shall neither disclose to any other person the
 26 name of any candidate voted for by any elector, the contents of
 27 whose ballots were seen by the person, nor in any manner obstruct
 28 or attempt to obstruct any elector in the exercise of his or her
 29 duties as an elector under this act.



1 (e) A person who is not involved in the counting of ballots as
 2 provided by law and who has possession of an absent voter ballot
 3 mailed or delivered to another person shall not do any of the
 4 following:

5 (i) Open the envelope containing the ballot.

6 (ii) Make any marking on the ballot.

7 (iii) Alter the ballot in any way.

8 (iv) Substitute another ballot for the absent voter ballot that
 9 the person possesses.

10 (f) A person other than an absent voter; a person whose job it
 11 is to handle mail before, during, or after being transported by a
 12 public postal service, express mail service, parcel post service,
 13 or common carrier, but only during the normal course of his or her
 14 employment; a clerk or assistant of the clerk; a member of the
 15 immediate family of the absent voter including father-in-law,
 16 mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-
 17 in-law, grandparent, or grandchild; or a person residing in the
 18 absent voter's household shall not do any of the following:

19 (i) Possess an absent voter ballot mailed or delivered to
 20 another person, regardless of whether the ballot has been voted.

21 (ii) Return, solicit to return, or agree to return an absent
 22 voter ballot to the clerk of a city, township, village, or school
 23 district.

24 (g) A person who assists an absent voter who is disabled or
 25 otherwise unable to mark the ballot shall only render his or her
 26 assistance by showing the absent voter how to vote the ballot as
 27 the absent voter desires or by marking the ballot as directed by
 28 the absent voter. A person who assists an absent voter who is
 29 disabled or otherwise unable to mark the ballot shall not suggest



1 or in any manner attempt to influence the absent voter on how he or
2 she should vote or allow any other person to do so.

3 (h) A person ~~present while an absent voter is voting an absent~~
4 ~~voter ballot~~ shall not suggest or in any manner attempt to
5 influence the absent voter on how he or she should vote.

6 (i) A person shall not plan or organize a meeting at which
7 absent voter ballots are to be voted.

8 Enacting section 1. Sections 346, 507, 523, 523a, 575, 577,
9 663, 664, 668a, 675, 709, 717, 722, 724, 726, 729, 736, 736a, 738,
10 740, 742, 743, 744, 744a, 746, 749, 762, 769, 797, 797a, 801, 813,
11 and 932e of the Michigan election law, 1954 PA 116, MCL 168.346,
12 168.507, 168.523, 168.523a, 168.575, 168.577, 168.663, 168.664,
13 168.668a, 168.675, 168.709, 168.717, 168.722, 168.724, 168.726,
14 168.729, 168.736, 168.736a, 168.738, 168.740, 168.742, 168.743,
15 168.744, 168.744a, 168.746, 168.749, 168.762, 168.769, 168.797,
16 168.797a, 168.801, 168.813, and 168.932e, are repealed.

