

# HOUSE BILL NO. 5519

November 03, 2021, Introduced by Reps. Hope, Manoogian, Garza, Koleszar, Puri, Breen, Kuppa, Morse, Lasinski, Stone, Cynthia Johnson, Sabo, Steckloff, Haadsma, Scott, Cavanagh, Sowerby, Hood, Tate, Young, Yancey and Anthony and referred to the Committee on Elections and Ethics.

A bill to amend 1954 PA 116, entitled  
"Michigan election law,"  
by amending section 761d (MCL 168.761d), as added by 2020 PA 177,  
and by adding section 761e.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 761d. (1) Except as otherwise provided in ~~this subsection~~  
2 ~~and subsection (2)~~, if an absent voter ballot drop box was ordered  
3 or installed in a city or township before October 1, 2020, that  
4 absent voter ballot drop box is exempt from the requirements of

~~this section. Subsection (5) applies to an absent voter ballot drop box described in this subsection.~~**subsections (3) and (4).**

(2) If an absent voter ballot drop box was ordered, but not installed in, a city or township before October 1, 2020, the clerk of that city or township must make every reasonable effort to have that absent voter ballot drop box comply with the requirements of ~~this section.~~**subsections (3) and (4).**

(3) An absent voter ballot drop box must meet all of the following requirements:

(a) Be clearly labeled as an absent voter ballot drop box.

(b) Whether located indoors or outdoors, be securely locked and be designed to prevent the removal of absent voter ballots when locked.

(c) If located in an area that is not continuously staffed, be secured to prevent the removal of the absent voter ballot drop box from its location.

(4) If an absent voter ballot drop box is located outdoors, all of the following apply:

(a) The drop box must be securely locked and bolted to the ground or to another stationary object.

(b) The drop box must be equipped with a single slot or mailbox-style lever to allow absent voter ballot return envelopes to be placed in the drop box, and all other openings on the drop box must be securely locked.

(c) The city or township clerk must use video monitoring of that drop box to ensure effective monitoring of that drop box.

(d) The drop box must be in a public, well-lit area with good visibility.

(e) The city or township clerk must immediately report to

1 local law enforcement any vandalism involving the drop box or any  
2 suspicious activity occurring in the immediate vicinity of the drop  
3 box.

4 (5) Only a city or township clerk, his or her deputy clerk, or  
5 a sworn member of his or her staff, is authorized to collect absent  
6 voter ballots from an absent voter ballot drop box.

7 (6) Each absent voter ballot drop box must be checked and  
8 emptied on a daily basis by an individual authorized under  
9 subsection (5).

10 (7) Beginning on the effective date of the amendatory act that  
11 added this subsection, each city and township must provide, in an  
12 accessible outdoor location in the city or township, at least 1  
13 secure absent voter ballot drop box for every 20,000 registered  
14 electors in the city or township for an elector to return his or  
15 her absent voter ballot return envelope to the city or township  
16 clerk.

17 Sec. 761e. (1) This state shall reimburse each city or  
18 township for the cost of providing absent voter ballot drop boxes  
19 as required under section 761d(7). Reimbursement must be made upon  
20 presentation and approval of a verified account of actual costs for  
21 the absent voter ballot drop boxes to the secretary of state. The  
22 reimbursement must not exceed the verified account of actual costs  
23 for the absent voter ballot drop boxes.

24 (2) The legislature shall appropriate from the general fund of  
25 this state an amount necessary to implement this section.

26 (3) To obtain reimbursement, a city or township must submit  
27 its verified account of actual costs for the absent voter ballot  
28 drop boxes to the secretary of state no later than 90 days after  
29 date of the end of the fiscal year for that city or township.

1           (4) This state shall pay or disapprove all or a portion of the  
2 verified account no later than 90 days after the date this state  
3 receives a verified account of actual costs for the absent voter  
4 ballot drop boxes from a city or township.

5           (5) If this state disapproves all or a portion of a verified  
6 account of actual costs for the absent voter ballot drop boxes  
7 under subsection (4), this state shall send a notice of disapproval  
8 along with the reasons for the disapproval to the city or township.  
9 Upon request of a city or township whose verified account or  
10 portion of a verified account was disapproved under this section,  
11 this state shall review the disapproved costs with the city or  
12 township.