

MICHIGAN ELECTION LAW (EXCERPT)

Act 116 of 1954

POLLING PLACES, EQUIPMENT, SUPPLIES

168.662 Designating place of holding election in municipality; polling places and early voting sites; central polling places; abolishment; compliance with voting accessibility; notice.

Sec. 662. (1) The legislative body in each municipality shall provide a suitable polling place for each precinct located in the municipality for use on election day and shall provide a suitable early voting site for each precinct in the municipality for each election at which the municipality conducts early voting under section 720e. If at any election a municipality conducts early voting jointly with 1 or more other municipalities located in the same county, early voting sites for that election must be provided in accordance with section 720f. If at any election a county clerk conducts early voting for 1 or more municipalities located in the county, the board of county election commissioners of that county shall provide 1 or more early voting sites for that election as provided under section 720g. A publicly owned or controlled building, including, but not limited to, a municipal building or school building, must be used as a polling place unless it is not possible or convenient to use a publicly owned or controlled building as a polling place.

(2) The legislative body of a city or township, or a board of county election commissioners as provided under section 720g, shall not designate as a polling place or early voting site a building that is owned or leased by an elected official, an individual who is a candidate, or a person that is regulated under the Michigan campaign finance act, 1976 PA 388, MCL 169.201 to 169.282. For purposes of the previous sentence, "leased" means that the entire building, and not just a portion of the building, is leased by an elected official, an individual who is a candidate, or a person that is regulated under the Michigan campaign finance act, 1976 PA 388, MCL 169.201 to 169.282. In addition, a building must not be designated as a polling place or early voting site if a portion of that building is leased by an elected official, an individual who is a candidate, or a person that is regulated under the Michigan campaign finance act, 1976 PA 388, MCL 169.201 to 169.282, and the portion of that building leased by an elected official, an individual who is a candidate, or a person that is regulated under the Michigan campaign finance act, 1976 PA 388, MCL 169.201 to 169.282, is located within 100 feet from the entrance of the polling place or early voting site located inside that building.

(3) Except as otherwise provided in section 4(1)(m) of article II of the state constitution of 1963 for early voting, the legislative body in each city or township may establish a central polling place or central polling places for 6 precincts or less if it is possible and convenient for the electors to vote at a central polling place or at central polling places. The legislative body in each city or township may abolish other polling places not required as a result of the establishment of a central polling place or central polling places.

(4) A township board may provide polling places or early voting sites located within the limits of a city that has been incorporated from territory formerly a part of the township, and the electors of the township may cast their ballots at those polling places or early voting sites. If 2 contiguous townships utilize a combined township hall or other publicly owned or controlled building within 1 of the township's boundaries and outside of the other township's boundaries, and there is not another publicly owned or controlled building available or suitable for a polling place or early voting site within the other township, then each township board may provide a polling place or early voting site in that publicly owned building for 1 or more election precinct.

(5) A city or township, or a county as provided under section 720g, shall not use as a polling place, early voting site, or central polling place a building that does not meet the requirements of this section. For early voting under sections 720a to 720j, if a city or township cannot secure a building to be used as a polling place or early voting site that meets the requirements of this section, that city or township must enter into a municipal agreement under section 720f or a county agreement under section 720g.

(6) The legislative body of a city or township, or a board of county election commissioners as provided under section 720g, shall not establish, move, or abolish a polling place, early voting site, or central polling place less than 60 days before an election unless necessary because a polling place, early voting site, or central polling place has been damaged, destroyed, or rendered inaccessible or unusable as a polling place, early voting site, or central polling place.

(7) The legislative body of a city or township, or a board of county election commissioners as provided under section 720g, shall ensure that a polling place, early voting site, or central polling place established under this section is accessible and complies with the voting accessibility for the elderly and handicapped act and the help America vote act of 2002.

(8) After a polling place or early voting site is approved under this section, the appropriate clerk, as provided under subsections (9) and (10), must provide a notice specifying the location of the polling place or

early voting site to each registered elector entitled to vote at that polling place or early voting site. The notice requirement under this subsection applies to permanent and temporary changes to polling places and early voting sites, except that notice is not required if an early voting site is established in addition to 1 or more early voting sites that remain in effect for which notice was previously provided to each elector. The notice required under this subsection must be provided as follows:

(a) No later than 45 days before an election for a polling place or early voting site established or changed by the sixtieth day before an election.

(b) For temporary changes made to a polling place or early voting site under subsection (6), no later than 21 days before an election for a polling place and no later than 21 days before the first day of early voting for an early voting site. In addition to the notice required to each registered elector under this subdivision, the appropriate clerk must post a sign indicating the new polling place location or early voting site at the location of the former polling place location or early voting site.

(9) After a polling place is approved under this section, the city or township clerk of the city or township approving the polling place must provide the notice required under subsection (8) by either of the following methods:

(a) Updating and sending the voter identification card issued under section 499.

(b) Sending a separate notice by mail or other method designed to provide actual notice to the registered elector.

(10) After an early voting site is approved under this section, the appropriate clerk must provide the notice required under subsection (8) by sending a separate notice by mail or other method designed to provide actual notice to the registered elector, and must not provide the notice by updating the voter identification card issued under section 499. In addition to identifying the location of the early voting site, the separate notice sent under this subsection must provide the hours of operation of the early voting site for each day early voting is offered. The notice under this subsection must be provided as follows:

(a) For early voting conducted under section 720e, by the clerk of the municipality approving the early voting site.

(b) For early voting conducted under section 720f, by the clerk of each municipality that is a party to the municipal agreement, or as otherwise provided by the municipal agreement.

(c) For early voting conducted under section 720g, by the clerk of the county where the early voting site is located or by the clerk of each municipality that is a party to the county agreement.

(11) For temporary changes made under subsection (6) to a polling place within 20 days before an election or to an early voting site within 20 days before the start of early voting, the appropriate clerk must provide notice in all of the following ways:

(a) By posting a sign indicating the new polling place location or early voting site at the location of the former polling place location or early voting site.

(b) By posting the new polling place location or early voting site on the website of the municipality or county, as applicable.

(c) By posting the new polling place location or early voting site on the department of state's website.

(12) As used in this section:

(a) "Accessible" means the removal or modification of policies, practices, and procedures that deny an individual with a disability the opportunity to vote, including the removal of physical barriers as identified in section 261(b) of the help America vote act of 2002, 52 USC 21021, so as to ensure individuals with disabilities the opportunity to participate in elections in this state.

(b) "Candidate" means that term as defined in section 3 of the Michigan campaign finance act, 1976 PA 388, MCL 169.203.

(c) "Early voting site" means that term as described in section 4(1)(m) of article II of the state constitution of 1963.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1955, Act 271, Imd. Eff. June 30, 1955;—Am. 1974, Act 165, Imd. Eff. June 23, 1974;—Am. 1995, Act 261, Eff. Mar. 28, 1996;—Am. 1996, Act 207, Imd. Eff. May 21, 1996;—Am. 1999, Act 216, Imd. Eff. Dec. 28, 1999;—Am. 2004, Act 13, Imd. Eff. Feb. 26, 2004;—Am. 2004, Act 92, Imd. Eff. Apr. 26, 2004;—Am. 2022, Act 219, Eff. Jan. 1, 2023;—Am. 2023, Act 81, Eff. Feb. 13, 2024.

Popular name: Election Code

168.663 Polling places; erection of barriers.

Sec. 663. The legislative body of each city, village and township shall provide for and cause to be erected in the room where any election is to be held in each election precinct of such city, village or township, a suitable barrier which shall be so placed as to separate from the rest of the room the area in which the election officials, challengers, voting machines or ballot boxes and voting booths, and persons in the actual process of

voting, are located. The barrier shall be of a type approved by the secretary of state.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1962, Act 74, Eff. Mar. 28, 1963.

Popular name: Election Code

168.664 Polling places; booths or temporary rooms, specifications.

Sec. 664. On the inside of said railing, the said officers shall cause 1 or more booths or temporary rooms to be erected. At least 1 such booth shall be provided at each polling place and not less than 1 for each 100 persons entitled to vote thereat, as shown by the registration book of the precinct. Each such booth shall be built with walls not less than 6 feet high and in such manner that the person preparing his ballot shall be concealed from all other persons. In each booth there shall be provided a shelf of sufficient size with smooth surface on which ballots may be placed to be marked.

History: 1954, Act 116, Eff. June 1, 1955.

Popular name: Election Code

168.665 Polling places; forms, stationery and supplies; provision, delivery, approval by state bureau of elections.

Sec. 665. All forms, stationery and supplies required by the several boards of precinct election inspectors for all federal, state, district and county primaries and elections shall be furnished in accordance with sections 666, 667, 668, 669 and 670 of this act. All forms, stationery and supplies to be provided by the secretary of state and the boards of county election commissioners shall be delivered to the county clerks who shall, in turn, deliver them to the several city and township clerks at the time official ballots are delivered, and said ballots, as well as all forms, stationery and supplies referred to in sections 666, 667, 668, 669 and 670 of this act, shall be delivered by said city and township clerks to the several boards of precinct election inspectors in sufficient time for use at any such primary or election. Notwithstanding any provision of law to the contrary, it shall be unlawful for any publisher, printer or supplier to offer for sale to any county, city, village or township clerk or election commission any of the following until such shall have been approved by the state bureau of elections:

1. Statements of returns
2. Tally books and poll books
3. Combined tally and statement books
4. Certificates of electors sworn to disability
5. Envelopes for transmitting tally books, statement books, poll books and election certificates
6. Wrappers for securing voted ballots
7. Applications for ballots
8. Anything which is required by the election law to be approved, prescribed or recommended by the secretary of state or state director of elections.

The provisions of this section shall not apply to forms printed on the direct order of any county, city, village or township clerk or election commission.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1955, Act 271, Imd. Eff. June 30, 1955;—Am. 1957, Act 198, Eff. Sept. 27, 1957.

Popular name: Election Code

168.666 Metal seals; paper seals; blank forms for returns.

Sec. 666. At each federal, state, district, or county primary or election, the secretary of state shall furnish to each county clerk at state expense the following items:

(a) Before each primary, general, or special election at which state, district, or county officers are to be nominated or elected, a supply of self-sealing metal seals adapted and suitable for sealing the ballot boxes used at the election. The metal seals shall have the words "State of Michigan" and serial numbers stamped on them. The secretary of state shall provide a sufficient number of metal seals for each voting precinct within the county at least 30 days before an election.

(b) A substantial supply of red gummed paper seals for use of the precinct boards of election inspectors in sealing the package of ballots and the envelopes containing the tally sheets or poll books and the statement of returns. Each seal shall have inscribed on it the words "Election Seal--State of Michigan" and the date of the primary or election at which it is to be used. A space shall also be provided on the seal in which 2 members of the board of election inspectors shall write their initials after the seal has been applied.

(c) Suitable blank forms for use by the county boards of canvassers in making returns of the canvass required by this act. Each county board of canvassers shall use the forms furnished by the secretary of state in making returns of the canvass.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 2004, Act 96, Imd. Eff. May 7, 2004.

Popular name: Election Code

168.666a Sealing devices for ballot boxes or containers.

Sec. 666a. In addition to the supplies furnished under section 666, the secretary of state shall furnish to each county clerk devices to enable ballot boxes or other ballot containers to be sealed easily and securely with self-sealing metal seals.

History: Add. 1969, Act 127, Eff. Mar. 20, 1970;—Am. 2000, Act 207, Imd. Eff. June 27, 2000.

Popular name: Election Code

168.667 Election supplies to be furnished at county expense.

Sec. 667. At any federal, state, district or county primary or election, the various boards of county election commissioners shall furnish, at the expense of their respective counties, all of the following:

(a) Suitable forms as prescribed by the secretary of state for use by the precinct election inspectors in making returns of any primary or election to the boards of county canvassers. The statement of returns form must also contain a certificate to be subscribed by each member of the precinct election board on a form prescribed by the secretary of state.

(b) Suitable write-in sheets to be used by the election inspectors in recording the names of all write-in candidates.

(c) Self-addressed substantial paper envelopes with gummed flaps to be used by the various boards of precinct election inspectors for sealing the statements of returns, the write-in sheets, poll lists, and a certificate of election inspectors.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1957, Act 222, Eff. Sept. 27, 1957;—Am. 2018, Act 120, Eff. Dec. 31, 2018.

Popular name: Election Code

168.668 Delivery of voter registration list, forms, and other supplies.

Sec. 668. Before the polls open, the city, township, or village clerk shall deliver to the board of election inspectors of each precinct the voter registration list, the forms for poll lists and returns, and any other supplies necessary to conduct the election.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1955, Act 271, Imd. Eff. June 30, 1955;—Am. 2004, Act 96, Imd. Eff. May 7, 2004

Popular name: Election Code

168.668a Voter information displays.

Sec. 668a. (1) The secretary of state shall furnish to each county clerk at state expense for each precinct 2 voter information displays that contain in not less than 18-point type the following information:

(a) The hours that the polls will be open.

(b) Voting instructions.

(c) Information on an individual's right to obtain a provisional ballot and instructions on how to vote a provisional ballot.

(d) Information on the identification requirements that apply to voters who register by mail.

(e) Instructions on how to contact the appropriate election official about alleged voting rights violations.

(f) Information on the federal and state laws that prohibit fraud and misrepresentation.

(g) Information on how to challenge another voter as unqualified to vote.

(h) Other information that the secretary of state considers necessary.

(2) Upon receipt of the voter information displays under subsection (1), each county clerk shall provide to each city or township clerk, as designated by the secretary of state, 2 voter information displays for each precinct in the county.

(3) The city or township clerk shall provide to each precinct 2 voter information displays and an instruction ballot for display at each precinct.

(4) Before the polls open on election day, the board of election inspectors in each precinct shall post in conspicuous places in the polling place the voter information displays and instruction ballot required under this section.

(5) If requested by an elector, the city or township clerk shall have available a means to provide the information contained in the voter information displays in an alternative format, as prescribed by the secretary of state.

History: Add. 2004, Act 96, Imd. Eff. May 7, 2004;—Am. 2018, Act 120, Eff. Dec. 31, 2018.

Popular name: Election Code

168.668b Electronic poll book software; timeline for processing voter activity and precinct reports.

Sec. 668b. (1) Each city or township shall use the electronic poll book software developed, acquired, or approved by the bureau of elections in each election precinct in the city or township on election day to process voters and generate election precinct reports.

(2) Except as otherwise provided in subsection (3), after 4 p.m. on the day before an election, each city or township clerk shall download the electronic poll book software from the qualified voter file software.

(3) In a city or township with more than 50 election precincts, the city or township clerk may begin downloading the electronic poll book software from the qualified voter file software after 2 p.m. on the Saturday before an election. If a city or township clerk downloads the electronic poll book software from the qualified voter file software before 4 p.m. on the day before an election as provided in this subsection, the city or township clerk must provide a supplemental absent voter list to each election precinct before the polls open on election day that captures any absent voter activity in the city or township between 2 p.m. on the Saturday before the election and 4 p.m. on the Monday before the election.

History: Add. 2018, Act 614, Eff. Mar. 28, 2019;—Am. 2023, Act 81, Eff. Feb. 13, 2024.

Popular name: Election Code

168.669 Items to be provided by city or township board of election commissioners.

Sec. 669. For a federal, state, district, or county primary or election, a city or township board of election commissioners shall provide, at the expense of the respective city or township, each of the following:

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

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

History: 1954, Act 116, Eff. June 1, 1955;—Am. 2000, Act 207, Imd. Eff. June 27, 2000;—Am. 2018, Act 120, Eff. Dec. 31, 2018.

Popular name: Election Code

168.669a Repealed. 2018, Act 120, Eff. Dec. 31, 2018.

Compiler's note: The repealed section pertained to use of ballot containers.

Popular name: Election Code

168.670 Local primaries and elections; ballots, forms, stationery and supplies.

Sec. 670. For all local primaries and elections, the election commissioners of the various cities and townships shall furnish, at the expense of their respective cities and townships all ballots, forms, stationery, and supplies required for the proper conduct of primaries and elections. These supplies must conform generally with the supplies furnished for general primaries and elections.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 2018, Act 120, Eff. Dec. 31, 2018.

Popular name: Election Code

168.671 Blank forms for returns; seals.

Sec. 671. At the time of delivering the official ballots and other election supplies to the township and city clerks or, for city, village, or township elections, to the wards or precincts, a sufficient number of blank forms for use by the election inspectors in making the statement of returns of the election as required by law shall be delivered. At the same time, a sufficient number of seals for the use of the election inspectors in sealing the ballot boxes after the close of the election shall be delivered. A record of the number of seals delivered to each voting precinct, absent voter counting board, and absent voter counting board precinct shall be recorded and preserved.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1995, Act 261, Eff. Mar. 28, 1996;—Am. 2012, Act 272, Imd. Eff. July 3, 2012.

Popular name: Election Code

168.672 Board of inspectors of elections; presence in precinct polling places.

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

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1955, Act 271, Imd. Eff. June 30, 1955.

Popular name: Election Code

168.673 Repealed. 1955, Act 271, Imd. Eff. June 30, 1955;—1955, Act 283, Imd. Eff. July 19, 1955.

Compiler's note: The repealed section provided for chairman of board of inspectors of elections.

Popular name: Election Code

168.673a Election inspector; submission of list of interested individuals.

Sec. 673a. Not later than May 15 of each year, the county chair of a major political party may submit to the city or township clerks in that county a list of individuals who are interested in serving as an election inspector in that county. The county chair may designate in the list the city or township in which each individual on the list wishes to serve.

History: Add. 1995, Act 261, Eff. Mar. 28, 1996;—Am. 1996, Act 583, Eff. Mar. 31, 1997;—Am. 2018, Act 120, Eff. Dec. 31, 2018.

Popular name: Election Code

168.674 Precinct and early voting site election inspector; appointment; chairperson; political party membership; challenge; vacancies.

Sec. 674. (1) Notwithstanding any other provision of law to the contrary and subject to this section, the city and township board of election commissioners, at least 21 days before each election, but in no case less than 5 days before the date set for holding schools of instruction, shall appoint for each election precinct and early voting site at least 3 election inspectors and as many more as in the board's opinion is required for the efficient, speedy, and proper conduct of the election. The board of election commissioners may appoint as election inspector an individual on the list submitted by a major political party under section 673a who is qualified to serve under section 677. An appointment of an election inspector under this section is void if a properly completed application for that election inspector is not on file in the clerk's office as prescribed in section 677.

(2) The board of election commissioners shall designate 1 appointed election inspector as chairperson. The board of election commissioners shall appoint at least 1 election inspector from each major political party and shall appoint an equal number, as nearly as possible, of election inspectors in each election precinct from each major political party. The board of election commissioners may appoint election inspectors in an election precinct from minor political parties. Not later than 2 business days following the appointment of election inspectors under subsection (1) for elections in which a federal or state office appears, the board of election commissioners shall notify by certified mail, personal service, or electronic transmission capable of determining date of receipt the county chair of each major political party of the names and political party affiliations of appointed election inspectors and the precincts to which those election inspectors were appointed. A board of election commissioners shall not appoint an individual as an election inspector if that individual declares a political party preference for 1 political party but is a known active advocate of another political party. As used in this section, "a known active advocate" means an individual who meets 1 or more of the following:

- (a) Is a delegate to the convention or an officer of that other political party.
- (b) Is affiliated with that political party through an elected or appointed government position.
- (c) Has made documented public statements specifically supporting by name the other political party or its candidates in the same calendar year as the election for which the appointment is being made. As used in this subdivision, "documented public statements" means statements reported by the news media or written statements with a clear and unambiguous attribution to the applicant.

(3) The county chair of a major political party may challenge the appointment of an election inspector based on the qualifications of the election inspector, the legitimacy of the election inspector's political party affiliation, or whether there is a properly completed declaration of political party affiliation in the application for that election inspector on file in the clerk's office. The challenge must be in writing, specifically identify the reason for the challenge, and include any available documentation supporting the challenge. The county chair of the political party shall file a challenge under this subsection with the board of election commissioners not later than 4 business days following receipt of the board of election commissioners' notice of appointed election inspectors under subsection (2).

(4) Upon receipt of a challenge under subsection (3), the board of election commissioners shall determine whether the appointee has the necessary qualifications by reviewing the application or any other official records, such as voter registration records, or whether the applicant has a properly completed certification of political party affiliation in the application. If the challenge alleges that the appointee is a known active advocate of a political party other than the one on the appointee's application, the board of election commissioners immediately shall provide the appointee with a copy of the challenge by certified mail,

personal service, or electronic transmission capable of determining date of receipt. The appointee may respond to the challenge within 2 business days after receiving a copy of the challenge. A response must be by affidavit addressing the specific reasons for the challenge. Failure to respond results in revocation of the appointment. Within 2 business days after receiving the challenge or a response from the appointee, whichever is later, the board of election commissioners shall make a final determination and notify the appointee and the county chair of the political party of the determination.

(5) If a vacancy occurs in the office of chairperson or in the office of election inspector before election day, the chairperson of the board of election commissioners shall designate some other properly qualified applicant or election inspector as chairperson or some other qualified applicant as election inspector, as applicable, subject to this section. If a vacancy occurs in the office of chairperson on election day, the remaining election inspectors shall designate 1 of the election inspectors as chairperson.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1955, Act 271, Imd. Eff. June 30, 1955;—Am. 1958, Act 192, Eff. Sept. 13, 1958;—Am. 1995, Act 261, Eff. Mar. 28, 1996;—Am. 1996, Act 207, Imd. Eff. May 21, 1996;—Am. 2018, Act 120, Eff. Dec. 31, 2018;—Am. 2023, Act 81, Eff. Feb. 13, 2024;—Am. 2023, Act 259, Eff. Feb. 13, 2024.

Popular name: Election Code

168.675 Precinct election inspectors; vacancies during election.

Sec. 675. In case 3 inspectors shall not attend at the opening of the polls or shall not remain in attendance during the election, the electors present may choose, viva voce, such number of said electors as, with the inspector or inspectors present, shall constitute a board of 3 in number; and such electors so chosen shall be inspectors of that election during the continuance thereof: Provided, however, That not more than 2 of the members of the board of inspectors of election when constituted shall be of the same political party.

History: 1954, Act 116, Eff. June 1, 1955.

Popular name: Election Code

168.676 Repealed. 1955, Act 271, Imd. Eff. June 30, 1955;—1955, Act 283, Imd. Eff. July 19, 1955.

Compiler's note: The repealed section provided for city or village board of election inspectors.

Popular name: Election Code

168.677 Precinct election inspector; qualifications; application; contents; online; candidates ineligible; appointment.

Sec. 677. (1) Except as otherwise provided in subsection (4), a precinct election inspector must be a qualified and registered elector of this state, must have a good reputation, and must have sufficient education and clerical ability to perform the duties of the office. An individual must not be appointed to a board of election inspectors unless the individual has filed an application with the county clerk or the city or township clerk in the county where the individual wishes to serve as a precinct election inspector.

(2) The application must contain the applicant's name, home address, ward and precinct registration if any, date of birth, political party affiliation, education, employment, and other experience qualifications. The application must provide a certification that the applicant is not a member or a known active advocate, as that term is defined in section 674, of a political party other than the political party entered on the application. The form of the application under this section must be approved by the state director of elections. A county, city, or township clerk may allow an applicant for precinct election inspector to file an application through an online application portal or by other electronic means. The clerk shall maintain a file of applications filed under this section and make the applications available for public inspection at the clerk's office during normal business hours.

(3) An individual must not be knowingly appointed or permitted to act as a precinct election inspector if the individual or any member of the individual's immediate family is a candidate for nomination or election to any office at the election or has been convicted of a felony or election crime. An individual must not be permitted to act as a precinct election inspector if the individual has failed to attend a school of instruction or failed to take an examination as provided in section 683. This section does not prohibit the candidate for or delegate to a political party convention from acting as a precinct election inspector in a precinct other than the precinct in which that individual resides. An election must not be invalidated merely because of the violation of the provisions of this section.

(4) Except as otherwise provided in this subsection and subject to subsection (5), an individual who is 16 or 17 years of age may be appointed to a board of election inspectors. Before an individual may be appointed under this subsection, the first 3 members of the board of election inspectors required to be appointed under section 672 must meet the requirements of subsections (1) to (3). An individual who is appointed under this

subsection must meet the requirements of subsections (1) to (3) other than being a qualified and registered elector of this state. An individual who is appointed under this subsection is not eligible to be designated as chairperson of the board of election inspectors under section 674.

(5) If an individual seeking appointment to a board of election inspectors under subsection (4) is attending a K-12 school and if an election falls on a school day, the individual shall provide to the clerk, along with the application filed under subsections (1) and (2), a written document from the individual's school specifically acknowledging that individual's application for appointment to the board of election inspectors and specifically excusing that individual from school on the date of service, if the appointment is made.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1955, Act 271, Imd. Eff. June 30, 1955;—Am. 1958, Act 192, Eff. Sept. 13, 1958;—Am. 1962, Act 67, Eff. Mar. 28, 1963;—Am. 1967, Act 35, Eff. Nov. 2, 1967;—Am. 1995, Act 261, Eff. Mar. 28, 1996;—Am. 1996, Act 583, Eff. Mar. 31, 1997;—Am. 1997, Act 158, Imd. Eff. Dec. 22, 1997;—Am. 2012, Act 157, Imd. Eff. June 5, 2012;—Am. 2018, Act 120, Eff. Dec. 31, 2018;—Am. 2023, Act 251, Eff. Feb. 13, 2024.

Popular name: Election Code

168.678 Board of election inspectors; authority.

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

History: 1954, Act 116, Eff. June 1, 1955.

Popular name: Election Code

168.679 Counting board; membership; appointment; duties; applicability of MCL 168.662 to place of performance.

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

(2) In a precinct for which a counting board has been provided, the duties of the election inspectors who have conducted the election during the day cease on the closing of the polls and, upon the closing of the polls, the counting board assumes charge and control of the place of voting, the ballot boxes, the ballots, and all other equipment of the polling place and shall proceed with the counting of votes. The counting board shall perform all duties required by this act to be performed after the closing of the polls at an election by the board of election inspectors in a precinct that does not have a counting board, as provided in this section.

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

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1995, Act 261, Eff. Mar. 28, 1996;—Am. 1996, Act 583, Eff. Mar. 31, 1997;—Am. 2018, Act 120, Eff. Dec. 31, 2018.

Popular name: Election Code

168.679a Receiving board; appointment and duties of inspectors; review of poll book and statement of returns; corrective action; delivery.

Sec. 679a. (1) The election commission of a city or township shall, by resolution, provide that at an election at which the ballots are counted and certified at the precinct, 1 or more additional boards of election inspectors be appointed to serve as receiving boards. For a precinct having receiving boards, the board of election commissioners shall appoint a receiving board consisting of 2 or more election inspectors, with an equal number from each major political party, and shall appoint an equal number of election inspectors from each major political party.

(2) Not less than 2 election inspectors in a precinct, representing each of the major political parties, shall deliver to the receiving board for that precinct a sealed ballot container containing the voted ballots, and, in a separate sealed envelope, the poll book and statement of returns. The poll book and statement of returns may be enclosed in a single sealed envelope.

(3) The receiving board shall open the sealed envelope and review the poll book and statement of returns to determine both of the following:

(a) That the ballot container is properly sealed and the seal number is properly recorded in the poll book

and the statement of returns. If the ballot container is not properly sealed or there is a discrepancy with the seal number recorded in the poll book or the statement of returns, the election inspectors who delivered the ballot container and the receiving board shall together take the necessary steps to correct the discrepancy. The election inspectors and the receiving board shall note the discrepancy and the corrective action in the remarks section of the poll book and all shall sign the notation.

(b) That the number of individuals voting recorded in the poll book equals the number of ballots issued to electors, as shown by the statement of returns. If the number of individuals voting as shown by the poll book does not equal the number of ballots counted as shown by the statement of returns, and if an explanation of the discrepancy has not been noted in the poll book, the receiving board shall ask the election inspectors about the discrepancy, note the explanation in the poll book, and all shall sign the notation.

(4) If the poll book or statement of returns has been erroneously sealed in the ballot container, the election inspectors may open the ballot container and remove the poll book or statement of returns. The elections inspectors and receiving board shall note the corrective action in the remarks section of the poll book and all shall sign the notation before placing the poll book or statement of returns in a separate sealed envelope. If the statement of returns was sealed in the ballot container and the poll book was sealed in an envelope, the poll book must be removed from the sealed envelope for the notation of corrective action to be recorded before placing the poll book and statement of returns in a sealed envelope. The receiving board shall notify the clerk of the board of canvassers responsible for canvassing all or a portion of the election of the corrective action taken.

(5) When the receiving board has completed the review under subsection (3), the receiving board shall place the poll book and statement of returns in the appropriate envelope, sealed with a red paper seal and initialed by the receiving board. If permitted by the clerk of the board of canvassers, the poll books and statement of returns from more than 1 precinct may be included and delivered in a single envelope.

History: Add. 2004, Act 256, Imd. Eff. July 23, 2004;—Am. 2012, Act 271, Eff. Aug. 15, 2012;—Am. 2018, Act 120, Eff. Dec. 31, 2018.

Popular name: Election Code

168.680 Precinct election inspectors; oath of office.

Sec. 680. Each precinct election inspector shall, before entering upon the discharge of his duties, take and subscribe the following constitutional oath of office, which oath any of the inspectors may administer: "I do solemnly swear (or affirm) that I will support the constitution of the United States and the constitution of this state, and that I will faithfully discharge the duties of the office of inspector of elections according to the best of my ability."

History: 1954, Act 116, Eff. June 1, 1955.

Popular name: Election Code

168.681 Repealed. 1980, Act 188, Imd. Eff. July 3, 1980.

Compiler's note: The repealed section pertained to right of precinct election inspectors to vote.

Popular name: Election Code

168.682 Election officials; compensation.

Sec. 682. Any person employed as an inspector of election, or in any other official capacity at any election, primary election, or on any board of canvassers or board of registration, shall, except as otherwise specifically provided, receive reasonable compensation as allowed by the township board of any township, board of commissioners of any county, or the legislative body of any city, as applicable.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 2018, Act 120, Eff. Dec. 31, 2018.

Popular name: Election Code

168.683 Election inspectors; instruction, compensation, vacancy.

Sec. 683. Each county clerk before each primary and election shall, by some reliable means, notify the clerk of each township and city in the county of a training school for election inspectors to be held at a place designated by the county clerk within 20 days before each primary, general, and special election. The township and city clerks shall notify each election inspector appointed to serve at that election of the time and place of the training school. At the meeting, the county clerk shall instruct and demonstrate the manner in which the duties of election inspectors are required by law to be performed. It is the duty of the inspectors, so notified, to attend the meeting unless excused by the county clerk for good cause. Compensation may be paid to them by their respective municipalities at a rate as determined by the governing bodies. An election inspector shall not serve in any election unless he or she has within the last preceding 2 years either attended

an election school or has passed satisfactorily an examination given by the election commission of the city or township in which appointed. The examination is subject to the approval of the secretary of state. This section does not prevent the appointment of an election inspector to fill a vacancy. This section does not prohibit any city or any township having a population of 10,000 or more from conducting its own training school for election inspectors of that city or township. If a city or township conducts its own training school, election inspectors who attend a city or township training school are not required to attend the county training school.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1962, Act 67, Eff. Mar. 28, 1963;—Am. 1963, Act 159, Eff. Sept. 6, 1963;—Am. 2018, Act 120, Eff. Dec. 31, 2018.

Popular name: Election Code