

MICHIGAN ELECTION LAW (EXCERPT)
Act 116 of 1954

***** 168.662.amended THIS AMENDED SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT
OF THE 2023 REGULAR SESSION SINE DIE *****

168.662.amended 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. (sine die).

Popular name: Election Code