

**HOUSE SUBSTITUTE FOR
SENATE BILL NO. 1238**

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 2, 3, 31a, 491, 495, 497, 498, 500d, 509w,
509x, 523a, 759, 761, 765, 811, 813, and 829 (MCL 168.2, 168.3,
168.31a, 168.491, 168.495, 168.497, 168.498, 168.500d, 168.509w,
168.509x, 168.523a, 168.759, 168.761, 168.765, 168.811, 168.813,
and 168.829), sections 2, 523a, 761, and 813 as amended by 2018 PA
129, section 3 as amended by 2003 PA 302, section 31a as added and
section 811 as amended by 2012 PA 271, sections 491, 495, 497, 498,
and 500d as amended by 2018 PA 125, section 509w as added by 1994
PA 441, section 509x as amended by 2018 PA 354, sections 759 and
829 as amended by 2012 PA 523, and section 765 as amended by 2018
PA 127, and by adding sections 493a, 499e, and 761b; and to repeal
acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (a) "Absent voter" is ~~defined in section 758.~~ **A VOTER WHO**
 3 **UTILIZES THE PROCESS DESCRIBED IN SECTION 759.**

4 **(B) "ABSENT VOTER BALLOT" MEANS A BALLOT THAT IS ISSUED TO A**
 5 **VOTER THROUGH THE ABSENTEE VOTER PROCESS.**

6 (C) ~~(b)~~ "Ballot container" is defined in section 14a.

7 (D) ~~(c)~~ "Business day" or "secular day" means a day that is
 8 not a Saturday, Sunday, or legal holiday.

9 (E) ~~(d)~~ "Clearly observable boundaries" is defined in section
 10 654a.

11 **(F) "COMMON CARRIER" MEANS A COMPANY THAT TRANSPORTS MAIL, ON**
 12 **REASONABLE REQUEST, ON REGULAR ROUTES AND AT SET RATES.**

13 (G) ~~(e)~~ "Election" means an election or primary election at
 14 which the electors of this state or of a subdivision of this state
 15 choose or nominate by ballot an individual for public office or
 16 decide a ballot question lawfully submitted to them.

17 (H) ~~(f)~~ "Election precinct" is defined in section 654.

18 (I) ~~(g)~~ "Fall" state and county conventions and "spring" state
 19 and county conventions are assigned meanings in section 596.

20 (J) ~~(h)~~ "General election" or "general November election"
 21 means the election held on the November regular election date in an
 22 even numbered year.

23 (K) ~~(i)~~ "Identification for election purposes" means, if
 24 issued to the individual presenting the card or document and if
 25 presented for voting purposes the name on the card or document
 26 sufficiently matches the individual's name in his or her voter

1 registration record so as to accurately identify the individual as
2 the registered elector, or if issued to the individual presenting
3 the card or document and if presented for voter registration
4 purposes, any of the following:

5 (i) An operator's or chauffeur's license issued under the
6 Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or an
7 enhanced driver license issued under the enhanced driver license
8 and enhanced official state personal identification card act, 2008
9 PA 23, MCL 28.301 to 28.308.

10 (ii) An official state personal identification card issued
11 under 1972 PA 222, MCL 28.291 to 28.300, or an enhanced official
12 state personal identification card issued under the enhanced driver
13 license and enhanced official state personal identification card
14 act, 2008 PA 23, MCL 28.301 to 28.308.

15 (iii) A current operator's or chauffeur's license issued by
16 another state.

17 (iv) A current state personal identification card issued by
18 another state.

19 (v) A current state government issued photo identification
20 card.

21 (vi) A current United States passport or federal government
22 issued photo identification card.

23 (vii) A current military photo identification card.

24 (viii) A current tribal photo identification card.

25 (ix) A current student photo identification card issued by a
26 high school in this state, an institution of higher education in
27 this state described in section 4, 5, or 6 of article VIII of the

1 state constitution of 1963, a junior college or community college
 2 established under section 7 of article VIII of the state
 3 constitution of 1963, or another accredited degree or certificate
 4 granting college or university, junior college, or community
 5 college located in this state.

6 (I) ~~(j)~~—"Immediate family" means an individual's father,
 7 mother, son, daughter, brother, sister, and spouse and a relative
 8 of any degree residing in the same household as that individual.

9 Sec. 3. As used in this act:

10 (a) "Locked and sealed" is defined in section 14.

11 (b) "Major political party" is defined in section 16.

12 (c) "Metal seal" or "seal" is defined in section 14a.

13 (d) "Name that was formally changed" means a name changed by a
 14 proceeding under chapter XI of the probate code of 1939, 1939 PA
 15 288, MCL 711.1 to 711.3, or former 1915 PA 314, or through a
 16 similar, statutorily sanctioned procedure under the law of another
 17 state or country.

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

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

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

23 (H) **"REGULAR BALLOT" MEANS A BALLOT THAT IS ISSUED TO A VOTER**
 24 **ON ELECTION DAY AT A POLLING PLACE LOCATION.**

25 (I) ~~(h)~~—"Qualified elector" is defined in section 10.

26 (J) ~~(i)~~—"Qualified voter file" is defined in section 509m.

27 (K) ~~(j)~~—"Regular election" means an election held on a regular

1 election date to elect an individual to, or nominate an individual
 2 for, elective office in the regular course of the terms of that
 3 elective office.

4 (I) ~~(K)~~ "Regular election date" means 1 of the dates
 5 established as a regular election date in section 641.

6 (M) ~~(L)~~ "Residence" is defined in section 11.

7 Sec. 31a. (1) In order to ensure compliance with the
 8 provisions of this act, after each election the secretary of state
 9 may audit election precincts.

10 (2) The secretary of state shall ~~develop an election audit~~
 11 ~~program that details the documents to be inspected and the~~
 12 ~~procedures to be used during an election audit conducted under this~~
 13 ~~section.~~ **PRESCRIBE THE PROCEDURES FOR ELECTION AUDITS THAT INCLUDE**
 14 **REVIEWING THE DOCUMENTS, BALLOTS, AND PROCEDURES USED DURING AN**
 15 **ELECTION AS REQUIRED IN SECTION 4 OF ARTICLE II OF THE STATE**
 16 **CONSTITUTION OF 1963. THE SECRETARY OF STATE AND COUNTY CLERKS**
 17 **SHALL CONDUCT ELECTION AUDITS, INCLUDING STATEWIDE ELECTION AUDITS,**
 18 **AS SET FORTH IN THE PRESCRIBED PROCEDURES.** The secretary of state
 19 ~~may~~ **SHALL** train and certify county clerks and their staffs for the
 20 purpose of conducting election audits of precincts randomly
 21 selected by the secretary of state in their counties. **AN ELECTION**
 22 **AUDIT MUST INCLUDE AN AUDIT OF THE RESULTS OF AT LEAST 1 RACE IN**
 23 **EACH PRECINCT SELECTED FOR AN AUDIT. A STATEWIDE ELECTION AUDIT**
 24 **MUST INCLUDE AN AUDIT OF THE RESULTS OF AT LEAST 1 STATEWIDE RACE**
 25 **OR STATEWIDE BALLOT QUESTION IN A PRECINCT SELECTED FOR AN AUDIT.**
 26 **AN AUDIT CONDUCTED UNDER THIS SECTION IS NOT A RECOUNT AND DOES NOT**
 27 **CHANGE ANY CERTIFIED ELECTION RESULTS.** The secretary of state shall

1 supervise each county clerk in the performance of election audits
2 conducted under this section.

3 (3) Each county clerk who conducts an election audit under
4 this section shall provide the results of the election audit to the
5 secretary of state within 20 days after the election audit.

6 Sec. 491. The inspectors of election at an election, primary
7 election, or special election in this state shall not receive the
8 vote of an individual whose name is not on the voter registration
9 list generated from the qualified voter file for the precinct in
10 which he or she offers to vote unless the individual meets the
11 requirements of section 523a, **OR THE INDIVIDUAL REGISTERED TO VOTE**
12 **IN PERSON AT THE CITY OR TOWNSHIP CLERK'S OFFICE IN THE CITY OR**
13 **TOWNSHIP IN WHICH HE OR SHE RESIDES DURING THE 14 DAYS BEFORE THE**
14 **DAY OF AN ELECTION OR ON THE DAY OF AN ELECTION AND THE INDIVIDUAL**
15 **PRESENTS A VOTER REGISTRATION RECEIPT TO THE INSPECTORS OF**
16 **ELECTION.**

17 SEC. 493A. (1) SUBJECT TO SUBSECTIONS (2) AND (3), THE
18 SECRETARY OF STATE SHALL AUTOMATICALLY REGISTER TO VOTE EACH
19 INDIVIDUAL WHO MEETS THE QUALIFICATIONS OF AN ELECTOR UNDER SECTION
20 492 AND WHO SUBMITS AN APPLICATION FOR AN OPERATOR'S OR CHAUFFEUR'S
21 LICENSE ISSUED UNDER THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL
22 257.1 TO 257.923, AN OFFICIAL STATE PERSONAL IDENTIFICATION CARD
23 ISSUED UNDER 1972 PA 222, MCL 28.291 TO 28.300, OR AN ENHANCED
24 DRIVER LICENSE OR ENHANCED OFFICIAL STATE PERSONAL IDENTIFICATION
25 CARD ISSUED UNDER THE ENHANCED DRIVER LICENSE AND ENHANCED OFFICIAL
26 STATE PERSONAL IDENTIFICATION CARD ACT, 2008 PA 23, MCL 28.301 TO
27 28.308. IN ADDITION, SUBJECT TO SUBSECTIONS (2) AND (3), THE

1 SECRETARY OF STATE SHALL AUTOMATICALLY REGISTER TO VOTE EACH
2 INDIVIDUAL WHO MEETS THE QUALIFICATIONS OF AN ELECTOR UNDER SECTION
3 492 AND WHO SUBMITS A CHANGE OF ADDRESS APPLICATION FOR AN
4 OPERATOR'S OR CHAUFFEUR'S LICENSE ISSUED UNDER THE MICHIGAN VEHICLE
5 CODE, 1949 PA 300, MCL 257.1 TO 257.923, AN OFFICIAL STATE PERSONAL
6 IDENTIFICATION CARD ISSUED UNDER 1972 PA 222, MCL 28.291 TO 28.300,
7 OR AN ENHANCED DRIVER LICENSE OR ENHANCED OFFICIAL STATE PERSONAL
8 IDENTIFICATION CARD ISSUED UNDER THE ENHANCED DRIVER LICENSE AND
9 ENHANCED OFFICIAL STATE PERSONAL IDENTIFICATION CARD ACT, 2008 PA
10 23, MCL 28.301 TO 28.308.

11 (2) FOR PURPOSES OF SUBSECTION (1), THE SECRETARY OF STATE
12 SHALL ONLY AUTOMATICALLY REGISTER TO VOTE AN INDIVIDUAL WHO
13 INDICATES ON HIS OR HER OPERATOR'S OR CHAUFFEUR'S LICENSE
14 APPLICATION, OFFICIAL STATE PERSONAL IDENTIFICATION CARD
15 APPLICATION, OR CHANGE OF ADDRESS APPLICATION THAT HE OR SHE IS A
16 CITIZEN OF THE UNITED STATES.

17 (3) THE SECRETARY OF STATE SHALL NOT AUTOMATICALLY REGISTER TO
18 VOTE AN INDIVIDUAL WHO INDICATES ON THE OPERATOR'S OR CHAUFFEUR'S
19 LICENSE APPLICATION, OFFICIAL STATE PERSONAL IDENTIFICATION CARD
20 APPLICATION, ENHANCED DRIVER LICENSE APPLICATION, ENHANCED OFFICIAL
21 STATE PERSONAL IDENTIFICATION CARD APPLICATION, OR CHANGE OF
22 ADDRESS APPLICATION THAT HE OR SHE DECLINES TO USE THE APPLICATION
23 AS A VOTER REGISTRATION APPLICATION. THE SECRETARY OF STATE SHALL
24 NOT TRANSMIT ANY INFORMATION TO THE QUALIFIED VOTER FILE REGARDING
25 ANY INDIVIDUAL WHO DECLINES TO USE AN APPLICATION DESCRIBED IN THIS
26 SECTION AS A VOTER REGISTRATION APPLICATION.

27 (4) THE SECRETARY OF STATE SHALL ADD ANY INFORMATION REQUIRED

1 UNDER SECTION 509Q TO THE QUALIFIED VOTER FILE FOR EACH ELECTOR
2 REGISTERED UNDER SUBSECTION (1) AND SHALL FORWARD THE NAME OF EACH
3 ELECTOR REGISTERED UNDER THIS SECTION TO THE CLERK OF THE CITY OR
4 TOWNSHIP IN WHICH EACH ELECTOR REGISTERED RESIDES.

5 (5) AN INDIVIDUAL WHO IS NOT ELIGIBLE TO VOTE AND WHO, WITHOUT
6 INTENDING TO REGISTER TO VOTE, BECOMES REGISTERED TO VOTE THROUGH
7 HUMAN OR MECHANICAL ERROR IS NOT CONSIDERED TO HAVE KNOWINGLY
8 INTENDED TO REGISTER TO VOTE IN VIOLATION OF SECTION 519.

9 Sec. 495. The registration application must contain all of the
10 following:

11 (a) The name of the elector.

12 (b) The residence address of the elector, including the street
13 and number or rural route and box number and the apartment number,
14 if any.

15 (c) The city or township and county of residence of the
16 elector. ~~and the school district of the elector, if known.~~

17 (d) ~~The birthplace and~~ date of birth of the elector.

18 (e) The driver license or state personal identification card
19 number of the elector, if available.

20 (f) A statement that the elector is a citizen of the United
21 States.

22 (g) A statement that the elector is at the time of completing
23 the affidavit, or will be on the date of the next election, not
24 less than 18 years of age.

25 (h) A statement that the elector has or will have lived in
26 this state not less than 30 days before the next election.

27 (i) A statement that the elector has or will have established

1 his or her residence in the township or city in which the elector
 2 is applying for registration not less than 30 days before the next
 3 election.

4 (j) A statement that the elector is or will be a qualified
 5 elector of the township ~~, OR city, or village~~ on the date of the
 6 next election.

7 (k) A space in which the elector shall state the place of the
 8 elector's last registration, if any.

9 (l) A statement that the registration is not effective until
 10 processed by the clerk of the city or township in which the
 11 applicant resides.

12 (m) A statement that the applicant, if qualified, may vote at
 13 an election occurring ~~not less than 30 days~~ **ON OR** after the date of
 14 completing the application.

15 (n) A statement authorizing the cancellation of registration
 16 at the elector's last place of registration.

17 (o) A space for the elector to sign and certify to the truth
 18 of the statements on the application.

19 Sec. 497. (1) An individual who is not registered **TO VOTE** but
 20 possesses the qualifications of an elector as provided in section
 21 492 may apply for registration to the clerk of the county,
 22 township, or city in which he or she resides ~~on a day other than~~
 23 ~~Saturday, Sunday, a legal holiday, or the day of a regular,~~
 24 ~~primary, school, or special election. Registrations accepted~~
 25 ~~between the thirtieth day before an election and the day of the~~
 26 ~~election, unless the thirtieth day falls on a Saturday, Sunday, or~~
 27 ~~legal holiday, in which event registration must be accepted during~~

~~the following day, are not valid for the election but are valid for subsequent regular, primary, school, or special elections that are held so that not less than 30 days intervene between the date the individual registered and the date of the election.~~ **IN PERSON, DURING THE CLERK'S REGULAR BUSINESS HOURS, OR BY MAIL OR ONLINE UNTIL THE FIFTEENTH DAY BEFORE AN ELECTION.**

(2) AN INDIVIDUAL WHO IS NOT REGISTERED TO VOTE BUT POSSESSES THE QUALIFICATIONS OF AN ELECTOR AS PROVIDED IN SECTION 492 OR AN INDIVIDUAL WHO IS NOT REGISTERED TO VOTE IN THE CITY OR TOWNSHIP IN WHICH HE OR SHE IS REGISTERING TO VOTE MAY APPLY FOR REGISTRATION IN PERSON AT THE CITY OR TOWNSHIP CLERK'S OFFICE OF THE CITY OR TOWNSHIP IN WHICH HE OR SHE RESIDES FROM THE FOURTEENTH DAY BEFORE AN ELECTION AND CONTINUING THROUGH THE DAY OF THE ELECTION. AN INDIVIDUAL WHO APPLIES TO REGISTER TO VOTE UNDER THIS SUBSECTION MUST PROVIDE TO THE CITY OR TOWNSHIP CLERK PROOF OF RESIDENCY IN THAT CITY OR TOWNSHIP. FOR PURPOSES OF THIS SUBSECTION, "PROOF OF RESIDENCY" INCLUDES, SUBJECT TO SUBSECTION (3), ANY OF THE FOLLOWING:

(A) AN OPERATOR'S OR CHAUFFEUR'S LICENSE ISSUED UNDER THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.1 TO 257.923, OR AN ENHANCED DRIVER LICENSE ISSUED UNDER THE ENHANCED DRIVER LICENSE AND ENHANCED OFFICIAL STATE PERSONAL IDENTIFICATION ACT, 2008 PA 23, MCL 28.301 TO 28.308.

(B) AN OFFICIAL STATE PERSONAL IDENTIFICATION CARD ISSUED UNDER 1972 PA 222, MCL 28.291 TO 28.300, OR AN ENHANCED OFFICIAL STATE PERSONAL IDENTIFICATION CARD ISSUED UNDER THE ENHANCED DRIVER LICENSE AND ENHANCED OFFICIAL STATE PERSONAL IDENTIFICATION CARD

1 ACT, 2008 PA 23, MCL 28.301 TO 28.308.

2 (3) IF AN APPLICANT FOR VOTER REGISTRATION UNDER SUBSECTION
3 (2) DOES NOT HAVE PROOF OF RESIDENCY AS THAT TERM IS DEFINED IN
4 SUBSECTION (2), THE APPLICANT MAY PROVIDE AS HIS OR HER PROOF OF
5 RESIDENCY ANY OTHER FORM OF IDENTIFICATION FOR ELECTION PURPOSES AS
6 THAT TERM IS DEFINED IN SECTION 2 AND 1 OF THE FOLLOWING DOCUMENTS
7 THAT CONTAINS THE APPLICANT'S NAME AND CURRENT RESIDENCE ADDRESS:

8 (A) A CURRENT UTILITY BILL.

9 (B) A CURRENT BANK STATEMENT.

10 (C) A CURRENT PAYCHECK, GOVERNMENT CHECK, OR OTHER GOVERNMENT
11 DOCUMENT.

12 (4) IF AN APPLICANT FOR VOTER REGISTRATION UNDER SUBSECTION
13 (2) DOES NOT HAVE IDENTIFICATION FOR ELECTION PURPOSES, THE
14 APPLICANT MAY REGISTER TO VOTE IF HE OR SHE SIGNS AN AFFIDAVIT
15 INDICATING THAT THE APPLICANT DOES NOT HAVE IDENTIFICATION FOR
16 ELECTION PURPOSES AND THE APPLICANT PROVIDES 1 OF THE FOLLOWING
17 DOCUMENTS THAT CONTAINS THE APPLICANT'S NAME AND CURRENT RESIDENCE
18 ADDRESS:

19 (A) A CURRENT UTILITY BILL.

20 (B) A CURRENT BANK STATEMENT.

21 (C) A CURRENT PAYCHECK, GOVERNMENT CHECK, OR OTHER GOVERNMENT
22 DOCUMENT.

23 (5) IMMEDIATELY AFTER APPROVING A VOTER REGISTRATION
24 APPLICATION, THE CITY OR TOWNSHIP CLERK SHALL PROVIDE TO THE
25 INDIVIDUAL REGISTERING TO VOTE A VOTER REGISTRATION RECEIPT THAT IS
26 IN A FORM AS APPROVED BY THE SECRETARY OF STATE. IF AN INDIVIDUAL
27 REGISTERS TO VOTE IN PERSON 14 DAYS OR LESS BEFORE AN ELECTION OR

1 REGISTERS TO VOTE ON ELECTION DAY, AND THAT APPLICANT REGISTERS TO
2 VOTE UNDER SUBSECTION (3) OR (4), THE BALLOT OF THAT ELECTOR MUST
3 BE PREPARED AS A CHALLENGED BALLOT AS PROVIDED IN SECTION 727 AND
4 MUST BE COUNTED AS ANY OTHER BALLOT IS COUNTED UNLESS DETERMINED
5 OTHERWISE BY A COURT OF LAW UNDER SECTION 747 OR 748 OR ANY OTHER
6 APPLICABLE LAW.

7 (6) ~~(2)~~—Except as otherwise provided in sections 500a to 500e
8 AND 509V, an application for registration must not be executed at a
9 place other than the office of the county, township, or city clerk
10 or a public place or places designated by the clerk or deputy
11 registrar for receiving registrations, but the clerk or deputy
12 registrar may receive an application wherever he or she may be. If
13 a county, township, or city clerk does not regularly keep his or
14 her office open daily during certain hours, the clerk is not
15 required to be at his or her office for the purpose of receiving
16 applications for registration on a particular day nor during
17 specific hours of a day, except as provided in section 498.
18 ~~Registrations taken after the time of closing registrations before~~
19 ~~an election need not be processed until the date immediately~~
20 ~~following that election. A registration must not be placed in a~~
21 ~~precinct registration file until the date immediately following~~
22 ~~that election. If an individual registers at a time that~~
23 ~~registrations are closed for an election, the individual must be~~
24 ~~given a notice, signed by the clerk, on a form developed by the~~
25 ~~secretary of state, informing him or her that he or she is not~~
26 ~~eligible to vote in the election and indicating the first date on~~
27 ~~which he or she is eligible to vote. IF AN INDIVIDUAL REGISTERS TO~~

1 VOTE WITH THE SECRETARY OF STATE DURING THE 14 DAYS BEFORE THE DAY
2 OF AN ELECTION BY MAIL, ONLINE, OR BY AUTOMATIC VOTER REGISTRATION,
3 AS DESCRIBED IN SECTION 493A, THE INDIVIDUAL MUST BE GIVEN A NOTICE
4 ON A FORM DEVELOPED BY THE SECRETARY OF STATE INFORMING THE
5 INDIVIDUAL THAT HE OR SHE IS NOT ELIGIBLE TO VOTE IN THE NEXT
6 ELECTION UNLESS HE OR SHE APPLIES IN PERSON AT HIS OR HER CITY OR
7 TOWNSHIP CLERK'S OFFICE AS PROVIDED IN SUBSECTION (2). Except as
8 provided in sections 500a to 500e, the provisions of this section
9 relating to registration apply.

10 Sec. 498. ~~(1) The governing body of a township or city may~~
11 ~~provide by resolution that in that township or city the clerk shall~~
12 ~~be at the clerk's office, or in some other convenient place~~
13 ~~designated by the clerk, during the hours designated by the~~
14 ~~governing body on the thirtieth day before an election or primary~~
15 ~~election in the township or city unless the thirtieth day falls on~~
16 ~~a Saturday, Sunday, or legal holiday, in which event registration~~
17 ~~must be accepted during the same hours on the following day.~~

18 (1) ~~(2)~~—In a township or city in which the clerk does not
19 maintain regular daily office hours, the township board or the
20 legislative body of the city may require that the clerk of the
21 township or city shall be at the clerk's office or other designated
22 place for the purpose of receiving applications for registration on
23 the days that the board or legislative body designates. ~~, but not~~
24 ~~more than 5 days before the last day for registration.~~

25 (2) ~~(3)~~—The clerk of each township or city shall give public
26 notice of the days and hours that the clerk will be at the clerk's
27 office or other designated place for the purpose of receiving

1 registrations before an election or primary election by publication
 2 of the notice in a newspaper published or of general circulation in
 3 the township or city and, if considered advisable by the township
 4 or city clerk, by posting written or printed notices in at least 2
 5 of the most conspicuous places in each election precinct. The
 6 publication or posting must be made not less than ~~7~~**30** days before
 7 ~~the last day for receiving registrations.~~ **ELECTION DAY.** The notice
 8 of registration must include the offices to be filled that will
 9 appear on the ballot. If the notice of registration is for an
 10 election that includes a ballot proposal, a caption or brief
 11 description of the ballot proposal along with the location where an
 12 elector can obtain the full text of the ballot proposal must be
 13 stated in the notice.

14 **(3)** ~~(4)~~ A county clerk may enter into an agreement with the
 15 clerk of 1 or more townships or cities in the county or the clerks
 16 of 1 or more cities or townships in a county may enter into an
 17 agreement to jointly publish the notice required in subsection ~~(3)~~.
 18 **(2)**. The notice must be published in a newspaper of general
 19 circulation in the cities and townships listed in the notice.

20 **SEC. 499E. (1) THE CLERK OF A CITY OR TOWNSHIP SHALL BE**
 21 **PRESENT OR HAVE A DEPUTY CLERK BE PRESENT AT THE CLERK'S OFFICE AT**
 22 **ALL TIMES A POLLING PLACE IS OPEN ON ELECTION DAY TO RECEIVE AND**
 23 **PROCESS VOTER REGISTRATION APPLICATIONS.**

24 **(2) IMMEDIATELY AFTER APPROVING A VOTER REGISTRATION**
 25 **APPLICATION UNDER THIS SECTION, THE CLERK OR DEPUTY CLERK SHALL**
 26 **PREPARE A REGISTRATION CARD OR AN INSERT TO A REGISTRATION LIST IN**
 27 **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 ~~occurring~~
10 ~~not less than 30 days~~ after making the application if the clerk
11 determines the individual is qualified. If the clerk determines the
12 individual is not qualified, the clerk immediately shall send a
13 notice to the applicant at the address stated in the application
14 stating the determination and the reasons the individual is not
15 qualified. An individual is permitted to vote if he or she presents
16 at the polls a validated voter registration application receipt and
17 the clerk determines the individual is qualified.

18 Sec. 509w. (1) The person processing an application submitted
19 in person at a department of state office, a designated voter
20 registration agency, or the office of a county clerk shall do all
21 of the following:

22 (a) Validate the application in the manner prescribed by the
23 secretary of state.

24 (b) Issue a receipt to the applicant verifying the acceptance
25 of the application.

26 (2) Except as otherwise provided in subsection (3), the
27 department of state office, the designated voter registration

1 agency, or the county clerk shall transmit the application not
 2 later than 7 days after receipt of the application to the clerk of
 3 the county, city, or township where the applicant resides.

4 (3) If an application under subsection (1) is made ~~within 7~~
 5 ~~days before the close of registration for a federal election, FROM~~
 6 **THE TWENTY-FIRST DAY TO THE FIFTEENTH DAY BEFORE AN ELECTION**, the
 7 department of state office, the designated voter registration
 8 agency, or the county clerk shall transmit the application not
 9 later than 1 business day to the clerk of the county, city, or
 10 township where the applicant resides.

11 (4) If a completed application is transmitted by the secretary
 12 of state or a designated voter registration agency to a county
 13 clerk, the secretary of state, to the extent funds are
 14 appropriated, shall compensate the county clerk for the cost of
 15 forwarding the application to the proper city or township clerk of
 16 the applicant's residence from funds appropriated to the secretary
 17 of state for that purpose.

18 Sec. 509x. An application for registration is considered
 19 received on or before the ~~close of registration~~ **FIFTEENTH DAY**
 20 **BEFORE AN ELECTION** if 1 of the following requirements is met:

21 (a) An application is received at a department of state
 22 office, a designated voter registration agency, or the office of a
 23 county, city, or township clerk on or before the ~~close of~~
 24 ~~registration~~ **FIFTEENTH DAY BEFORE AN ELECTION**.

25 (b) An application is received through the mail that is
 26 postmarked on or before the ~~close of registration~~ **FIFTEENTH DAY**
 27 **BEFORE AN ELECTION**.

1 (c) An application is received through the mail on or before
2 the ~~seventh day immediately following the close of registration,~~
3 **EIGHTH DAY BEFORE AN ELECTION**, if the postmark is missing or is
4 unclear and the application, on its face, is dated by the applicant
5 on or before the ~~close of registration.~~ **FIFTEENTH DAY BEFORE AN**
6 **ELECTION**. The clerk shall consider an application received under
7 this subdivision as received before the ~~close of~~
8 ~~registration.~~ **FIFTEENTH DAY BEFORE AN ELECTION**.

9 (d) An application is submitted electronically through the
10 electronic voter registration interface on or before the ~~close of~~
11 ~~registration.~~ **FIFTEENTH DAY BEFORE AN ELECTION**.

12 Sec. 523a. (1) If an individual who has applied to register to
13 vote on or before the ~~close of registration~~ **ELECTION DAY** appears at
14 a polling place on election day and completes an application under
15 section 523 is not listed on the voter registration list, the
16 election inspector shall issue a ballot to the individual as
17 follows:

18 (a) For an individual who presents a receipt issued by a
19 department of state office, a designated voter registration agency,
20 or the elector's county, city, or township clerk's office verifying
21 the acceptance of a voter registration application ~~before the close~~
22 ~~of registration~~ and completes a new voter registration application,
23 the election inspector shall allow the individual to vote a ballot
24 in the same manner as an elector whose name is listed on the voter
25 registration list.

26 (b) For an individual who does not present a receipt verifying
27 the acceptance of a voter registration application under

1 subdivision (a), the election inspector shall determine whether the
2 individual is in the appropriate polling place based on residence
3 information provided by the individual. The election inspector
4 shall review any documents or maps in the polling place or
5 communicate with the city or township clerk to verify the
6 appropriate polling place for the individual. The election
7 inspector shall direct an individual who is not in the appropriate
8 polling place to the appropriate polling place. If the individual
9 refuses to go to the appropriate polling place, the election
10 inspector shall issue the individual a provisional ballot that is
11 processed according to subsection (5).

12 (2) Except for an individual who produces a receipt under
13 subsection (1)(a), the election inspector shall require an
14 individual who is not listed on the voter registration list to
15 execute a sworn statement affirming that the individual submitted a
16 voter registration application **ON OR** before ~~the close of~~
17 ~~registration~~ **ELECTION DAY** and is eligible to vote in the election.
18 An individual who provides false information in a signed sworn
19 statement under this subsection is guilty of perjury. An individual
20 signing a sworn statement shall complete a new voter registration
21 application. The individual shall state the approximate date and in
22 what manner the registration application was submitted:

- 23 (a) To a department of state office.
24 (b) To a designated voter registration agency.
25 (c) To the office of his or her county, city, or township
26 clerk.
27 (d) By a mailed application.

1 (3) The election inspector shall contact the city or township
2 clerk to verify whether the individual who signed the sworn
3 statement under subsection (2) is listed in the registration
4 records of the jurisdiction or whether there is any information
5 contrary to the content of the sworn statement.

6 (4) If the city or township clerk verifies the elector
7 information and finds no information contrary to the information
8 provided by the individual in the sworn statement and the
9 individual presents identification for election purposes that
10 contains a current residence address to establish his or her
11 identity and residence address, the individual is permitted to vote
12 a provisional ballot that is tabulated on election day in the same
13 manner as an elector whose name is listed on the voter registration
14 list, except that the election inspectors shall process the ballot
15 as a challenged ballot under sections 745 and 746.

16 (5) If the election inspector is not able to contact the city
17 or township clerk, the individual is not in the correct precinct,
18 or the individual is unable to present identification for election
19 purposes that contains a current residence address, the individual
20 must be issued a provisional ballot that is not tabulated on
21 election day but is secured for verification after the election. A
22 provisional ballot must also be issued under this subsection to a
23 voter who presents identification for election purposes that does
24 not bear the voter's current residence address, if the voter also
25 presents a document to establish the voter's current residence
26 address. The election inspector shall accept a document containing
27 the name and current residence address of the voter as sufficient

1 documentation to issue a provisional ballot if it is 1 of the
2 following documents:

3 (a) A current utility bill.

4 (b) A current bank statement.

5 (c) A current paycheck, government check, or other government
6 document.

7 (6) A provisional ballot must be placed in a provisional
8 ballot return envelope prescribed by the secretary of state and
9 delivered to the city or township clerk after the polls close in a
10 manner as prescribed by the secretary of state.

11 (7) For a provisional ballot voted under subsection (4), the
12 election inspector shall provide the voter with a notice that his
13 or her ballot has been tabulated. For a provisional ballot voted
14 under subsection (5), the election inspector shall provide the
15 voter with a notice that the voter's information will be verified
16 by the clerk of the jurisdiction within 6 days after the election
17 to determine whether the ballot will be tabulated and, if the
18 ballot is not tabulated, to determine the reason it was not
19 tabulated. A clerk of a jurisdiction shall provide a free access
20 system for the voter to determine whether the ballot was tabulated.
21 The free access system may include a telephone number that does not
22 require a toll charge, a toll-free telephone number, an internet
23 website, or a mailed notice.

24 (8) As used in this section and sections 813 and 829,
25 "provisional ballot" means a special ballot utilized for an
26 individual who is not listed on the voter registration list at the
27 polling place that is tabulated only after verification of the

1 individual's eligibility to vote.

2 Sec. 759. (1) ~~At~~ **SUBJECT TO SECTION 761(3), AT** any time during
 3 the 75 days before a primary or special primary, but not later than
 4 ~~2 p.m. of the Saturday immediately before the~~ **8 P.M. ON THE DAY OF**
 5 **A** primary or special primary, an elector ~~who qualifies to vote as~~
 6 ~~an absent voter, as defined in section 758,~~ may apply for an absent
 7 voter ballot. The elector shall apply in person or by mail with the
 8 clerk of the township ~~, OR city, or village~~ in which the elector
 9 is registered. **THE CLERK OF A CITY OR TOWNSHIP SHALL NOT SEND BY**
 10 **FIRST-CLASS MAIL AN ABSENT VOTER BALLOT TO AN ELECTOR AFTER 5 P.M.**
 11 **ON THE FRIDAY IMMEDIATELY BEFORE THE ELECTION. IN ADDITION, THE**
 12 **CLERK OF A CITY OR TOWNSHIP SHALL NOT ISSUE AN ABSENT VOTER BALLOT**
 13 **TO A REGISTERED ELECTOR IN THAT CITY OR TOWNSHIP AFTER 4 P.M. ON**
 14 **THE DAY BEFORE THE ELECTION.** An application received before a
 15 primary or special primary may be for either that primary only, or
 16 for that primary and the election that follows. **AN INDIVIDUAL MAY**
 17 **SUBMIT A VOTER REGISTRATION APPLICATION AND AN ABSENT VOTER BALLOT**
 18 **APPLICATION AT THE SAME TIME IF APPLYING IN PERSON WITH THE CLERK**
 19 **OR DEPUTY CLERK OF THE CITY OR TOWNSHIP IN WHICH THE INDIVIDUAL**
 20 **RESIDES. IMMEDIATELY AFTER HIS OR HER VOTER REGISTRATION**
 21 **APPLICATION AND ABSENT VOTER BALLOT APPLICATION ARE APPROVED BY THE**
 22 **CLERK OR DEPUTY CLERK, THE INDIVIDUAL MAY, SUBJECT TO THE**
 23 **IDENTIFICATION REQUIREMENT IN SECTION 761(6), COMPLETE AN ABSENT**
 24 **VOTER BALLOT AT THE CLERK'S OFFICE.**

25 (2) Except as otherwise provided in subsection (1) **AND SUBJECT**
 26 **TO SECTION 761(3),** at ~~anytime~~ **ANY TIME** during the 75 days before an
 27 election, but not later than ~~2 p.m. of the Saturday before the~~ **8**

1 P.M. ON THE DAY OF AN election, an elector ~~who qualifies to vote as~~
 2 ~~an absent voter, as defined in section 758,~~ may apply for an absent
 3 voter ballot. The elector shall apply in person or by mail with the
 4 clerk of the township, city, or village in which the voter is
 5 registered. **THE CLERK OF A CITY OR TOWNSHIP SHALL NOT SEND BY**
 6 **FIRST-CLASS MAIL AN ABSENT VOTER BALLOT TO AN ELECTOR AFTER 5 P.M.**
 7 **ON THE FRIDAY IMMEDIATELY BEFORE THE ELECTION. IN ADDITION, THE**
 8 **CLERK OF A CITY OR TOWNSHIP SHALL NOT ISSUE AN ABSENT VOTER BALLOT**
 9 **TO A REGISTERED ELECTOR IN THAT CITY OR TOWNSHIP AFTER 4 P.M. ON**
 10 **THE DAY BEFORE THE ELECTION. AN INDIVIDUAL MAY SUBMIT A VOTER**
 11 **REGISTRATION APPLICATION AND AN ABSENT VOTER BALLOT APPLICATION AT**
 12 **THE SAME TIME IF APPLYING IN PERSON WITH THE CLERK OR DEPUTY CLERK**
 13 **OF THE CITY OR TOWNSHIP IN WHICH THE INDIVIDUAL RESIDES.**
 14 **IMMEDIATELY AFTER HIS OR HER VOTER REGISTRATION APPLICATION AND**
 15 **ABSENT VOTER BALLOT APPLICATION ARE APPROVED BY THE CLERK, THE**
 16 **INDIVIDUAL MAY, SUBJECT TO THE IDENTIFICATION REQUIREMENT IN**
 17 **SECTION 761(6), COMPLETE AN ABSENT VOTER BALLOT AT THE CLERK'S**
 18 **OFFICE.**

19 (3) An application for an absent voter ballot under this
 20 section may be made in any of the following ways:

21 (a) By a written request signed by the voter. ~~stating the~~
 22 ~~statutory grounds for making the application.~~

23 (b) On an absent voter ballot application form provided for
 24 that purpose by the clerk of the city ~~, OR township, or village.~~

25 (c) On a federal postcard application.

26 (4) An applicant for an absent voter ballot shall sign the
 27 application. A clerk or assistant clerk shall not deliver an absent

1 voter ballot to an applicant who does not sign the application. A
 2 person shall not be in possession of a signed absent voter ballot
 3 application except for the applicant; a member of the applicant's
 4 immediate family; a person residing in the applicant's household; a
 5 person whose job normally includes the handling of mail, but only
 6 during the course of his or her employment; a registered elector
 7 requested by the applicant to return the application; or a clerk,
 8 assistant of the clerk, or other authorized election official. A
 9 registered elector who is requested by the applicant to return his
 10 or her absent voter ballot application shall sign the certificate
 11 on the absent voter ballot application.

12 (5) The clerk of a city ~~, OR~~ township ~~, or village~~ shall have
 13 absent voter ballot application forms available in the clerk's
 14 office at all times and shall furnish an absent voter ballot
 15 application form to anyone upon a verbal or written request. The
 16 absent voter ballot application ~~shall~~ **MUST** be in substantially the
 17 following form:

18 "Application for absent voter ballot for:

19 [] The primary or special primary election to be held on
 20 _____ (Date).

21 [] The election to be held on _____ (Date).

22 (Check applicable election or elections)

23 I, , a United States
 24 citizen and a qualified and registered elector of the
 25 precinct of the township of ~~or village of~~
 26 or of the ward of the city of
 27 , in the county of

..... and state of Michigan, apply for
 an official ballot, or ballots, to be voted by me at the election
 or elections as requested in this application.

~~_____ The statutory grounds on which I base my request are:~~

~~_____ [] I expect to be absent from the community in which I am
 registered for the entire time the polls are open on election day.~~

~~_____ [] I am physically unable to attend the polls without the
 assistance of another.~~

~~_____ [] I cannot attend the polls because of the tenets of my
 religion.~~

~~_____ [] I have been appointed an election precinct inspector in a
 precinct other than the precinct where I reside.~~

~~_____ [] I am 60 years of age or older.~~

~~_____ [] I cannot attend the polls because I am confined to jail
 awaiting arraignment or trial.~~

~~_____ (Check applicable reason)~~

Send absent voter ballot to me at:

.....

(Street No. or R.R.)

.....

(Post Office) (State) (Zip Code)

My registered address

(Street No. or R.R.)

.....

(Post Office) (State) (Zip Code)

Date.....

I certify that I am a United States citizen and that

the statements in this absent voter ballot application
are true.

.....

(Signature)

WARNING

You must be a United States citizen to vote. If you are not a
United States citizen, you will not be issued an absent voter
ballot.

A person making a false statement in this absent voter ballot
application is guilty of a misdemeanor. It is a violation of
Michigan election law for a person other than those listed in the
instructions to return, offer to return, agree to return, or
solicit to return your absent voter ballot application to the
clerk. An assistant authorized by the clerk who receives absent
voter ballot applications at a location other than the clerk's
office must have credentials signed by the clerk. Ask to see his or
her credentials before entrusting your application with a person
claiming to have the clerk's authorization to return your
application.

Certificate of Authorized Registered Elector Returning Absent Voter Ballot Application

I certify that my name is , my address is
..... , and my date of birth is ; that
I am delivering the absent voter ballot application of
..... at his or her request; that I did not solicit
or request to return the application; that I have not made any

1 markings on the application; that I have not altered the
 2 application in any way; that I have not influenced the applicant;
 3 and that I am aware that a false statement in this certificate is a
 4 violation of Michigan election law.

5

6

(Date)

(Signature)"

7 (6) The following instructions for an applicant for an absent
 8 voter ballot ~~shall~~**MUST** be included with each application furnished
 9 an applicant:

10

INSTRUCTIONS FOR APPLICANTS FOR ABSENT VOTER BALLOTS

11

12 Step 1. After completely filling out the application, sign and
 13 date the application in the place designated. Your signature must
 14 appear on the application or you will not receive an absent voter
 15 ballot.

15

Step 2. Deliver the application by 1 of the following methods:

16

17 (a) Place the application in an envelope addressed to the
 18 appropriate clerk and place the necessary postage upon the return
 19 envelope and deposit it in the United States mail or with another
 20 public postal service, express mail service, parcel post service,
 21 or common carrier.

21

22 (b) Deliver the application personally to the clerk's office,
 23 to the clerk, or to an authorized assistant of the clerk.

23

24 (c) In either (a) or (b), a member of the immediate family of
 25 the voter including a father-in-law, mother-in-law, brother-in-law,
 sister-in-law, son-in-law, daughter-in-law, grandparent, or

1 grandchild or a person residing in the voter's household may mail
2 or deliver the application to the clerk for the applicant.

3 (d) If an applicant cannot return the application in any of
4 the above methods, the applicant may select any registered elector
5 to return the application. The person returning the application
6 must sign and return the certificate at the bottom of the
7 application.

8 (7) A person who prints and distributes absent voter ballot
9 applications shall print on the application the warning,
10 certificate of authorized registered elector returning absent voter
11 ballot application, and instructions required by this section.

12 (8) A person who makes a false statement in an absent voter
13 ballot application is guilty of a misdemeanor. A person who forges
14 a signature on an absent voter ballot application is guilty of a
15 felony. A person who is not authorized in this act and who both
16 distributes absent voter ballot applications to absent voters and
17 returns those absent voter ballot applications to a clerk or
18 assistant of the clerk is guilty of a misdemeanor.

19 Sec. 761. (1) If the clerk of a city ~~—OR~~ township ~~—or~~
20 ~~village~~ receives an application for an absent voter ballot from a
21 person registered to vote in that city ~~—OR~~ township ~~—or village~~
22 and if the signature on the application agrees with the signature
23 for the person contained in the qualified voter file or on the
24 registration card as required in subsection (2), the clerk
25 immediately upon receipt of the application or, if the application
26 is received before the printing of the absent voter ballots, as
27 soon as the ballots are received by the clerk, shall forward by

1 mail, postage prepaid, or shall deliver personally 1 of the ballots
2 or set of ballots if there is more than 1 kind of ballot to be
3 voted to the applicant. Subject to the identification requirement
4 in subsection (6), absent voter ballots may be delivered to an
5 applicant in person at the office of the clerk.

6 (2) The qualified voter file must be used to determine the
7 genuineness of a signature on an application for an absent voter
8 ballot. Signature comparisons must be made with the digitized
9 signature in the qualified voter file. If the qualified voter file
10 does not contain a digitized signature of an elector, or is not
11 accessible to the clerk, the city or township clerk shall compare
12 the signature appearing on the application for an absent voter
13 ballot to the signature contained on the master card.

14 ~~(3) Notwithstanding section 759, providing that no absent~~
15 ~~voter applications shall be received by the clerk after 2 p.m. on~~
16 ~~the Saturday before the election, and subject~~ **SUBJECT** ~~to the~~
17 ~~identification requirement in subsection (6)~~ **AND EXCEPT AS**
18 **OTHERWISE PROVIDED IN THIS SUBSECTION,** a person ~~qualified to vote~~
19 ~~as an absent voter may apply in person at the clerk's office before~~
20 ~~4-8 p.m. on a~~ **ELECTION** ~~day before the election except Sunday or a~~
21 ~~legal holiday to vote as an absent voter.~~ **ONLY AN INDIVIDUAL WHO IS**
22 **NOT A REGISTERED ELECTOR, OR AN INDIVIDUAL WHO IS NOT REGISTERED TO**
23 **VOTE IN THE CITY OR TOWNSHIP IN WHICH HE OR SHE IS REGISTERING TO**
24 **VOTE, AND WHO REGISTERS TO VOTE ON ELECTION DAY IN PERSON WITH THE**
25 **CLERK OF THE CITY OR TOWNSHIP IN WHICH THE INDIVIDUAL RESIDES MAY**
26 **APPLY FOR AND COMPLETE AN ABSENT VOTER BALLOT IN PERSON AT THE**
27 **CLERK'S OFFICE ON ELECTION DAY. IN ADDITION, THE CLERK OF A CITY OR**

1 TOWNSHIP SHALL NOT ISSUE AN ABSENT VOTER BALLOT TO A REGISTERED
2 ELECTOR IN THAT CITY OR TOWNSHIP AFTER 4 P.M. ON THE DAY BEFORE THE
3 ELECTION. The applicant shall receive his or her absent voter
4 ballot and vote the ballot in the clerk's office. All other absent
5 voter ballots, except ballots delivered pursuant to an emergency
6 absent voter ballot application under section 759b, must be mailed
7 or delivered to the registration address of the applicant unless
8 the application requests delivery to an address outside the city ~~r~~
9 ~~village,~~ or township or to a hospital or similar institution, in
10 which case the absent voter ballots must be mailed or delivered to
11 the address given in the application. However, a clerk may mail or
12 deliver an absent voter ballot, upon request of the absent voter,
13 to a post office box if the post office box is where the absent
14 voter normally receives personal mail and the absent voter does not
15 receive mail at his or her registration address.

16 (4) Absent voter ballots must be issued in the same order in
17 which applications are received by the clerk of a city, township,
18 or village, as nearly as may be, and each ballot issued must bear
19 the lowest number of each kind available for this purpose. However,
20 this provision does not prohibit a clerk from immediately issuing
21 an absent voter ballot to an absent voter who applies in person in
22 the clerk's office for absent voter ballots. The clerk shall
23 enclose with the ballot or ballots a return envelope properly
24 addressed to the clerk and bearing upon the back of the envelope a
25 printed statement in substantially the following form:

26 TO BE COMPLETED
27 BY THE CLERK

1

2

Name of Voter

Street Address or R.R.

3

4

City ~~OR~~ Township ~~or Village~~

County

5

Ward

Precinct

Date of Election

6

=====

7

TO BE COMPLETED BY THE ABSENT VOTER

8

I assert that I am a United States citizen and a qualified and

9

registered elector of the city ~~OR~~ township ~~or village~~ named

10

above. I am voting as an absent voter in conformity with state

11

election law. Unless otherwise indicated below, I personally marked

12

the ballot enclosed in this envelope without exhibiting it to any

13

other person.

14

I further assert that this absent voter ballot is being

15

returned to the clerk or an assistant of the clerk by me

16

personally; by public postal service, express mail service, parcel

17

post service, or other common carrier; by a member of my immediate

18

family; or by a person residing in my household.

19

DATE: _____ SIGN HERE: X _____

20

Signature of Absent Voter

21

The above form must be signed or your vote will not be counted.

22

AN ABSENT VOTER WHO KNOWINGLY MAKES A FALSE STATEMENT IS GUILTY

23

OF A MISDEMEANOR.

24

=====

25

TO BE COMPLETED ONLY IF VOTER IS ASSISTED IN VOTING

26

BY ANOTHER PERSON

27

I assisted the above named absent voter who is disabled or

1 otherwise unable to mark the ballot in marking his or her absent
 2 voter ballot pursuant to his or her directions. The absent voter
 3 ballot was inserted in the return envelope without being exhibited
 4 to any other person.

5 _____
 6 Signature of Person Street Address City ~~, Twp., or~~
 7 Assisting Voter or R.R. Village ~~OR TOWNSHIP~~
 8 _____

9 Printed Name of Person Assisting Voter

10 A PERSON WHO ASSISTS AN ABSENT VOTER AND WHO KNOWINGLY MAKES A
 11 FALSE STATEMENT IS GUILTY OF A FELONY.

12 =====

13 WARNING

14 PERSONS WHO CAN LEGALLY BE IN POSSESSION OF AN ABSENT VOTER
 15 BALLOT ISSUED TO AN ABSENT VOTER ARE LIMITED TO THE ABSENT VOTER; A
 16 PERSON WHO IS A MEMBER OF THE ABSENT VOTER'S IMMEDIATE FAMILY OR
 17 RESIDES IN THE ABSENT VOTER'S HOUSEHOLD AND WHO HAS BEEN ASKED BY
 18 THE ABSENT VOTER TO RETURN THE BALLOT; A PERSON WHOSE JOB IT IS TO
 19 HANDLE MAIL BEFORE, DURING, OR AFTER BEING TRANSPORTED BY A PUBLIC
 20 POSTAL SERVICE, EXPRESS MAIL SERVICE, PARCEL POST SERVICE, OR
 21 COMMON CARRIER, BUT ONLY DURING THE NORMAL COURSE OF HIS OR HER
 22 EMPLOYMENT; AND THE CLERK, ASSISTANTS OF THE CLERK, AND OTHER
 23 AUTHORIZED ELECTION OFFICIALS OF THE CITY ~~, OR TOWNSHIP. , VILLAGE,~~
 24 ~~OR SCHOOL DISTRICT.~~ ANY OTHER PERSON IN POSSESSION OF AN ABSENT
 25 VOTER BALLOT IS GUILTY OF A FELONY.

26 (5) An absent voter who knowingly makes a false statement on
 27 the absent voter ballot return envelope is guilty of a misdemeanor.

1 A person who assists an absent voter and who knowingly makes a
2 false statement on the absent voter ballot return envelope is
3 guilty of a felony.

4 (6) If an elector obtains his or her absent voter ballot in
5 person from the clerk of the city ~~, OR township, or village~~ in
6 which he or she is registered, the clerk of the city ~~, OR township~~
7 ~~, or village~~ shall not provide an absent voter ballot to that
8 elector until the elector identifies himself or herself to the
9 clerk by presenting identification for election purposes. If an
10 elector does not have identification for election purposes, the
11 elector may sign an affidavit to that effect before the clerk of
12 the city ~~, OR township, or village~~ and be allowed to obtain his or
13 her absent voter ballot in person from the clerk. The clerk of the
14 city ~~, village, or township~~ shall indicate to each elector who is
15 registered in that city ~~, village, or township~~ and who obtains his
16 or her absent voter ballot in person from the clerk that the
17 elector may sign an affidavit indicating that the elector does not
18 have identification for election purposes in order to obtain his or
19 her absent voter ballot in person from the clerk. However, if an
20 elector obtains his or her absent voter ballot in person from the
21 clerk and votes by absent voter ballot without providing
22 identification for election purposes required under this
23 subsection, the absent voter ballot of that elector must be
24 prepared as a challenged ballot as provided in section 727 and must
25 be counted as any other ballot is counted unless determined
26 otherwise by a court of law under section 747 or 748 or any other
27 applicable law.

1 SEC. 761B. (1) BEGINNING JANUARY 1, 2019, THE CLERK OF EACH
2 CITY OR TOWNSHIP SHALL BE AVAILABLE IN HIS OR HER OFFICE TO ISSUE
3 AND RECEIVE ABSENT VOTER BALLOTS FOR ANY COMBINATION OF AT LEAST 8
4 HOURS ON THE SATURDAY OR SUNDAY IMMEDIATELY BEFORE ELECTION DAY.

5 (2) AT LEAST 30 DAYS BEFORE THE DATE OF AN ELECTION, THE CLERK
6 OF EACH CITY OR TOWNSHIP SHALL POST AND NOTIFY THE SECRETARY OF
7 STATE OF THE HOURS THAT THE CLERK'S OFFICE WILL BE OPEN ON THE
8 SATURDAY OR SUNDAY, OR BOTH, IMMEDIATELY BEFORE THE ELECTION TO
9 ISSUE AND RECEIVE ABSENT VOTER BALLOTS.

10 (3) SUBJECT TO THE REQUIREMENTS FOR POLLING PLACES IN SECTION
11 662, UPON THE APPROVAL BY RESOLUTION OF THE GOVERNING BODY OF A
12 CITY OR TOWNSHIP, THE CLERK OF THAT CITY OR TOWNSHIP MAY SPECIFY
13 ADDITIONAL LOCATIONS AND HOURS THAT THE CLERK WILL BE AVAILABLE TO
14 ISSUE AND RECEIVE ABSENT VOTER BALLOTS. THESE ADDITIONAL LOCATIONS
15 MUST ALLOW CHALLENGERS AS DESCRIBED IN SECTION 730.

16 (4) AT LEAST 30 DAYS BEFORE THE DATE OF AN ELECTION, THE CLERK
17 OF EACH CITY OR TOWNSHIP SHALL POST AND NOTIFY THE SECRETARY OF
18 STATE, IF APPLICABLE, CONCERNING THE ADDITIONAL LOCATIONS AND HOURS
19 THAT THE CLERK WILL BE AVAILABLE TO ISSUE AND RECEIVE ABSENT VOTER
20 BALLOTS AS PROVIDED UNDER SUBSECTION (3).

21 Sec. 765. (1) A clerk who receives an absent voter ballot
22 return envelope containing the marked ballots of an absent voter
23 shall not open that envelope before delivering the envelope to the
24 board of election inspectors as provided in this section. The city
25 or township clerk shall safely keep in his or her office until
26 election day any absent voter ballot return envelopes received by
27 the clerk before election day containing the marked ballots of an

1 absent voter.

2 (2) Before the opening of the polls on election day or as soon
3 after the opening of the polls as possible, the clerk shall deliver
4 the absent voter ballot return envelopes to the chairperson or
5 other member of the board of election inspectors in the absent
6 voter's precinct, together with the signed absent voter ballot
7 applications received by the clerk from any voters of that precinct
8 and the clerk's list or record kept relative to those absent
9 voters. However, if higher numbered ballots are used under section
10 717, the clerk shall retain the applications and lists in his or
11 her office and shall keep the applications and lists open to public
12 inspection at all reasonable hours. Absent voter ballots must not
13 be tabulated before the opening of the polls on election day.

14 (3) The city or township clerk, or authorized designee of the
15 clerk, shall call for and receive absent voter ballots from the
16 post office at which the city or township clerk regularly receives
17 mail addressed to the city or township clerk on election day. ~~in~~
18 ~~sufficient time to deliver any envelopes containing absent voter~~
19 ~~ballots~~ **ANY ENVELOPES CONTAINING ABSENT VOTER BALLOTS THAT ARE**
20 **RECEIVED FROM THE POST OFFICE OR FROM VOTERS WHO VOTED BY ABSENTEE**
21 **BALLOT IN PERSON IN THE CLERK'S OFFICE ON ELECTION DAY MUST BE**
22 **DELIVERED** to the board of election inspectors ~~before the close of~~
23 ~~the polls.~~ **OR THE ABSENT VOTER COUNTING BOARDS TO BE TABULATED.**

24 (4) If a marked absent voter ballot is received by the clerk
25 after the close of the polls, the clerk shall plainly mark the
26 envelope with the time and date of receipt and shall file the
27 envelope in his or her office. ~~Except as otherwise provided in~~

~~section 759b, the clerk shall not deliver an absent voter ballot to a voter after the opening of the polls on election day.~~

(5) On or before 8 a.m. on election day, the clerk shall post in the clerk's office or otherwise make public the number of absent voter ballots the clerk distributed to absent voters and the number of absent voter ballot return envelopes containing the marked ballots of absent voters received by the clerk before election day and **TO BE** delivered to the board of election inspectors or the absent voter counting boards under this act. On or before 9 p.m. on election day, the clerk shall post in the clerk's office or otherwise make public the number of absent voter ballot return envelopes containing the marked ballots of absent voters received by the clerk on election day and delivered to the board of election inspectors, under subsection (3), along with the total number of absent voter ballot return envelopes containing the marked ballots of absent voters received by the clerk both before and on election day and delivered to the board of election inspectors or the absent voter counting boards under this act. As soon as possible after all precincts in the city or township are processed, the clerk shall post in the clerk's office or otherwise make public the number of absent voter ballot return envelopes containing the marked ballots of absent voters received by the election inspectors at the precincts on election day, along with the total number of absent voter ballot return envelopes containing the marked ballots of absent voters received in the city or township for that election. This subsection applies only to elections in which a federal or state office appears on the ballot.

1 Sec. 811. All election returns, including poll lists,
2 statements, tally sheets, absent voters' return envelopes bearing
3 the statement required by section 761, absent voters' records
4 required by section 760, and other returns made by the inspectors
5 of election of the several precincts ~~shall~~**MUST** be carefully
6 preserved and may be destroyed after the expiration of 2 years
7 following the primary or election at which the same were used. All
8 applications executed under section 523, **ALL VOTER REGISTRATION**
9 **APPLICATIONS EXECUTED BY APPLICANTS UNDER SECTION 497(3) AND (4)**,
10 and all absent voters' applications ~~shall~~**MUST** be carefully
11 preserved and may be destroyed after the expiration of 6 years
12 following the primary or election at which those applications were
13 executed. All ballots used at any primary or election may be
14 destroyed after 30 days following the final determination of the
15 board of canvassers with respect to the primary or election unless
16 a petition for recount has been filed and not completed or unless
17 their destruction is stayed by an order of a court.

18 Sec. 813. (1) Within 6 days after an election, for each
19 provisional ballot that was placed in a provisional ballot return
20 envelope, the city or township clerk shall determine whether the
21 individual voting the provisional ballot was eligible to vote a
22 ballot and whether to tabulate the provisional ballot. In making
23 this determination, the city or township clerk shall not open the
24 provisional ballot return envelope. A provisional ballot must only
25 be tabulated if a valid voter registration record for the elector
26 is located or if the identity and residence of the elector is
27 established using identification for election purposes, along with

1 a current utility bill, bank statement, paycheck, government check,
2 or other government document to establish the voter's current
3 residence address if the identification for election purposes used
4 by the elector does not contain the voter's current residence
5 address. Before the provisional ballot is tabulated, election
6 officials shall process the ballot as a challenged ballot under
7 sections 745 and 746.

8 (2) Within 7 days after an election, but sooner if
9 practicable, the city or township clerk shall transmit the results
10 of provisional ballots tabulated after the election to the board of
11 county canvassers. The results must be transmitted in a form
12 prescribed by the secretary of state.

13 (3) Within 7 days after an election, the city or township
14 clerk shall transmit to the county clerk a provisional ballot
15 report for each precinct in the jurisdiction. The report must
16 include for each precinct the number of provisional ballots issued,
17 the number of provisional ballots tabulated on election day, the
18 number of provisional ballots forwarded to the clerk to be
19 determined after the election, the number of provisional ballots
20 tabulated by the clerk after election day, and any additional
21 information concerning provisional ballots as required by the
22 secretary of state.

23 (4) Within 7 days after an election, the city or township
24 clerk shall transmit to the county clerk an affidavit report that
25 includes the number of affidavits signed by voters under section
26 523(2). The affidavit report must be transmitted to the county
27 clerk in a form prescribed by the secretary of state.

1 (5) WITHIN 7 DAYS AFTER AN ELECTION, THE CITY OR TOWNSHIP
2 CLERK SHALL ENSURE THAT THE QUALIFIED VOTER FILE IS CURRENT AND
3 INCLUDES ANY INDIVIDUAL WHO REGISTERED TO VOTE UNDER SECTION 497(3)
4 AND (4) .

5 Sec. 829. (1) The board of county canvassers shall include the
6 results of the tabulated provisional ballots in the canvass of the
7 election following procedures prescribed by the secretary of state
8 designed to maintain the secrecy of the ballot.

9 (2) Within 14 days after a primary or election, the county
10 clerk shall transmit a county provisional ballot report to the
11 secretary of state. The county provisional ballot report ~~shall~~**MUST**
12 be in a manner prescribed by the secretary of state. After the
13 secretary of state receives a county provisional ballot report, the
14 county provisional ballot report ~~shall~~**MUST** be immediately
15 available for public inspection.

16 (3) Within 14 days after an election, the county clerk shall
17 transmit a county affidavit report to the secretary of state. The
18 county affidavit report ~~shall~~**MUST** include the number of affidavits
19 signed by voters under section 523(2). The county affidavit report
20 ~~shall~~**MUST** be transmitted in a form prescribed by the secretary of
21 state. After the secretary of state receives the county affidavit
22 report from the county clerk, the county affidavit report ~~shall~~
23 **MUST** immediately be available for public inspection.

24 (4) WITHIN 14 DAYS AFTER AN ELECTION, THE SECRETARY OF STATE
25 SHALL TRANSMIT TO THE HOUSE AND SENATE COMMITTEES DEALING WITH
26 ELECTIONS A VOTER REGISTRATION APPLICATION REPORT THAT INCLUDES THE
27 NUMBER OF VOTER REGISTRATION APPLICATIONS EXECUTED BY APPLICANTS

1 UNDER SECTION 497(3) AND (4) .

2 Enacting section 1. Sections 524 and 758 of the Michigan
3 election law, 1954 PA 116, MCL 168.524 and 168.758, are repealed.