**HOUSE SUBSTITUTE FOR**

**SENATE BILL NO. 273**

A bill to amend 1954 PA 116, entitled

"Michigan election law,"

(MCL 168.1 to 168.992) by adding section 761e.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1  **Sec. 761e. (1) Before an absent voter ballot drop box is used**

2  **at an election in a city or township, the design and construction**

3  **of only the minimum security features provided in section**

4  **761d(2)(b) and (3)(b) of that absent voter ballot drop box must be**

5  **approved by both of the following:**

6  **(a) The secretary of state.**

7  **(b) The board of county canvassers of the county in which that**

8  **city or township is located.**

9  **(2) If an absent voter ballot drop box was installed in a city**

1 or township before January 1, 2022, the design and construction of
2 only the minimum security features provided in section 761d(2)(b)
3 and (3)(b) of that absent voter ballot drop box must be approved by
4 both of the following before June 1, 2023:

5     (a) The secretary of state.

6     (b) The board of county canvassers of the county in which that
7 city or township is located.

8     (3) If the design and construction of the minimum security
9 features provided in section 761d(2)(b) and (3)(b) of an absent
10 voter ballot drop box installed in a city or township before
11 January 1, 2022 are not approved as provided in subsection (2)
12 before June 1, 2023, that absent voter ballot drop box must not be
13 used at an election held after June 1, 2023.

14     (4) If the secretary of state and the board of county
15 canvassers of a county approve a specific model of an absent voter
16 ballot drop box from a manufacturer under subsection (1) or (2),
17 the secretary of state and the board of county canvassers of that
18 county are not required to individually inspect each absent voter
19 ballot drop box of that same model and manufacturer if purchased by
20 a city or township located in that county.

21     (5) If an absent voter ballot drop box is to be installed and
22 used on property in a city or township that is not publicly owned,
23 the placement of that absent voter ballot drop box must, before
24 being installed and used, be approved by the governing body of the
25 city or township in which the absent voter ballot drop box is to be
26 installed and used.

27     (6) Beginning June 1, 2023, a city or township clerk must use
28 a video recording device to monitor each absent voter ballot drop
29 box location in that city or township. At each absent voter ballot

1   **drop box location, there must be adequate lighting for the video**
2   **recording device to record at a resolution of at least 1080p**
3   **continuously, or allow for the use of motion detection that records**
4   **not less than 1 frame per minute until motion detection triggers**
5   **continuous recording. The video recordings of each absent voter**
6   **ballot drop box used in a city or township must be retained by the**
7   **city or township clerk for not less than 30 days after the final**
8   **certification of the election at which the absent voter ballots**
9   **were collected. Upon request, the video recordings must be made**
10   **available by the city or township clerk to the secretary of state**
11   **or appropriate board of county canvassers.**
12   **(7) Not later than June 1, 2023, an absent voter ballot drop**
13   **box must contain the following text painted or affixed to the front**
14   **of the absent voter ballot drop box in not less than 60-point font**
15   **and in a color that provides a clear contrast so that it is clearly**
16   **visible to an individual depositing an absent voter ballot into the**
17   **absent voter ballot drop box:**
18   **"AREA MAY BE UNDER SURVEILLANCE**
19   **It is a felony under Michigan law for an individual other than**
20   **the voter, a member of the voter's immediate family, or an**
21   **individual residing in the household of the voter to return an**
22   **absent voter ballot. Immediate family includes a father-in-law,**
23   **mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-**
24   **in-law, grandparent, or grandchild.".**
25   **(8) In addition to using absent voter ballot drop boxes, a**
26   **city or township may provide a single slot that feeds directly into**
27   **the city or township clerk's office or into an official satellite**
28   **office of the city or township clerk to be used to collect absent**
29   **voter ballots in a collection bin or box if both of the following**

1 conditions are met:

2 **(a) The single slot and the collection bin or box used to**
3 **collect the absent voter ballots are designed to prevent the**
4 **removal of the deposited absent voter ballots by anyone other than**
5 **the city or township clerk, his or her deputy clerk, or a sworn**
6 **member of his or her staff.**

7 **(b) One or more of the following conditions are met:**

8 **(*i*) The area in which the collection bin or box used to collect**
9 **absent voter ballots is secure from public access.**

10 **(*ii*) The collection bin or box used to collect the absent voter**
11 **ballots is locked.**

12 **(*iii*) The single slot is locked during the regular business**
13 **hours of the city or township clerk's office and the single slot is**
14 **open for use only when the city or township clerk's office is**
15 **securely locked and closed to the public.**

16 Enacting section 1. This amendatory act does not take effect
17 until 180 days after the legislature makes an appropriation to the
18 department of state to be used to assist city and township clerks
19 with the cost of implementing the provisions of this amendatory
20 act.

21 Enacting section 2. This amendatory act does not take effect
22 unless Senate Bill No. 278 of the 101st Legislature is enacted into
23 law.