

HOUSE BILL No. 4099

January 23, 2007, Introduced by Rep. Wojno and referred to the Committee on Ethics and Elections.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 720 and 735 (MCL 168.720 and 168.735), section 735 as amended by 2004 PA 92, and by adding section 720a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 720. (1) On the day of ~~any~~**AN** election, the polls shall
2 ~~be opened~~**OPEN** at 7 o'clock in the forenoon, ~~A.M.~~ and shall be
3 continuously open until 8 o'clock in the afternoon and no longer.
4 ~~Every~~**P.M. EACH** qualified elector present and in line at the polls
5 at the hour prescribed for the closing thereof ~~TIME~~ shall be
6 allowed to vote.

7 (2) **FOR EARLY VOTING UNDER SECTION 720A, THE CLERK CONDUCTING**
8 **THE ELECTION SHALL DESIGNATE THE HOURS AT WHICH THE POLLS WILL OPEN**
9 **AND CLOSE. THE POLLS SHALL BE OPEN NOT LESS THAN 8 HOURS EACH**

1 WEEKDAY AND NOT LESS THAN 8 HOURS IN THE AGGREGATE EACH WEEKEND
 2 DURING THE EARLY VOTING PERIOD PROVIDED FOR IN SECTION 720A. NOT
 3 LESS THAN 30 DAYS BEFORE AN ELECTION, THE CLERK SHALL POST AT THE
 4 CLERK'S OFFICE THE DATES AND HOURS THAT THE POLLING PLACES WILL BE
 5 OPEN FOR EARLY VOTING. THE NOTICE TO THE ELECTORS PROVIDING THE
 6 DATES AND HOURS FOR EARLY VOTING SHALL SUBSTANTIALLY COMPLY WITH
 7 THE FORM IN SECTION 653A.

8 SEC. 720A. (1) EVERY CITY, TOWNSHIP, AND VILLAGE SHALL PROVIDE
 9 EARLY VOTING AT POLLING PLACES DESIGNATED BY THE CITY, TOWNSHIP, OR
 10 VILLAGE CLERK DURING THE PERIOD OF TIME SET FORTH IN THIS SECTION
 11 BEFORE AN ELECTION.

12 (2) EARLY VOTING SHALL BEGIN 15 DAYS BEFORE EACH ELECTION AND
 13 END ON THE DAY BEFORE THE ELECTION.

14 (3) THE SECRETARY OF STATE SHALL COOPERATE WITH EACH
 15 MUNICIPALITY CONDUCTING EARLY VOTING AND PROVIDE TECHNICAL
 16 ASSISTANCE TO EACH MUNICIPALITY THAT REQUESTS TECHNICAL ASSISTANCE.

17 (4) BEFORE BEING GIVEN A BALLOT, EACH ELECTOR USING EARLY
 18 VOTING SHALL SUBMIT TO THE ELECTION OFFICIAL IN CHARGE OF THE
 19 PRECINCT AN EARLY VOTER CERTIFICATE IN SUBSTANTIALLY THE FOLLOWING
 20 FORM:

21 EARLY VOTER CERTIFICATE

22 I CERTIFY THAT MY NAME IS _____, MY ADDRESS IS
 23 _____, MY DATE OF BIRTH IS _____, AND
 24 I AM A QUALIFIED AND REGISTERED ELECTOR IN THIS ELECTION. I
 25 UNDERSTAND THAT IF I COMMIT OR ATTEMPT TO COMMIT FRAUD IN

1 CONNECTION WITH VOTING, VOTE A FRAUDULENT BALLOT, OR VOTE MORE THAN
2 ONCE IN AN ELECTION I COULD BE CONVICTED OF A FELONY PUNISHABLE BY
3 IMPRISONMENT FOR NOT MORE THAN 4 YEARS OR A FINE OF NOT MORE THAN
4 \$2,000.00, OR BOTH. I UNDERSTAND THAT MY FAILURE TO SIGN THIS
5 CERTIFICATE INVALIDATES MY BALLOT.

6 _____
7 (VOTER'S SIGNATURE) / (DATE)

8 (5) EXCEPT AS OTHERWISE PROVIDED, ALL OF THE FOLLOWING
9 PROVISIONS OF THIS ACT APPLY TO EARLY VOTING:

10 (A) ELECTION INSPECTORS.

11 (B) CHALLENGES TO VOTERS.

12 (C) POLL BOOK AND POLL LIST.

13 (D) NOTICES, INSTRUCTIONS, AND PLACARDS.

14 (E) SECURITY OF A VOTING MACHINE OR OTHER VOTING SYSTEM.

15 (F) BALLOT SECURITY, BALLOT CONTAINERS, BALLOT COUNTING, AND
16 BALLOT PRESERVATION.

17 (G) SPOILED BALLOTS.

18 (6) THE POLL BOOK AND POLL LIST FOR EACH PRECINCT SHALL BE
19 MAINTAINED IN ACCORDANCE WITH SECTION 735.

20 (7) EARLY VOTING BALLOTS SHALL BE PROCESSED IN THE SAME MANNER
21 AS BALLOTS CAST ON ELECTION DAY AND SHALL NOT BE COUNTED UNTIL THE
22 POLLS CLOSE ON ELECTION DAY.

23 (8) AS USED IN THIS SECTION, "MUNICIPALITY" MEANS A CITY,
24 TOWNSHIP, OR VILLAGE.

25 Sec. 735. (1) At each primary and election, election

1 inspectors shall keep 1 poll book and 1 poll list. An election
2 inspector shall enter in the poll book, in the order in which
3 electors are given ballots, the name of each elector who is given a
4 ballot and immediately after the name, on the same line, shall
5 enter the number of the ballot given to the elector. For an absent
6 voter ballot, when an election inspector removes the ballot from
7 the sealed absent voter envelope, the election inspector shall
8 enter in the poll book the name of the absent voter and the number
9 of the ballot.

10 (2) **FOR EARLY VOTING UNDER SECTION 720A, THE POLL BOOK SHALL**
11 **BE DIVIDED BY DATE AND SEPARATE RECORDS SHALL BE MAINTAINED FOR**
12 **EACH DAY OF EARLY VOTING.**

13 (3) ~~(2)~~—If an elector is issued a provisional ballot, an
14 election inspector shall enter a proper designation in the poll
15 book, including whether the provisional ballot was tabulated in the
16 precinct or was secured for verification after the election.

17 (4) ~~(3)~~—At the completion of the precinct canvass, an election
18 inspector shall record on the certificate provided in the poll book
19 the number of each metal seal used to seal voting equipment and
20 ballot containers. Each member of the board of election inspectors
21 shall sign the certificate.