

**SUBSTITUTE FOR  
HOUSE BILL NO. 5669**

A bill to amend 1954 PA 116, entitled  
"Michigan election law,"  
by amending sections 2, 497c, 523, 523a, 761, and 813 (MCL 168.2,  
168.497c, 168.523, 168.523a, 168.761, and 168.813), section 2 as  
amended by 2003 PA 302, section 497c as added and sections 523,  
761, and 813 as amended by 2012 PA 523, and section 523a as added  
by 2004 PA 92.

**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.
- 3           (b) "Ballot container" is defined in section 14a.
- 4           (c) "Business day" or "secular day" means a day that is not a
- 5 Saturday, Sunday, or legal holiday.
- 6           (d) "Clearly observable boundaries" is defined in section

House Bill No. 5669 as amended March 15, 2018

1 654a.

2 (e) "Election" means an election or primary election at which  
3 the electors of this state or of a subdivision of this state choose  
4 or nominate by ballot an individual for public office or decide a  
5 ballot question lawfully submitted to them.

6 (f) "Election precinct" is defined in section 654.

7 (g) "Fall" state and county conventions and "spring" state and  
8 county conventions are assigned meanings in section 596.

9 (h) "General election" or "general November election" means  
10 the election held on the November regular election date in an even  
11 numbered year.

12 (I) "IDENTIFICATION FOR ELECTION PURPOSES" MEANS, IF ISSUED TO  
13 THE INDIVIDUAL PRESENTING THE CARD OR DOCUMENT AND IF PRESENTED FOR  
14 VOTING PURPOSES THE NAME ON THE CARD OR DOCUMENT SUFFICIENTLY  
15 MATCHES THE INDIVIDUAL'S NAME IN HIS OR HER VOTER REGISTRATION  
16 RECORD SO AS TO ACCURATELY IDENTIFY THE INDIVIDUAL AS THE  
17 REGISTERED ELECTOR, OR IF ISSUED TO THE INDIVIDUAL PRESENTING THE  
18 CARD OR DOCUMENT AND IF PRESENTED FOR VOTER REGISTRATION PURPOSES,  
19 ANY OF THE FOLLOWING:

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

25 (ii) AN OFFICIAL STATE PERSONAL IDENTIFICATION CARD ISSUED  
26 UNDER 1972 PA 222, MCL 28.291 TO 28.300[, OR AN ENHANCED OFFICIAL  
27 STATE PERSONAL IDENTIFICATION CARD ISSUED UNDER THE ENHANCED DRIVER  
28 LICENSE AND ENHANCED OFFICIAL STATE PERSONAL IDENTIFICATION CARD ACT,  
29 2008 PA 23, MCL 28.301 TO 28.308.]

30 (iii) A CURRENT OPERATOR'S OR CHAUFFEUR'S LICENSE ISSUED BY  
31 ANOTHER STATE.

32 (iv) A CURRENT STATE PERSONAL IDENTIFICATION CARD ISSUED BY  
33 ANOTHER STATE.

1 (v) A CURRENT STATE GOVERNMENT ISSUED PHOTO IDENTIFICATION  
2 CARD.

3 (vi) A CURRENT UNITED STATES PASSPORT OR FEDERAL GOVERNMENT  
4 ISSUED PHOTO IDENTIFICATION CARD.

5 (vii) A CURRENT MILITARY PHOTO IDENTIFICATION CARD.

6 (viii) A CURRENT TRIBAL PHOTO IDENTIFICATION CARD.

7 (ix) A CURRENT STUDENT PHOTO IDENTIFICATION CARD ISSUED BY A  
8 HIGH SCHOOL IN THIS STATE, AN INSTITUTION OF HIGHER EDUCATION IN  
9 THIS STATE DESCRIBED IN SECTION 4, 5, OR 6 OF ARTICLE VIII OF THE  
10 STATE CONSTITUTION OF 1963, A JUNIOR COLLEGE OR COMMUNITY COLLEGE  
11 ESTABLISHED UNDER SECTION 7 OF ARTICLE VIII OF THE STATE  
12 CONSTITUTION OF 1963, OR ANOTHER ACCREDITED DEGREE OR CERTIFICATE  
13 GRANTING COLLEGE OR UNIVERSITY, JUNIOR COLLEGE, OR COMMUNITY  
14 COLLEGE LOCATED IN THIS STATE.

15 (J) ~~(i)~~—"Immediate family" means an individual's father,  
16 mother, son, daughter, brother, sister, and spouse and a relative  
17 of any degree residing in the same household as that individual.

18 Sec. 497c. (1) ~~Beginning on the effective date of the~~  
19 ~~amendatory act that added this section,~~ **SUBJECT TO SUBSECTION (2)**,  
20 a person who applies in person to register to vote at a department  
21 of state office, a designated voter registration agency, the office  
22 of a county clerk, or the office of the clerk of the city or  
23 township in which the applicant resides shall identify himself or  
24 herself by presenting ~~an official state identification card issued~~  
25 ~~to that person under 1972 PA 222, MCL 28.291 to 28.300, an~~  
26 ~~operator's or chauffeur's license issued to that person under the~~  
27 ~~Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or other~~

1 ~~generally recognized picture identification card.~~**IDENTIFICATION FOR**  
2 **ELECTION PURPOSES.**

3 (2) If a person who applies in person to register to vote as  
4 provided in subsection (1) does not ~~have an official state~~  
5 ~~identification card, an operator's or chauffeur's license, or other~~  
6 ~~generally recognized picture identification card as required under~~  
7 ~~subsection (1),~~ **POSSESS IDENTIFICATION FOR ELECTION PURPOSES,** the  
8 person may sign an affidavit to that effect and be allowed to  
9 register to vote. **HOWEVER, THE PERSON REMAINS SUBJECT TO ANY**  
10 **APPLICABLE FEDERAL IDENTIFICATION REQUIREMENTS UNDER THE HELP**  
11 **AMERICA VOTE ACT OF 2002 UNTIL THOSE IDENTIFICATION REQUIREMENTS**  
12 **ARE SATISFIED.**

13 Sec. 523. (1) ~~At~~ **EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION**  
14 **(2), AT** each election, before being given a ballot, each registered  
15 elector offering to vote shall ~~shall~~ **MUST** identify himself or herself by  
16 ~~presenting an official state identification card issued to that~~  
17 ~~individual under 1972 PA 222, MCL 28.291 to 28.300, an operator's~~  
18 ~~or chauffeur's license issued to that individual under the Michigan~~  
19 ~~vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or other generally~~  
20 ~~recognized picture identification card~~ **IDENTIFICATION FOR ELECTION**  
21 **PURPOSES,** and by executing an application, on a form prescribed by  
22 the secretary of state, in the presence of an election official  
23 ~~which~~ **THAT** includes all of the following:

- 24 (a) The name of the elector.  
25 (b) The elector's address of residence.  
26 (c) The elector's date of birth.  
27 (d) An affirmative statement by the elector that is included

1 in the signature statement indicating that he or she is a citizen  
2 of the United States.

3 (e) The elector's signature or mark.

4 (2) If an elector's signature contained in the qualified voter  
5 file is available in the polling place, the election official shall  
6 compare the signature upon the application with the digitized  
7 signature provided by the qualified voter file. If an elector's  
8 signature is not contained in the qualified voter file, the  
9 election official shall process the application in the same manner  
10 as applications are processed when a voter registration list is  
11 used in the polling place. If voter registration lists are used in  
12 the precinct, the election inspector shall determine if the name on  
13 the application to vote appears on the voter registration list. If  
14 the name appears on the voter registration list, the elector shall  
15 provide further identification or other information stated upon the  
16 voter registration list. If the signature or an item of information  
17 does not correspond, the vote of the person ~~shall~~**MUST** be  
18 challenged, and the same procedure ~~shall~~**MUST** be followed as  
19 provided in this act for the challenging of an elector. If the  
20 elector does not have ~~an official state identification card,~~  
21 ~~operator's or chauffeur's license, or other generally recognized~~  
22 ~~picture identification card~~**IDENTIFICATION FOR ELECTION PURPOSES** as  
23 required under this ~~subsection,~~**SECTION**, the individual shall sign  
24 an affidavit to that effect before an election inspector and be  
25 allowed to vote as otherwise provided in this act. However, an  
26 elector being allowed to vote without ~~the~~ identification **FOR**  
27 **ELECTION PURPOSES AS** required under this ~~subsection~~**SECTION** is

1 subject to challenge as provided in section 727.

2 (3) If, upon a comparison of the signature or other  
3 identification as required in this section, it is found that the  
4 applicant is entitled to vote, the election officer having charge  
5 of the registration list shall approve the application and write  
6 his or her initials on the application, after which the number on  
7 the ballot issued ~~shall~~**MUST** be noted on the application. The  
8 application ~~shall serve~~**SERVES** as 1 of the 2 poll lists required to  
9 be kept as a record of a person who has voted. The application  
10 ~~shall~~**MUST** be filed with the township, city, or village clerk. If  
11 voter registration cards are used in the precinct, the date of the  
12 election ~~shall~~**MUST** be noted by 1 of the election officials upon  
13 the precinct registration card of each elector voting at an  
14 election. If voter registration lists are used in the precinct, the  
15 election official shall clearly indicate upon the list each elector  
16 voting at that election. The clerk of a city, village, or township  
17 shall maintain a record of voting participation for each registered  
18 elector.

19 Sec. 523a. (1) If an individual who has applied to register to  
20 vote on or before the close of registration appears at a polling  
21 place on election day and completes an application under section  
22 523 is not listed on the voter registration list, the election  
23 inspector shall issue a ballot to the individual as follows:

24 (a) For an individual who presents a receipt issued by a  
25 department of state office, a designated voter registration agency,  
26 or the elector's county, city, or township clerk's office verifying  
27 the acceptance of a voter registration application before the close

1 of registration and completes a new voter registration application,  
2 the election inspector shall allow the individual to vote a ballot  
3 in the same manner as an elector whose name is listed on the voter  
4 registration list.

5 (b) For an individual who does not present a receipt verifying  
6 the acceptance of a voter registration application under  
7 subdivision (a), the election inspector shall determine whether the  
8 individual is in the appropriate polling place based on residence  
9 information provided by the individual. The election inspector  
10 shall review any documents or maps in the polling place or  
11 communicate with the city or township clerk to verify the  
12 appropriate polling place for the individual. The election  
13 inspector shall direct an individual who is not in the appropriate  
14 polling place to the appropriate polling place. If the individual  
15 refuses to go to the appropriate polling place, the election  
16 inspector shall issue the individual a provisional ballot that  
17 ~~shall be~~ **IS** processed according to subsection (5).

18 (2) Except for an individual who produces a receipt under  
19 subsection (1) (a), the election inspector shall require an  
20 individual who is not listed on the voter registration list to  
21 execute a sworn statement affirming that the individual submitted a  
22 voter registration application before the close of registration and  
23 is eligible to vote in the election. An individual who provides  
24 false information in a signed sworn statement under this subsection  
25 is guilty of perjury. An individual signing a sworn statement shall  
26 complete a new voter registration application. The individual shall  
27 state the approximate date and in what manner the registration

1 application was submitted:

2 (a) To a department of state office.

3 (b) To a designated voter registration agency.

4 (c) To the office of his or her county, city, or township  
5 clerk.

6 (d) By a mailed application.

7 (3) The election inspector shall contact the city or township  
8 clerk to verify whether the individual who signed the sworn  
9 statement **UNDER SUBSECTION (2)** is listed in the registration  
10 records of the jurisdiction or whether there is any information  
11 contrary to the content of the sworn statement.

12 (4) If the city or township clerk verifies the elector  
13 information and finds no information contrary to the information  
14 provided by the individual in the sworn statement and the  
15 individual presents a ~~Michigan operator's or chauffeur's license,~~  
16 ~~department of state issued personal identification card, other~~  
17 ~~government issued photo identification card, or a photo~~  
18 ~~identification card issued by an institution of higher education in~~  
19 ~~this state described in section 6 of article VIII of the state~~  
20 ~~constitution of 1963 or a junior college or community college~~  
21 ~~established under section 7 of article VIII of the state~~  
22 ~~constitution of 1963~~ **IDENTIFICATION FOR ELECTION PURPOSES** that  
23 contains a current residence address to establish his or her  
24 identity and residence address, the individual shall be **IS**  
25 permitted to vote a provisional ballot ~~on election day. Before the~~  
26 ~~provisional ballot is tabulated on election day,~~ **THAT IS TABULATED**  
27 **ON ELECTION DAY IN THE SAME MANNER AS AN ELECTOR WHOSE NAME IS**

1 **LISTED ON THE VOTER REGISTRATION LIST, EXCEPT THAT THE** election  
2 inspectors shall process the ballot as a challenged ballot under  
3 sections 745 and 746.

4 (5) If the election inspector is not able to contact the city  
5 or township clerk, the individual is not in the correct precinct,  
6 **OR** the individual ~~presents identification other than a Michigan~~  
7 ~~operator's or chauffeur's license, department of state issued~~  
8 ~~personal identification card, other government issued photo~~  
9 ~~identification card, or a photo identification card issued by an~~  
10 ~~institution of higher education in this state described in section~~  
11 ~~6 of article VIII of the state constitution of 1963 or a junior~~  
12 ~~college or community college established under section 7 of article~~  
13 ~~VIII of the state constitution of 1963~~ **IS UNABLE TO PRESENT**  
14 **IDENTIFICATION FOR ELECTION PURPOSES** that contains a current  
15 residence address, ~~or the individual is unable to present any~~  
16 ~~identification,~~ the individual shall **MUST** be issued a provisional  
17 ballot that is not tabulated on election day but is secured for  
18 verification after the election. A provisional ballot shall **MUST**  
19 also be issued under this subsection to a voter who presents a  
20 ~~Michigan operator's license, chauffeur's license, department of~~  
21 ~~state personal identification card, other government issued photo~~  
22 ~~identification card, or a photo identification card issued by an~~  
23 ~~institution of higher education in this state described in section~~  
24 ~~6 of article VIII of the state constitution of 1963 or a junior~~  
25 ~~college or community college established under section 7 of article~~  
26 ~~VIII of the state constitution of 1963~~ **IDENTIFICATION FOR ELECTION**  
27 **PURPOSES** that does not bear the voter's current residence address,

1 if the voter also presents a document to establish the voter's  
2 current residence address. The election inspector shall accept a  
3 document containing the name and current residence address of the  
4 voter as sufficient documentation to issue a provisional ballot if  
5 it is 1 of the following documents:

6 (a) A current utility bill.

7 (b) A current bank statement.

8 (c) A current paycheck, government check, or other government  
9 document.

10 (6) A provisional ballot ~~shall~~ **MUST** be placed in a provisional  
11 ballot return envelope prescribed by the secretary of state and  
12 delivered to the city or township clerk after the polls close in a  
13 manner as prescribed by the secretary of state.

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

27 (8) As used in this section and sections 813 and 829,

1 "provisional ballot" means a special ballot utilized for an  
2 individual who is not listed on the voter registration list at the  
3 polling place that is tabulated only after verification of the  
4 individual's eligibility to vote.

5       Sec. 761. (1) If the clerk of a city, township, or village  
6 receives an application for an absent voter ballot from a person  
7 registered to vote in that city, township, or village and if the  
8 signature on the application agrees with the signature for the  
9 person contained in the qualified voter file or on the registration  
10 card as required in subsection (2), the clerk immediately upon  
11 receipt of the application or, if the application is received  
12 before the printing of the absent voter ballots, as soon as the  
13 ballots are received by the clerk, shall forward by mail, postage  
14 prepaid, or shall deliver personally 1 of the ballots or set of  
15 ballots if there is more than 1 kind of ballot to be voted to the  
16 applicant. Subject to the identification requirement in subsection  
17 (6), absent voter ballots may be delivered to an applicant in  
18 person at the office of the clerk.

19       (2) The qualified voter file ~~shall~~**MUST** be used to determine  
20 the genuineness of a signature on an application for an absent  
21 voter ballot. Signature comparisons ~~shall~~**MUST** be made with the  
22 digitized signature in the qualified voter file. If the qualified  
23 voter file does not contain a digitized signature of an elector, or  
24 is not accessible to the clerk, the city or township clerk shall  
25 compare the signature appearing on the application for an absent  
26 voter ballot to the signature contained on the master card.

27       (3) Notwithstanding section 759, providing that no absent

1 voter applications shall be received by the clerk after 2 p.m. on  
2 the Saturday before the election, and subject to the identification  
3 requirement in subsection (6), a person qualified to vote as an  
4 absent voter may apply in person at the clerk's office before 4  
5 p.m. on a day before the election except Sunday or a legal holiday  
6 to vote as an absent voter. The applicant shall receive his or her  
7 absent voter ballot and vote the ballot in the clerk's office. All  
8 other absent voter ballots, except ballots delivered pursuant to an  
9 emergency absent voter ballot application under section 759b, ~~shall~~  
10 **MUST** be mailed or delivered to the registration address of the  
11 applicant unless the application requests delivery to an address  
12 outside the city, village, or township or to a hospital or similar  
13 institution, in which case the absent voter ballots ~~shall~~**MUST** be  
14 mailed or delivered to the address given in the application.  
15 However, a clerk may mail or deliver an absent voter ballot, upon  
16 request of the absent voter, to a post office box if the post  
17 office box is where the absent voter normally receives personal  
18 mail and the absent voter does not receive mail at his or her  
19 registration address.

20 (4) Absent voter ballots ~~shall~~**MUST** be issued in the same  
21 order in which applications are received by the clerk of a city,  
22 township, or village, as nearly as may be, and each ballot issued  
23 ~~shall~~**MUST** bear the lowest number of each kind available for this  
24 purpose. However, this provision does not prohibit a clerk from  
25 immediately issuing an absent voter ballot to an absent voter who  
26 applies in person in the clerk's office for absent voter ballots.  
27 The clerk shall enclose with the ballot or ballots a return

1 envelope properly addressed to the clerk and bearing upon the back  
2 of the envelope a printed statement in substantially the following  
3 form:

4 TO BE COMPLETED

5 BY THE CLERK

6  
7 Name of Voter

Street Address or R.R.

8  
9 \_\_\_\_\_  
City, Township or Village

County

10 Ward \_\_\_\_\_ Precinct \_\_\_\_\_ Date of Election \_\_\_\_\_

11 =====

12 TO BE COMPLETED BY THE ABSENT VOTER

13 I assert that I am a United States citizen and a qualified and  
14 registered elector of the city, township, or village named above. I  
15 am voting as an absent voter in conformity with state election law.  
16 Unless otherwise indicated below, I personally marked the ballot  
17 enclosed in this envelope without exhibiting it to any other  
18 person.

19 I further assert that this absent voter ballot is being  
20 returned to the clerk or an assistant of the clerk by me  
21 personally; by public postal service, express mail service, parcel  
22 post service, or other common carrier; by a member of my immediate  
23 family; or by a person residing in my household.

24 DATE: \_\_\_\_\_ SIGN HERE: X \_\_\_\_\_  
25 Signature of Absent Voter

26 The above form must be signed or your vote will not be counted.  
27 AN ABSENT VOTER WHO KNOWINGLY MAKES A FALSE STATEMENT IS GUILTY  
28 OF A MISDEMEANOR.

29 =====

30 TO BE COMPLETED ONLY IF VOTER IS ASSISTED IN VOTING  
31 BY ANOTHER PERSON

1 I assisted the above named absent voter who is disabled or  
2 otherwise unable to mark the ballot in marking his or her absent  
3 voter ballot pursuant to his or her directions. The absent voter  
4 ballot was inserted in the return envelope without being exhibited  
5 to any other person.

6  
7 Signature of Person Street Address City, Twp., or  
8 Assisting Voter or R.R. Village

9  
10 Printed Name of Person Assisting Voter

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

13 =====

14 WARNING

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

27 (5) An absent voter who knowingly makes a false statement on

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

5 (6) If an elector obtains his or her absent voter ballot in  
 6 person from the clerk of the city, township, or village in which he  
 7 or she is registered, the clerk of the city, township, or village  
 8 shall not provide an absent voter ballot to that elector until the  
 9 elector identifies himself or herself to the clerk by presenting an  
 10 ~~official state identification card issued to that elector under~~  
 11 ~~1972 PA 222, MCL 28.291 to 28.300, an operator's or chauffeur's~~  
 12 ~~license issued to that elector under the Michigan vehicle code,~~  
 13 ~~1949 PA 300, MCL 257.1 to 257.923, or other generally recognized~~  
 14 ~~picture identification card.~~ **IDENTIFICATION FOR ELECTION PURPOSES.**  
 15 If an elector does not have an ~~official state identification card,~~  
 16 ~~operator's or chauffeur's license, or other generally recognized~~  
 17 ~~picture identification card,~~ **IDENTIFICATION FOR ELECTION PURPOSES,**  
 18 the elector may sign an affidavit to that effect before the clerk  
 19 of the city, township, or village and be allowed to obtain his or  
 20 her absent voter ballot in person from the clerk. The clerk of the  
 21 city, village, or township shall indicate to each elector who **IS**  
 22 **REGISTERED IN THAT CITY, VILLAGE, OR TOWNSHIP AND WHO** obtains his  
 23 or her absent voter ballot in person from the clerk that the  
 24 elector may sign an affidavit indicating that the elector does not  
 25 have an ~~official state identification card, operator's or~~  
 26 ~~chauffeur's license, or other generally recognized picture~~  
 27 ~~identification card.~~ **IDENTIFICATION FOR ELECTION PURPOSES** in order

1 to obtain his or her absent voter ballot in person from the clerk.  
2 However, if an elector obtains his or her absent voter ballot in  
3 person from the clerk and votes by absent voter ballot without  
4 providing ~~the~~ identification **FOR ELECTION PURPOSES** required under  
5 this subsection, the absent voter ballot of that elector ~~shall~~**MUST**  
6 be prepared as a challenged ballot as provided in section 727 and  
7 ~~shall~~**MUST** be counted as any other ballot is counted unless  
8 determined otherwise by a court of law under section 747 or 748 or  
9 any other applicable law.

10       Sec. 813. (1) Within 6 days after an election, for each  
11 provisional ballot that was placed in a provisional ballot return  
12 envelope, the city or township clerk shall determine whether the  
13 individual voting the provisional ballot was eligible to vote a  
14 ballot and whether to tabulate the provisional ballot. In making  
15 this determination, the city or township clerk shall not open the  
16 provisional ballot return envelope. A provisional ballot ~~shall~~**MUST**  
17 only be tabulated if a valid voter registration record for the  
18 elector is located or if the identity and residence of the elector  
19 is established using ~~a Michigan operator's license, chauffeur's~~  
20 ~~license, personal identification card, other government issued~~  
21 ~~photo identification card, or a photo identification card issued by~~  
22 ~~an institution of higher education in this state described in~~  
23 ~~section 6 of article VIII of the state constitution of 1963 or a~~  
24 ~~junior college or community college established under section 7 of~~  
25 ~~article VIII of the state constitution of 1963~~ **IDENTIFICATION FOR**  
26 **ELECTION PURPOSES**, along with a **CURRENT UTILITY BILL, BANK**  
27 **STATEMENT, PAYCHECK, GOVERNMENT CHECK, OR OTHER GOVERNMENT** document

1 to establish the voter's current residence address ~~as provided in~~  
2 ~~section 523a(5)~~. **IF THE IDENTIFICATION FOR ELECTION PURPOSES USED**  
3 **BY THE ELECTOR DOES NOT CONTAIN THE VOTER'S CURRENT RESIDENCE**  
4 **ADDRESS**. Before the provisional ballot is tabulated, election  
5 officials shall process the ballot as a challenged ballot under  
6 sections 745 and 746.

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

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

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

27 Enacting section 1. This amendatory act takes effect 90 days

**1** after the date it is enacted into law.