

HOUSE BILL No. 4395

March 21, 2017, Introduced by Reps. Gay-Dagnogo, Moss, Clemente, LaGrand, Ellison, Sneller, Neeley, Schor, Lasinski, Byrd, Scott, Hammoud, Sabo, Green, Elder, Hertel, Durhal, Zemke, Pagan, Yanez, Wittenberg, Howrylak, Chang, Brinks, Hoadley, Cochran, Robinson, Liberati and Kivela and referred to the Committee on Elections and Ethics.

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~~**MUST OPEN** at 7 o'clock ~~in the forenoon,~~**A.M.** and shall
3 **MUST** be continuously open until 8 o'clock ~~in the afternoon and no~~
4 ~~longer.~~ ~~Every~~**P.M. EACH** qualified elector present and in line at
5 the polls at ~~the hour prescribed for the closing thereof~~**TIME** shall
6 be allowed to vote.

7 **(2) IF A CITY, TOWNSHIP, OR VILLAGE PROVIDES FOR EARLY VOTING**
8 **UNDER SECTION 720A, THE CLERK OF THE CITY, TOWNSHIP, OR VILLAGE**

1 SHALL POST THE HOURS THAT THE POLLS WILL BE OPEN AT THE CLERK'S
2 OFFICE. THE CLERK SHALL PROVIDE NOTICE TO THE ELECTORS THAT
3 SUBSTANTIALLY COMPLIES WITH THE FORM IN SECTION 653A OF THE DATES
4 AND HOURS THE EARLY VOTING POLLING PLACES WILL BE OPEN.

5 SEC. 720A. (1) EACH CITY, TOWNSHIP, OR VILLAGE MAY PROVIDE
6 EARLY VOTING AT 1 OR MORE POLLING PLACES DESIGNATED BY THE CITY,
7 TOWNSHIP, OR VILLAGE CLERK DURING THE PERIOD OF TIME SET FORTH IN
8 THIS SECTION BEFORE AN ELECTION.

9 (2) EARLY VOTING MAY BEGIN ON OR AFTER THE FORTY-FIFTH DAY
10 BEFORE AN ELECTION AND ENDS ON THE DAY BEFORE THE ELECTION.

11 (3) THE SECRETARY OF STATE SHALL COOPERATE WITH EACH
12 MUNICIPALITY CONDUCTING EARLY VOTING AND PROVIDE TECHNICAL
13 ASSISTANCE TO EACH MUNICIPALITY THAT REQUESTS TECHNICAL ASSISTANCE.

14 (4) EXCEPT AS OTHERWISE PROVIDED, ALL OF THE FOLLOWING
15 PROVISIONS OF THIS ACT APPLY TO EARLY VOTING:

16 (A) ELECTION INSPECTORS.

17 (B) CHALLENGES TO VOTERS.

18 (C) POLL BOOK AND POLL LIST.

19 (D) NOTICES, INSTRUCTIONS, AND PLACARDS.

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

21 (F) BALLOT SECURITY, BALLOT CONTAINERS, BALLOT COUNTING, AND
22 BALLOT PRESERVATION.

23 (G) SPOILED BALLOTS.

24 (5) THE POLL BOOK AND POLL LIST FOR EACH PRECINCT MUST BE
25 MAINTAINED IN ACCORDANCE WITH SECTION 735.

26 (6) EARLY VOTING BALLOTS MUST BE PROCESSED IN THE SAME MANNER
27 AS BALLOTS CAST ON ELECTION DAY.

1 **(7) AS USED IN THIS SECTION, "MUNICIPALITY" MEANS A CITY,**
2 **TOWNSHIP, OR VILLAGE.**

3 Sec. 735. (1) At each primary and election, election
4 inspectors shall keep 1 poll book and 1 poll list. An election
5 inspector shall enter in the poll book, in the order in which
6 electors are given ballots, the name of each elector who is given a
7 ballot and immediately after the name, on the same line, shall
8 enter the number of the ballot given to the elector. For an absent
9 voter ballot, when an election inspector removes the ballot from
10 the sealed absent voter envelope, the election inspector shall
11 enter in the poll book the name of the absent voter and the number
12 of the ballot.

13 **(2) IF A CITY, TOWNSHIP, OR VILLAGE PROVIDES FOR EARLY VOTING**
14 **UNDER SECTION 720A, THE POLL BOOK MUST BE DIVIDED BY DATE AND**
15 **SEPARATE RECORDS MUST BE MAINTAINED FOR EACH DAY OF EARLY VOTING.**

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

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

25 Enacting section 1. This amendatory act takes effect 90 days
26 after the date it is enacted into law.