

# 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.