

HOUSE BILL NO. 6199

September 10, 2020, Introduced by Reps. Elder, Kuppa, Love, Liberati, Cherry, Sabo, Garrett, Haadsma, Chirkun, Garza, Wittenberg, Pagan and Sowerby and referred to the Committee on Elections and Ethics.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 764a (MCL 168.764a), as amended by 2012 PA 128,
and by adding section 761c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 761c. Each city, village, or township clerk must provide,
2 in an accessible outdoor location in the city, village, or
3 township, at least 1 secure drop box for an elector to return his
4 or her absent voter ballot return envelope to the clerk. Only the
5 city, village, or township clerk, or his or her authorized



1 assistant, shall have access to a drop box. Each drop box must be
 2 checked and emptied on a daily basis by the clerk, or his or her
 3 authorized assistant.

4 Sec. 764a. The following instructions for an absent voter
 5 ~~shall~~**must** be included with each ballot or set of ballots furnished
 6 an absent voter:

7 INSTRUCTIONS FOR ABSENT VOTERS

8 Step 1. Enclosed you will find voting instructions as to the
 9 method of voting. Read these carefully and then vote the ballot.

10 Step 2. After voting a ballot, place the ballot in the secrecy
 11 sleeve, if any. If a secrecy sleeve is not provided, refold the
 12 ballot to conceal your votes.

13 Step 3. Place the ballot or ballots in the return envelope and
 14 securely seal the envelope.

15 Step 4. Sign and date the return envelope in the place
 16 designated. Your signature must appear on the return envelope or
 17 the ballot will not be counted. If you are disabled or otherwise
 18 unable to mark the ballot and required assistance in voting your
 19 absent voter ballot, have the ~~person~~**individual** who assisted you
 20 complete the section on the return envelope entitled "TO BE
 21 COMPLETED ONLY IF VOTER IS ASSISTED IN VOTING BY ANOTHER PERSON".

22 Step 5. Deliver the return envelope by 1 of the following
 23 methods:

24 (a) Place the necessary postage upon the return envelope and
 25 deposit it in the United States mail or with another public postal
 26 service, express mail service, parcel post service, or common
 27 carrier.

28 (b) Deliver the envelope personally to the office of the
 29 clerk, to the clerk, or to an authorized assistant of the clerk, **or**



1 **to a secure drop box located in the city, village, or township.**

2 (c) In either (a) or (b), a member of the immediate family of
3 the voter including a father-in-law, mother-in-law, brother-in-law,
4 sister-in-law, son-in-law, daughter-in-law, grandparent, or
5 grandchild or a person residing in the voter's household may mail
6 or deliver a ballot to the clerk for the voter.

7 (d) You may request by telephone that the clerk who issued the
8 ballot provide assistance in returning the ballot. The clerk is
9 required to provide assistance if you are unable to return your
10 absent voter ballot as specified in (a), (b), or (c) above, if it
11 is before 5 p.m. on the Friday immediately preceding the election,
12 and if you are asking the clerk to ~~pickup~~**pick up** the absent voter
13 ballot within the jurisdictional limits of the city, township, or
14 village in which you are registered. Your absent voter ballot will
15 then be picked up by the clerk or an election assistant sent by the
16 clerk. All ~~persons~~**individuals** authorized to pick up absent voter
17 ballots are required to carry credentials issued by the clerk. If
18 using this absent voter ballot return method, do not give your
19 ballot to anyone until you have checked their credentials.

20 Step 6. The ballot must reach the clerk or an authorized
21 assistant of the clerk before the close of the polls on election
22 day. An absent voter ballot received by the clerk or assistant of
23 the clerk after the close of the polls on election day will not be
24 counted.

25 WARNING

26 All of the following actions are violations of the Michigan
27 election law and are illegal in this state:

28 (1) To vote an absent voter ballot at a meeting or gathering
29 at which other ~~people~~**individuals** are voting absent voter ballots.



1 (2) For ~~a person~~**an individual** who is assisting an absent
2 voter in marking the ballot to suggest or in any manner attempt to
3 influence the absent voter on how he or she should vote.

4 (3) For ~~a person~~**an individual** who is present and knows that a
5 ~~person~~**an individual** is voting an absent voter ballot to suggest or
6 in any manner attempt to influence the absent voter on how he or
7 she should vote.

8 (4) For ~~a person~~**an individual** other than those listed in
9 these instructions to return, offer to return, agree to return, or
10 solicit to return an absent voter ballot to the clerk.

11 (5) For ~~a person~~**an individual** other than the absent voter; a
12 ~~person~~**an individual** listed in these instructions; or ~~a person~~**an**
13 **individual** whose job it is to handle mail before, during, or after
14 being transported by a public postal service, express mail service,
15 parcel post service, or common carrier, but only during the normal
16 course of his or her employment to be in possession of a voted or
17 unvoted absent voter ballot.

