

# Legislative Analysis



## PROHIBIT ELECTRONIC SIGNATURE ON ABSENTEE BALLOT APPLICATION

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**House Bill 5288 (H-2) as reported from committee**  
**Sponsor: Rep. Andrew Beeler**  
**Committee: Elections and Ethics**  
**Complete to 12-14-21**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

House Bill 5288 would amend the Michigan Election Law to require applicants for absent voter (AV) ballots to physically sign the application and not be allowed to use a digital or electronic signature to sign an application. Additionally, the secretary of state, a county, city, or township clerk, an organization, and any individual employed by, contracted by, or associated with an organization would be prohibited from providing an online AV ballot application that does not require the applicant to physically sign the application.

Also, while the statute currently allows a person to apply for an AV ballot in person or by mail, the bill would provide that the application may be in person or in writing by mail, email, or fax. It also would provide that AV ballot applications cannot be sent out or made available more than 75 days before an election.

Currently, the secretary of state allows registered voters to apply for an AV ballot online.<sup>1</sup> In addition to requirements that the applicant include his or her full name, driver's license or state ID number, birth date, eye color as printed on the license or state ID, and last four digits of the applicant's Social Security number, the application includes the following attestation:

\* Signature

I authorize the Secretary of State to send my stored digital signature to my city or township clerk for my absentee ballot application.

☐ Yes ☐ No

MCL 168.759

### FISCAL IMPACT:

The bill would have no fiscal impact on the Department of State or local units of government.

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<sup>1</sup> See <https://mvec.sos.state.mi.us/avapplication>

## POSITIONS:

A representative of Pure Integrity for Michigan Elections testified and indicated a neutral position on the bill. (9-21-21)

A representative of the Department of State testified in opposition to the bill. (9-21-21)

The following entities indicated opposition to the bill (9-21-21):

- Michigan Association of Municipal Clerks
- Michigan Association of County Clerks
- National Association of Social Workers
- Michigan Association for Justice
- ACLU of Michigan
- American Association of University Women of Michigan
- Michigan League of Conservation Voters
- Voters Not Politicians
- Promote the Vote
- Anti-Defamation League

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