

SUBSTITUTE FOR
HOUSE BILL NO. 5258

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 565, 710, and 711 (MCL 168.565, 168.710, and
168.711), sections 565 and 711 as amended by 1984 PA 113.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 565. **(1)** ~~Proof~~ **Not less than 58 days before the primary**
2 **election, proof** copies of the ballots ~~shall~~ **must** be placed on file
3 in the office of the county clerk. ~~at least 14 days prior to the~~
4 ~~primary election, and, at~~ **At** the time of filing, **the county clerk**
5 **shall send by email** 1 proof copy of the ballot ~~shall be sent in~~
6 ~~counties with a population of 1,500,000 or more by registered or~~
7 ~~certified mail with return receipt demanded, and in counties with~~
8 ~~less than 1,500,000 by first class mail to the secretary of state~~

and **shall send by first-class mail 1 proof copy of the ballot** to each candidate whose name appears ~~upon on~~ the ballots, ~~at his or her last known~~ **ballot to the candidate's** address listed on his or her affidavit of identity. If a candidate provides an email address on his or her affidavit of identity, the county clerk may also send a proof copy of the ballot to the candidate by email.

(2) If a candidate desires to correct **an error on** the ballot, the candidate shall ~~forward the ballot to~~ **contact** the county clerk ~~within 2 business days of the receipt of the ballot, by telephone or email~~ with the corrections. ~~noted on the ballot. All corrections~~ must be received by the county clerk no later than 4 p.m. on the fifth business day after the proof copy of the ballot is mailed to each candidate as provided in subsection (1). After 4 p.m. on the fifth business day after the county clerk mails the proof copy of the ballot to each candidate as provided in subsection (1), the county clerk is authorized to begin printing the ballots.

(3) The county clerk shall prepare and sign an affidavit when sending proof ballots ~~which: attests that proof that attests to all~~ of the following:

(a) **Proof** ballots were mailed as required. ~~; lists the~~

(b) **The names of the** candidates who were mailed **proof** ballots. ~~; the~~

(c) **Each** address to which the **proof** ballots were mailed. ~~; and lists the~~

(d) **The** date or dates proof ballots were mailed.

Sec. 710. The county board of election commissioners shall place on file at the office of the county clerk, at least ~~15~~ **58** days ~~prior to~~ **before** any election, a proof copy of the official ballot containing the names of candidates for public office to be

1 voted for at ~~such~~**the** election. ~~, and such~~**The** proof copies ~~shall~~
 2 **must** be open for public inspection.

3 Sec. 711. **(1)** At the time of filing the proof copy of the
 4 ballot at the office of the county clerk, the county board of
 5 election commissioners shall **direct the county clerk to** send ~~in~~
 6 ~~counties with a population of 1,500,000 or more by registered or~~
 7 ~~certified mail, with a return receipt demanded, and in counties~~
 8 ~~with less than 1,500,000 by first class~~**first-class** mail a proof
 9 copy of the official ballot to each candidate whose name appears on
 10 the ballot ~~at~~**to** the candidate's ~~last known~~ address **listed on his**
 11 **or her affidavit of identity. If a candidate provides an email**
 12 **address on his or her affidavit of identity, the county clerk may**
 13 **also send a proof copy of the ballot to the candidate by email.**

14 **(2)** The county clerk shall prepare and sign an affidavit when
 15 sending proof ballots ~~which:~~**that** attests ~~that proof to all of the~~
 16 **following:**

17 **(a) Proof** ballots were mailed as required. ~~; lists the~~

18 **(b) The names of the** candidates who were mailed **proof** ballots.
 19 ~~; the~~

20 **(c) Each** address to which the **proof** ballots were mailed. ~~; and~~
 21 ~~lists the~~

22 **(d) The** date or dates proof ballots were mailed.

23 **(3)** The **county** board of election commissioners shall also
 24 **direct the county clerk to** send ~~2 copies of~~ proof ballots **by email**
 25 to the secretary of state who shall immediately approve and certify
 26 the ballot or notify the ~~board of election commissioners~~**county**
 27 **clerk** of any correction.

28 **(4)** If a candidate desires to correct **an error on** the ballot,
 29 the candidate shall ~~forward the ballot to~~**contact** the county clerk

1 ~~within 2 business days of the receipt of the ballot by telephone or~~
2 ~~email~~ with the corrections. ~~noted on the ballot. The board of~~
3 ~~election commissioners shall correct errors found in the ballot by~~
4 ~~the inspection provided for in this section and at the expiration~~
5 ~~of the 2-day correction period shall proceed with the printing of~~
6 ~~the ballots. All corrections must be received by the county clerk~~
7 ~~no later than 4 p.m. on the fifth business day after the proof copy~~
8 ~~of the ballot is mailed to each candidate as provided in subsection~~
9 ~~(1). After 4 p.m. on the fifth business day after the county clerk~~
10 ~~mails the proof copy of the ballot to each candidate as provided in~~
11 ~~subsection (1), the county clerk is authorized to begin printing~~
12 ~~the ballots.~~

13 (5) The county clerk shall ~~forward~~ **email** a copy of the
14 corrected ballot to the secretary of state.