

**SUBSTITUTE FOR
SENATE BILL NO. 303**

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 495, 523, 759, 759a, 759b, 761, 764b, 813, and
829 (MCL 168.495, 168.523, 168.759, 168.759a, 168.759b, 168.761,
168.764b, 168.813, and 168.829), sections 495, 813, and 829 as
amended by 2018 PA 603, section 523 as amended by 2018 PA 129,
sections 759 and 761 as amended by 2020 PA 302, section 759a as
amended by 2012 PA 523, and section 764b as amended by 2018 PA 120,
and by adding sections 760a and 946.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1** Sec. 495. The registration application must contain all of the
2 following:
3 (a) The name of the elector.

1 (b) The residence address of the elector, including the street
2 and number or rural route and box number and the apartment number,
3 if any.

4 (c) The city or township and county of residence of the
5 elector.

6 (d) The date of birth of the elector.

7 (e) The driver license or state personal identification card
8 number of the elector, if available.

9 **(f) The last 4 digits of the elector's Social Security number.**

10 **(g)** ~~(f)~~ A statement that the elector is a citizen of the
11 United States.

12 **(h)** ~~(g)~~ A statement that the elector is at the time of
13 completing the affidavit, or will be on the date of the next
14 election, not less than 18 years of age.

15 **(i)** ~~(h)~~ A statement that the elector has or will have lived in
16 this state not less than 30 days before the next election.

17 **(j)** ~~(i)~~ A statement that the elector has or will have
18 established his or her residence in the township or city in which
19 the elector is applying for registration not less than 30 days
20 before the next election.

21 **(k)** ~~(j)~~ A statement that the elector is or will be a qualified
22 elector of the township or city on the date of the next election.

23 **(l)** ~~(k)~~ A space in which the elector shall state the place of
24 the elector's last registration, if any.

25 **(m)** ~~(l)~~ A statement that the registration is not effective
26 until processed by the clerk of the city or township in which the
27 applicant resides.

28 **(n)** ~~(m)~~ A statement that the applicant, if qualified, may vote
29 at an election occurring on or after the date of completing the

1 application.

2 (o) ~~(n)~~ A statement authorizing the cancellation of
3 registration at the elector's last place of registration.

4 (p) ~~(e)~~ A space for the elector to sign and certify to the
5 truth of the statements on the application.

6 Sec. 523. (1) ~~Except as otherwise provided in subsection (2),~~
7 ~~at each election, before being given a ballot, each registered~~
8 ~~elector offering to vote must identify himself or herself by~~
9 ~~presenting identification for election purposes, and by executing~~
10 ~~an application, on a form prescribed by the secretary of state, in~~
11 ~~the presence of an election official that includes~~ **Before providing**
12 **a ballot to an individual offering to vote, the clerk of a city or**
13 **township or an election official acting under the clerk's direction**
14 **shall ask the individual for his or her full name and current**
15 **residence address. The individual offering to vote shall, in the**
16 **presence of an election official, sign an application, pollbook, or**
17 **form prescribed by the secretary of state that affirms all of the**
18 **following:**

19 (a) The name of the ~~elector~~ **individual**.

20 (b) The ~~elector's~~ **individual's** address of residence.

21 (c) The ~~elector's~~ **individual's** date of birth.

22 (d) ~~An affirmative statement by the elector that is included~~
23 ~~in the signature statement indicating that he or she~~ **A statement**
24 **affirming that the information in the application, pollbook, or**
25 **form is correct and that the individual is a citizen of the United**
26 **States and is currently a resident of this state residing at the**
27 **address in the qualified voter file.**

28 (e) The ~~elector's~~ **individual's** signature or mark.

29 (2) If an elector's signature contained in the qualified voter

1 file is available in the polling place, the election official shall
2 compare the signature upon the application with the digitized
3 signature provided by the qualified voter file. If an elector's
4 signature is not contained in the qualified voter file, the
5 election official shall process the application in the same manner
6 as applications are processed when a voter registration list is
7 used in the polling place. If voter registration lists are used in
8 the precinct, the election inspector shall determine if the name on
9 the application to vote appears on the voter registration list. If
10 the name appears on the voter registration list, the elector shall
11 provide further identification or other information stated upon the
12 voter registration list. If the signature or an item of information
13 does not correspond, the vote of the ~~person~~**individual** must be
14 challenged, and the same procedure must be followed as provided in
15 this act for the challenging of an elector. ~~If the elector does not~~
16 ~~have identification for election purposes as required under this~~
17 ~~section, the individual shall sign an affidavit to that effect~~
18 ~~before an election inspector and be allowed to vote as otherwise~~
19 ~~provided in this act. However, an elector being allowed to vote~~
20 ~~without identification for election purposes as required under this~~
21 ~~section is subject to challenge as provided in section 727.~~

22 **(3) The election official shall ask an individual offering to**
23 **vote to provide identification for election purposes.**

24 **(4)** ~~(3) If, upon a comparison of the signature or other~~
25 ~~identification as required in this section,~~**after confirming that**
26 **the requirements of this section have been fully satisfied,** it is
27 found that the applicant is entitled to vote, the election officer
28 having charge of the registration list shall approve the
29 application and write his or her initials on the application, after

1 which the number on the ballot issued must be noted on the
2 application. The application serves as 1 of the 2 poll lists
3 required to be kept as a record of a person who has voted. The
4 application must be filed with the township ~~, or city, or village~~
5 clerk. If voter registration cards are used in the precinct, the
6 date of the election must be noted by 1 of the election officials
7 upon the precinct registration card of each elector voting at an
8 election. If voter registration lists are used in the precinct, the
9 election official shall clearly indicate upon the list each elector
10 voting at that election. The clerk of a city ~~, village,~~ or township
11 shall maintain a record of voting participation for each registered
12 elector.

13 **(5) An individual who does not provide identification for**
14 **election purposes must be issued a provisional ballot that is**
15 **processed according to section 523a(5), (6), and (8).**

16 Sec. 759. (1) Subject to **subsection (10) and** section 761(3),
17 at any time during the 75 days before a primary or special primary,
18 but not later than 8 p.m. on the day of a primary or special
19 primary, an elector may apply for an absent voter ballot. The
20 elector shall apply in person or by mail with the clerk of the
21 township or city in which the elector is registered. The clerk of a
22 city or township shall not send by first-class mail an absent voter
23 ballot to an elector after 5 p.m. on the Friday immediately before
24 the election. Except as otherwise provided in section 761(2), the
25 clerk of a city or township shall not issue an absent voter ballot
26 to a registered elector in that city or township after 4 p.m. on
27 the day before the election. An application received before a
28 primary or special primary may be for either that primary only, or
29 for that primary and the election that **immediately** follows. An

1 individual may submit a voter registration application and an
2 absent voter ballot application at the same time if applying in
3 person with the clerk or deputy clerk of the city or township in
4 which the individual resides. Immediately after his or her voter
5 registration application and absent voter ballot application are
6 approved by the clerk or deputy clerk, the individual may, subject
7 to the identification requirement in section 761(6), complete an
8 absent voter ballot at the clerk's office.

9 (2) Except as otherwise provided in subsection (1) and subject
10 to **subsection (10) and** section 761(3), at any time during the 75
11 days before an election, but not later than 8 p.m. on the day of an
12 election, an elector may apply for an absent voter ballot. The
13 elector shall apply in person or by mail with the clerk of the
14 township ~~or city or village~~ in which the voter is registered.
15 The clerk of a city or township shall not send by first-class mail
16 an absent voter ballot to an elector after 5 p.m. on the Friday
17 immediately before the election. Except as otherwise provided in
18 section 761(2), the clerk of a city or township shall not issue an
19 absent voter ballot to a registered elector in that city or
20 township after 4 p.m. on the day before the election. An individual
21 may submit a voter registration application and an absent voter
22 ballot application at the same time if applying in person with the
23 clerk or deputy clerk of the city or township in which the
24 individual resides. Immediately after his or her voter registration
25 application and absent voter ballot application are approved by the
26 clerk, the individual may, subject to the identification
27 requirement in section 761(6), complete an absent voter ballot at
28 the clerk's office.

29 (3) An application for an absent voter ballot under this

1 section may be made in any of the following ways:

2 (a) By a written request signed by the voter.

3 (b) On an absent voter ballot application form provided for
4 that purpose by the clerk of the city or township.

5 (c) On a federal postcard application.

6 (4) An applicant for an absent voter ballot ~~shall~~**must** sign
7 the application. **In addition, an applicant for an absent voter**
8 **ballot must either provide his or her driver license number or**
9 **official state personal identification card number on the**
10 **application, provide the last 4 digits of his or her Social**
11 **Security number on the application, or present an original or a**
12 **copy of identification for election purposes to the clerk of the**
13 **city or township in which the elector is registered.** Subject to
14 section 761(2), a clerk or assistant clerk shall not deliver an
15 absent voter ballot to an applicant who does not sign the
16 application. ~~A person~~**If an applicant does not provide his or her**
17 **driver license number or official state personal identification**
18 **card number, provide the last 4 digits of his or her Social**
19 **Security number, or present identification for election purposes as**
20 **provided in this subsection, the clerk must issue the applicant a**
21 **provisional absent voter ballot that is processed according to**
22 **section 523a(5), (6), and (8). An applicant may satisfy the**
23 **requirements under section 813(1) at any time before 5:00 p.m. on**
24 **the sixth day after election day. An individual** shall not be in
25 possession of a signed absent voter ballot application except for
26 the applicant; a member of the applicant's immediate family; a
27 ~~person~~**an individual** residing in the applicant's household; a
28 ~~person~~**an individual** whose job normally includes the handling of
29 mail, but only during the course of his or her employment; a

1 registered elector requested by the applicant to return the
 2 application; or a clerk, assistant of the clerk, or other
 3 authorized election official. A registered elector who is requested
 4 by the applicant to return his or her absent voter ballot
 5 application shall sign the certificate on the absent voter ballot
 6 application.

7 (5) The clerk of a city or township shall have absent voter
 8 ballot application forms available in the clerk's office at all
 9 times and shall furnish an absent voter ballot application form to
 10 anyone upon a verbal or written request. The absent voter ballot
 11 application must be in substantially the following form:

12 "Application for absent voter ballot for:

13 [] The primary or special primary election to be held on

14 _____ (Date).

15 [] The election to be held on _____ (Date).

16 (Check applicable election or elections)

17 I, , a United States
 18 citizen and a qualified and registered elector of the
 19 precinct of the township of or of the
 20 ward of the city of , in the
 21 county of and state of Michigan,
 22 apply for an official ballot, or ballots, to be voted by me at the
 23 election or elections as requested in this application.

24 **Voter Identification:**

25 **You must choose one of the voter identification options below.**
 26 **If you do not select one of the voter identification options, you**
 27 **will be issued a provisional absent voter ballot that is subject to**
 28 **verification and will not be tabulated on election day.**

29 [] Your Michigan driver license number: _____.

- 1 [] Your official Michigan personal identification card
 2 number: _____.
 3 [] The last 4 digits of your Social Security number: _____.
 4 [] Present identification for election purposes in person to
 5 the city or township clerk.

6 Send absent voter ballot to me at:

7

8 (Street No. or R.R. or Designated Address)

9

10 (Post Office) (State) (Zip Code)

11 My registered address

12 (Street No. or R.R. or Participant

13 Identification Number)

14

15 (Post Office) (State) (Zip Code)

16 Date.....

17 I certify that I am a United States citizen and that
 18 the statements in this absent voter ballot application
 19 are true.

20

21 (Signature)

22 WARNING

23 You must be a United States citizen to vote. If you are not a
 24 United States citizen, you will not be issued an absent voter
 25 ballot.

26 A person making a false statement in this absent voter ballot
 27 application is guilty of a misdemeanor. It is a violation of
 28 Michigan election law for a person other than those listed in the
 29 instructions to return, offer to return, agree to return, or

solicit to return your absent voter ballot application to the clerk. An assistant authorized by the clerk who receives absent voter ballot applications at a location other than the clerk's office must have credentials signed by the clerk. Ask to see his or her credentials before entrusting your application with a person claiming to have the clerk's authorization to return your application.

Certificate of Authorized Registered
Elector Returning Absent Voter
Ballot Application

I certify that my name is , my address is , and my date of birth is ; that I am delivering the absent voter ballot application of at his or her request; that I did not solicit or request to return the application; that I have not made any markings on the application; that I have not altered the application in any way; that I have not influenced the applicant; and that I am aware that a false statement in this certificate is a violation of Michigan election law.

(Date)

(Signature)"

(6) The following instructions for an applicant for an absent voter ballot must be included with each application furnished an applicant:

INSTRUCTIONS FOR APPLICANTS FOR ABSENT VOTER BALLOTS

Step 1. After completely filling out the application, sign and date the application in the place designated. Your signature must appear on the application or you may not receive an absent voter ballot. **In addition, you must either provide your driver license**

1 number or official state personal identification card number on the
2 application, provide the last 4 digits of your Social Security
3 number on the application, or present an original or a copy of
4 identification for election purposes to the clerk of the city or
5 township in which you are registered. If you do not provide your
6 driver license number or official state personal identification
7 card number, provide the last 4 digits of your Social Security
8 number, or present identification for election purposes, you will
9 be issued a provisional absent voter ballot that is subject to
10 verification and will not be tabulated on election day.

11 Step 2. Deliver the application by 1 of the following methods:

12 (a) Place the application in an envelope addressed to the
13 appropriate clerk and place the necessary postage upon the return
14 envelope and deposit it in the United States mail or with another
15 public postal service, express mail service, parcel post service,
16 or common carrier.

17 (b) Deliver the application personally to the clerk's office,
18 to the clerk, or to an authorized assistant of the clerk.

19 (c) In either (a) or (b), a member of the immediate family of
20 the voter including a father-in-law, mother-in-law, brother-in-law,
21 sister-in-law, son-in-law, daughter-in-law, grandparent, or
22 grandchild or a person residing in the voter's household may mail
23 or deliver the application to the clerk for the applicant.

24 (d) If an applicant cannot return the application in any of
25 the above methods, the applicant may select any registered elector
26 to return the application. The person returning the application
27 must sign and return the certificate at the bottom of the
28 application.

29 (7) ~~A person~~ **An individual** who prints and distributes absent

1 voter ballot applications shall print on the application the
2 warning, certificate of authorized registered elector returning
3 absent voter ballot application, and instructions required by this
4 section.

5 (8) ~~A person~~ **An individual** who makes a false statement in an
6 absent voter ballot application is guilty of a misdemeanor. ~~A~~
7 ~~person~~ **An individual** who forges a signature on an absent voter
8 ballot application is guilty of a felony. ~~A person~~ **An individual**
9 who is not authorized in this act and who both distributes absent
10 voter ballot applications to absent voters and returns those absent
11 voter ballot applications to a clerk or assistant of the clerk is
12 guilty of a misdemeanor.

13 (9) The absent voter ballot application of an elector who is a
14 program participant, as that term is defined in **section 3** of the
15 address confidentiality program act, **2020 PA 301, MCL 780.853**, is
16 confidential and not subject to disclosure under the freedom of
17 information act, 1976 PA 442, MCL 15.231 to 15.246.

18 (10) **The secretary of state, the clerk of a county, city, or**
19 **township, and all individuals employed by this state or a political**
20 **subdivision of this state are prohibited from sending an absent**
21 **voter ballot application to an elector for an election unless that**
22 **elector has first requested an absent voter ballot application for**
23 **that election. The secretary of state, the clerk of a county, city,**
24 **or township, and all individuals employed by this state or a**
25 **political subdivision of this state are prohibited from sending or**
26 **providing an absent voter ballot to an elector for an election**
27 **unless that elector has first submitted an absent voter ballot**
28 **application for that absent voter ballot under this section.**

29 Sec. 759a. (1) An absent uniformed services voter or an

1 overseas voter who is not registered, but possessed the
2 qualifications of an elector under section 492, may apply for
3 registration by using the federal postcard application. The
4 department of state, bureau of elections, is responsible for
5 disseminating information on the procedures for registering and
6 voting to an absent uniformed services voter and an overseas voter.

7 (2) Upon the request of an absent uniformed services voter or
8 an overseas voter, the clerk of a county, city, township, or
9 village shall electronically transmit a blank voter registration
10 application or blank absent voter ballot application to the voter.
11 The clerk of a county, city, township, or village shall accept a
12 completed voter registration application or completed absent voter
13 ballot application electronically transmitted by an absent
14 uniformed services voter or overseas voter. A voter registration
15 application or absent voter ballot application submitted by an
16 absent uniformed services voter or overseas voter ~~shall~~**must**
17 contain the signature of the voter. **In addition, an applicant for**
18 **an absent voter ballot must provide his or her driver license**
19 **number or official state personal identification card number on the**
20 **application or provide the last 4 digits of his or her Social**
21 **Security number on the application. If an applicant transmits his**
22 **or her completed absent voter ballot application electronically, a**
23 **copy of his or her identification for election purposes may also be**
24 **transmitted electronically.**

25 (3) A spouse or dependent of an overseas voter who is a
26 citizen of the United States, is accompanying that overseas voter,
27 and is not a qualified and registered elector anywhere else in the
28 United States, may apply for an absent voter ballot even though the
29 spouse or dependent is not a qualified elector of a city or

1 township of this state.

2 (4) An absent uniformed services voter or an overseas voter,
3 whether or not registered to vote, may apply for an absent voter
4 ballot. ~~Upon~~ **Subject to this subsection, upon** receipt of an
5 application for an absent voter ballot under this section that
6 complies with this act, a county, city, village, or township clerk
7 shall forward to the applicant the absent voter ballots requested,
8 the forms necessary for registration, and instructions for
9 completing the forms. **If an applicant does not provide his or her**
10 **driver license number or official state personal identification**
11 **card number or provide the last 4 digits of his or her Social**
12 **Security number, the clerk must issue the applicant a provisional**
13 **absent voter ballot that is processed according to section 523a(5),**
14 **(6), and (8). Subject to subsection (16), an applicant may satisfy**
15 **the requirements under section 813(1) at any time before 5:00 p.m.**
16 **on the sixth day after election day and may do so by submitting the**
17 **requisite documents electronically.** If the ballots are not yet
18 available at the time of receipt of the application, the clerk
19 shall immediately forward to the applicant the registration forms
20 and instructions, and forward the ballots as soon as they are
21 available. If a federal postcard application or an application from
22 the official United States ~~department~~ **Department** of ~~defense~~ **Defense**
23 website is filed, the clerk shall accept the federal postcard
24 application or the application from the official United States
25 ~~department~~ **Department** of ~~defense~~ **Defense** website as the
26 registration application and shall not send any additional
27 registration forms to the applicant. If the ballots and
28 registration forms are received before the close of the polls on
29 election day and if the registration complies with the requirements

1 of this act, the absent voter ballots ~~shall~~**must** be delivered to
2 the proper election board to be tabulated. If the registration does
3 not comply with the requirements of this act, the clerk shall
4 retain the absent voter ballots until the expiration of the time
5 that the voted ballots must be kept and shall then destroy the
6 ballots without opening the envelope. The clerk may retain
7 registration forms completed under this section in a separate file.
8 The address in this state shown on a registration form is the
9 residence of the registrant.

10 (5) ~~Not~~**Subject to subsection (4), not** later than 45 days
11 before an election, a county, city, township, or village clerk
12 shall electronically transmit or mail as appropriate an absent
13 voter ballot to each absent uniformed services voter or overseas
14 voter who applied for an absent voter ballot 45 days or more before
15 the election.

16 (6) Upon the request of an absent uniformed services voter or
17 overseas voter, the clerk of a county, city, township, or village
18 shall electronically transmit an absent voter ballot to the voter.
19 The voter shall print the absent voter ballot and return the voted
20 ballot by mail to the appropriate clerk.

21 (7) The secretary of state shall prescribe electronic absent
22 voter ballot formats and electronic absent voter ballot
23 transmission methods. Each county, city, township, or village clerk
24 shall employ the prescribed electronic ballot formats to fulfill an
25 absent voter ballot request received from an absent uniformed
26 services voter or overseas voter who wishes to receive his or her
27 absent voter ballot through an electronic transmission. The
28 secretary of state shall establish procedures to implement the
29 requirements in this section and for the processing of a marked

1 absent voter ballot returned by an absent uniformed services voter
2 or overseas voter who obtained his or her absent voter ballot
3 through an electronic transmission.

4 (8) The secretary of state shall modify the printed statement
5 provided under section 761(4) and the absent voter ballot
6 instructions provided under section 764a as appropriate to
7 accommodate the procedures developed for electronically
8 transmitting an absent voter ballot to an absent uniformed services
9 voter or overseas voter. A statement ~~shall~~**must** be included in the
10 certificate signed by the absent voter who obtained his or her
11 absent voter ballot through an electronic transmission that the
12 secrecy of the absent voter ballot may be compromised during the
13 duplication process. The absent voter ballot instructions provided
14 to an absent uniformed services voter or overseas voter ~~shall~~**must**
15 include the proper procedures for returning the absent voter ballot
16 to the appropriate clerk.

17 (9) The size of a precinct ~~shall~~**must** not be determined by
18 registration forms completed under this section.

19 (10) An absent uniformed services voter or an overseas voter
20 who submits an absent voter ballot application is eligible to vote
21 as an absent voter in any local, state, or federal election
22 occurring in the calendar year in which the election is held for
23 that ballot requested if the absent voter ballot application is
24 received by the county, city, village, or township clerk not later
25 than 2 p.m. of the Saturday before the election. A county, city, or
26 township clerk receiving an absent voter ballot application from an
27 absent uniformed services voter or overseas voter shall transmit to
28 a village clerk and the school district election coordinators,
29 where applicable, the necessary information to enable the village

1 clerk and school district election coordinators to forward an
2 absent voter ballot for each applicable election in that calendar
3 year to the absent voter. A village clerk receiving an absent voter
4 ballot application from an absent uniformed services voter or
5 overseas voter shall transmit to the township clerk and the school
6 district election coordinators, where applicable, the necessary
7 information to enable the city or township clerk and school
8 district election coordinators to forward an absent voter ballot
9 for each applicable election in that calendar year to the absent
10 voter. If the local elections official rejects a voter registration
11 application or absent voter ballot application submitted by an
12 absent uniformed services voter or overseas voter, the election
13 official shall notify the voter of the rejection.

14 (11) An ~~electronic mail~~ **email** address provided by an absent
15 uniformed services voter or overseas voter for the purposes of this
16 section is confidential and exempt from disclosure under the
17 freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

18 (12) Under the uniformed and overseas citizens absentee voting
19 act, the state director of elections shall approve a ballot form
20 and registration procedures for absent uniformed services voters
21 and overseas voters.

22 (13) An absent uniformed services voter or an overseas voter
23 may use the federal write-in absentee ballot, in accordance with
24 the provisions of the uniformed and overseas citizens absentee
25 voting act, at a regular election or special election to vote for a
26 local, state, or federal office or on a ballot question. An absent
27 uniformed services voter or an overseas voter who uses the federal
28 write-in absentee ballot shall return his or her voted federal
29 write-in absentee ballot by mail to the appropriate clerk. The

1 state bureau of elections shall do both of the following:

2 (a) Make the ballot format for each election available to
3 absent uniformed services voters and overseas voters by ~~electronic~~
4 ~~mail-email~~ or on an internet website maintained by the department
5 of state.

6 (b) Make the ballot information, including the offices, names
7 of candidates, and ballot proposals, for each election available to
8 absent uniformed services voters and overseas voters on an internet
9 website maintained by the department of state.

10 (14) The clerk of a city, village, or township shall submit to
11 the county clerk of the county in which that city, village, or
12 township is located a written statement no later than 45 days
13 before each election indicating whether absent voter ballots were
14 issued to absent uniformed services voters or overseas voters in
15 compliance with this section and the uniformed and overseas
16 citizens absentee voting act. The city, village, or township clerk
17 shall provide to the county clerk a written explanation describing
18 remedial actions taken by the city, village, or township clerk if
19 the city, village, or township clerk fails to comply with this
20 section and the uniformed and overseas citizens absentee voting
21 act. Not later than 42 days before each election, each county clerk
22 shall submit to the state bureau of elections a written report
23 compiled from the written statements submitted by the city,
24 village, and township clerks. The written report ~~shall~~**must**
25 identify the cities, villages, and townships that complied with the
26 45-day deadline under this subsection, the cities, villages, and
27 townships that did not comply with the 45-day deadline under this
28 subsection, but provided a written explanation, and those cities,
29 villages, and townships that did not comply with the 45-day

1 deadline under this subsection and that did not provide a written
2 explanation. The state bureau of elections may require the clerk of
3 a city, village, or township that did not comply with the 45-day
4 deadline under this subsection, but provided a written explanation,
5 to provide additional information. The state bureau of elections
6 shall require the clerk of a city, village, or township that did
7 not comply with the 45-day deadline and that did not provide a
8 written explanation to file a written explanation, describing the
9 remedial actions taken by the city, village, or township clerk,
10 within 1 business day after the state bureau of elections notifies
11 the clerk of that city, village, or township.

12 (15) For a presidential primary election, the secretary of
13 state shall prescribe procedures for contacting an elector who is
14 an absent uniformed services voter or an overseas voter, as
15 described in this section, and who is eligible to receive an absent
16 voter ballot or who applies for an absent voter ballot for the
17 presidential primary election, offering the elector the opportunity
18 to select a political party ballot for the presidential primary
19 election.

20 (16) The secretary of state shall order a city, village, or
21 township clerk to extend the ballot receipt deadline for any
22 absentee voter ballots under this section that were not transmitted
23 to an absent uniformed services voter or overseas voter in
24 compliance with subsection (5). The extension ~~shall~~**must** equal the
25 total number of days beyond the deadline as provided in subsection
26 (5) that the city, village, or township clerk transmitted the
27 requested absentee voter ballots. These absentee voter ballots
28 received during the extension time ~~shall~~**must** be counted and
29 tabulated for the final results of the election provided that the

1 absentee voter ballots are executed and sent by the close of the
2 polls on election day. The election may be formally certified
3 before the end of the extension time if the number of outstanding
4 absentee voter ballots under this subsection will not alter the
5 outcome of the election.

6 (17) As used in this section:

7 (a) "Absent uniformed services voter" means any of the
8 following:

9 (i) A member of a uniformed service on active duty who, by
10 reason of being on active duty, is absent from the place of
11 residence where the member is otherwise qualified to vote.

12 (ii) A member of the merchant marine who, by reason of service
13 in the merchant marine, is absent from the place of residence where
14 the member is otherwise qualified to vote.

15 (iii) A spouse or dependent of a member referred to in
16 subparagraph (i) or (ii) who, by reason of the active duty or service
17 of the member, is absent from the place of residence where the
18 spouse or dependent is otherwise qualified to vote.

19 (b) "Member of the merchant marine" means an individual, other
20 than a member of a uniformed service or an individual employed,
21 enrolled, or maintained on the Great Lakes or the inland waterways,
22 who is either of the following:

23 (i) Employed as an officer or crew member of a vessel
24 documented under the laws of the United States, a vessel owned by
25 the United States, or a vessel of foreign-flag registry under
26 charter to or control of the United States.

27 (ii) Enrolled with the United States for employment or training
28 for employment, or maintained by the United States for emergency
29 relief service, as an officer or crew member of a vessel documented

1 under the laws of the United States, a vessel owned by the United
 2 States, or a vessel of foreign-flag registry under charter to or
 3 control of the United States.

4 (c) "Overseas voter" means any of the following:

5 (i) An absent uniformed services voter who, by reason of active
 6 duty or service, is absent from the United States on the date of an
 7 election.

8 (ii) A person who resides outside of the United States and is
 9 qualified to vote in the last place in which the person was
 10 domiciled before leaving the United States.

11 (iii) A person who resides outside of the United States and who,
 12 but for such residence outside of the United States, would be
 13 qualified to vote in the last place in which he or she was
 14 domiciled before leaving the United States.

15 (d) "Uniformed services" means the ~~army, navy, air force,~~
 16 ~~marine corps, coast guard,~~ **Army, Navy, Air Force, Marine Corps,**
 17 **Coast Guard,** the ~~commissioned corps~~ **Commissioned Corps** of the
 18 ~~public health service,~~ **Public Health Service,** the ~~commissioned~~
 19 ~~corps~~ **Commissioned Corps** of the ~~national oceanic~~ **National Oceanic**
 20 ~~and atmospheric administration,~~ **Atmospheric Administration,** a
 21 reserve component of a uniformed service, or the Michigan ~~national~~
 22 ~~guard~~ **National Guard** as **that term is** defined in section 105 of the
 23 Michigan military act, 1967 PA 150, MCL 32.505.

24 Sec. 759b. (1) Any registered elector may apply for **an** absent
 25 voter ~~ballots~~ **ballot** at any time ~~prior to~~ **before** 4 p.m. on election
 26 day if he ~~shall have become~~ **or she becomes** physically disabled or
 27 ~~shall be~~ **is** absent from the city or township because of sickness or
 28 death in the family ~~which~~ **that** has occurred at a time ~~which~~ **that**
 29 has made it impossible to apply for **an** absent voter ~~ballots~~ **ballot**

1 by the statutory deadline. The application ~~shall~~**must** be called an
 2 emergency absent voter application.

3 ~~(2) Emergency~~**An emergency** absent voter applications
 4 **application** may be made by letter or on a form provided by the
 5 clerk. The application ~~shall~~**must** set forth that the ~~voter~~**elector**
 6 is qualified to vote in the election, stating the statutory reason
 7 for applying for an emergency absent voter ballot and that the
 8 reason for applying after the statutory deadline occurred at such a
 9 time to make it impossible to file an application for **an** absent
 10 voter ~~ballots~~**ballot** by the statutory deadline. **An applicant for an**
 11 **emergency absent voter ballot must either provide his or her driver**
 12 **license number or official state personal identification card**
 13 **number on the application, provide the last 4 digits of his or her**
 14 **Social Security number on the application, or present an original**
 15 **or a copy of identification for election purposes to the clerk of**
 16 **the city or township in which the elector is registered.**

17 ~~(3) Any person~~**individual** intentionally making a false
 18 statement in ~~such~~**an emergency absent voter** application is guilty
 19 of a felony. Any ~~person~~**individual** aiding or abetting any ~~person~~
 20 **individual** to make a false statement on ~~such~~**an emergency absent**
 21 **voter** application is guilty of a felony.

22 ~~(4) Upon~~**Subject to this subsection, upon** receipt by the clerk
 23 of a valid application for an emergency absent voter ballot, the
 24 clerk may deliver the ~~ballots~~**ballot** to the applicant in person,
 25 through a deputy or an election assistant, or he **or she** may deliver
 26 ~~them~~**the ballot** at his **or her** office to a ~~person~~**an individual**
 27 named by the applicant in the application. **If an applicant does not**
 28 **provide his or her driver license number or official state personal**
 29 **identification card number, provide the last 4 digits of his or her**

1 Social Security number, or present identification for election
 2 purposes as provided in subsection (2), the clerk, deputy clerk, or
 3 election assistant must issue the applicant a provisional absent
 4 voter ballot that is processed according to section 523a(5), (6),
 5 and (8). An applicant may satisfy the requirements under section
 6 813(1) at any time before 5:00 p.m. on the sixth day after election
 7 day. The voter may return the ~~ballots~~ **ballot** to the clerk in the
 8 sealed envelope provided ~~therefor~~ in any manner he **or she** sees fit.
 9 To be valid, ~~ballots~~ **a ballot** must be returned to the clerk in time
 10 to be delivered to the polls ~~prior to~~ **before** 8 p.m. on election
 11 day.

12 **Sec. 760a. Each county, city, and township clerk shall have**
 13 **access to the most current department of state data system that**
 14 **contains all of the following information for an individual in**
 15 **order for the clerk to verify the identity of an elector who**
 16 **submits an absent voter ballot application:**

17 (a) The last 4 digits of an individual's Social Security
 18 number.

19 (b) An individual's driver license number or official state
 20 personal identification card number.

21 (c) An individual's signature.

22 **Sec. 761. (1) ~~If~~ Subject to this subsection, if** the clerk of a
 23 city or township receives an application for an absent voter ballot
 24 from ~~a person~~ **an individual** registered to vote in that city or
 25 township and if the signature on the application agrees with the
 26 signature for the ~~person~~ **individual** contained in the qualified
 27 voter file or on the registration card as required in subsection
 28 (2), the clerk immediately upon receipt of the application or, if
 29 the application is received before the printing of the absent voter

1 ballots, as soon as the ballots are received by the clerk, shall
2 forward by mail, postage prepaid, or shall deliver personally 1 of
3 the ballots or set of ballots if there is more than 1 kind of
4 ballot to be voted to the applicant. If the clerk of a city or
5 township receives an application for an absent voter ballot from an
6 applicant who is a program participant, as that term is defined in
7 **section 3 of the address confidentiality program act, 2020 PA 301,**
8 **MCL 780.853,** then the city or township clerk shall mail an absent
9 voter ballot to that program participant at the designated address
10 provided to that program participant by the department of the
11 attorney general under the address confidentiality program act,
12 **2020 PA 301, MCL 780.851 to 780.873. If an applicant does not**
13 **provide his or her driver license number or official state personal**
14 **identification card number, provide the last 4 digits of his or her**
15 **Social Security number, or present identification for election**
16 **purposes as provided in section 759(4), the clerk must issue the**
17 **applicant a provisional absent voter ballot that is processed**
18 **according to section 523a(5), (6), and (8). An applicant may**
19 **satisfy the requirements under section 813(1) at any time before**
20 **5:00 p.m. on the sixth day after election day.** Subject to the
21 identification requirement in subsection (6), absent voter ballots
22 may be delivered to an applicant in person at the office of the
23 clerk.

24 (2) The qualified voter file must be used to determine the
25 genuineness of a signature on an application for an absent voter
26 ballot. Signature comparisons must be made with the digitized
27 signature in the qualified voter file. If the qualified voter file
28 does not contain a digitized signature of an elector, or is not
29 accessible to the clerk, the city or township clerk shall compare

1 the signature appearing on the application for an absent voter
2 ballot to the signature contained on the master card. If before 8
3 p.m. on the day before election day the clerk of a city or township
4 rejects an absent voter ballot application because the signature on
5 the absent voter ballot application does not agree sufficiently
6 with the signature on the master card or the digitized signature
7 contained in the qualified voter file so as to identify the elector
8 or because the elector failed to sign the absent voter ballot
9 application, the city or township clerk shall as soon as
10 practicable, but in no event later than 48 hours after determining
11 the signatures do not agree sufficiently or that the signature is
12 missing, or by 8 p.m. on the day before election day, whichever
13 occurs first, notify the elector of the rejection by mail,
14 telephone, or ~~electronic mail.~~**email.**

15 (3) Subject to the identification requirement in subsection
16 (6) and except as otherwise provided in this subsection, ~~a person~~
17 **an individual** may apply in person at the clerk's office before 8
18 p.m. on election day to vote as an absent voter. Except as
19 otherwise provided in subsection (2), only an individual who is not
20 a registered elector, or an individual who is not registered to
21 vote in the city or township in which he or she is registering to
22 vote, and who registers to vote on election day in person with the
23 clerk of the city or township in which the individual resides may
24 apply for and complete an absent voter ballot in person at the
25 clerk's office on election day. Except as otherwise provided in
26 subsection (2), the clerk of a city or township shall not issue an
27 absent voter ballot to a registered elector in that city or
28 township after 4 p.m. on the day before the election. The applicant
29 shall receive his or her absent voter ballot and vote the ballot in

the clerk's office. All other absent voter ballots, except ballots delivered pursuant to an emergency absent voter ballot application under section 759b, must be mailed or delivered to the registration address of the applicant unless the application requests delivery to an address outside the city or township or to a hospital or similar institution, in which case the absent voter ballots must be mailed or delivered to the address given in the application.

However, a clerk may mail or deliver an absent voter ballot, upon request of the absent voter, to a post office box if the post office box is where the absent voter normally receives personal mail and the absent voter does not receive mail at his or her registration address.

(4) Absent voter ballots must be issued in the same order in which applications are received by the clerk of a city, township, or village, as nearly as may be, and each ballot issued must bear the lowest number of each kind available for this purpose. However, this provision does not prohibit a clerk from immediately issuing an absent voter ballot to an absent voter who applies in person in the clerk's office for absent voter ballots. The clerk shall enclose with the ballot or ballots a return envelope properly addressed to the clerk and bearing upon the back of the envelope a printed statement in substantially the following form:

TO BE COMPLETED

BY THE CLERK

Name of Voter

Street Address or R.R. or

Program Participant

Identification Number

1 City or Township County
2 Ward _____ Precinct _____ Date of Election _____
3 =====

4 TO BE COMPLETED BY THE ABSENT VOTER

5 I assert that I am a United States citizen and a qualified and
6 registered elector of the city or township named above. I am voting
7 as an absent voter in conformity with state election law. Unless
8 otherwise indicated below, I personally marked the ballot enclosed
9 in this envelope without exhibiting it to any other person.

10 I further assert that this absent voter ballot is being
11 returned to the clerk or an assistant of the clerk by me
12 personally; by public postal service, express mail service, parcel
13 post service, or other common carrier; by a member of my immediate
14 family; or by a person residing in my household.

15 DATE: _____ SIGN HERE: X _____

16 Signature of Absent Voter

17 The above form must be signed or your vote may not be counted.
18 AN ABSENT VOTER WHO KNOWINGLY MAKES A FALSE STATEMENT IS
19 GUILTY OF A MISDEMEANOR.

21 TO BE COMPLETED ONLY IF VOTER IS ASSISTED IN VOTING
22 BY ANOTHER PERSON

23 I assisted the above named absent voter who is disabled or
24 otherwise unable to mark the ballot in marking his or her absent
25 voter ballot pursuant to his or her directions. The absent voter
26 ballot was inserted in the return envelope without being exhibited
27 to any other person.

28 _____
 29 Signature of Person Street Address City or Township

Assisting Voter or R.R.

Printed Name of Person Assisting Voter

A PERSON WHO ASSISTS AN ABSENT VOTER AND WHO KNOWINGLY MAKES A FALSE STATEMENT IS GUILTY OF A FELONY.

=====

WARNING

PERSONS WHO CAN LEGALLY BE IN POSSESSION OF AN ABSENT VOTER BALLOT ISSUED TO AN ABSENT VOTER ARE LIMITED TO THE ABSENT VOTER; A PERSON WHO IS A MEMBER OF THE ABSENT VOTER'S IMMEDIATE FAMILY OR RESIDES IN THE ABSENT VOTER'S HOUSEHOLD AND WHO HAS BEEN ASKED BY THE ABSENT VOTER TO RETURN THE BALLOT; A PERSON WHOSE JOB IT IS TO HANDLE MAIL BEFORE, DURING, OR AFTER BEING TRANSPORTED BY A PUBLIC POSTAL SERVICE, EXPRESS MAIL SERVICE, PARCEL POST SERVICE, OR COMMON CARRIER, BUT ONLY DURING THE NORMAL COURSE OF HIS OR HER EMPLOYMENT; AND THE CLERK, ASSISTANTS OF THE CLERK, AND OTHER AUTHORIZED ELECTION OFFICIALS OF THE CITY OR TOWNSHIP. ANY OTHER PERSON IN POSSESSION OF AN ABSENT VOTER BALLOT IS GUILTY OF A FELONY.

(5) An absent voter who knowingly makes a false statement on the absent voter ballot return envelope is guilty of a misdemeanor. ~~A person~~ **An individual** who assists an absent voter and who knowingly makes a false statement on the absent voter ballot return envelope is guilty of a felony.

(6) ~~If~~ **Except as otherwise provided in this subsection, if** an elector obtains his or her absent voter ballot in person from the clerk of the city or township in which he or she is registered, the clerk of the city or township shall not provide an absent voter ballot to that elector until the elector identifies himself or

1 herself to the clerk by **providing his or her driver license number**
2 **or official state personal identification card number, providing**
3 **the last 4 digits of his or her Social Security number, or**
4 presenting **an original or a copy of** identification for election
5 purposes. If an elector does not ~~have~~ **provide his or her driver**
6 **license number or official state personal identification card**
7 **number, provide the last 4 digits of his or her Social Security**
8 **number, or present an original or a copy of** identification for
9 election purposes, ~~the elector may sign an affidavit to that effect~~
10 ~~before the clerk of the city or township and be allowed to obtain~~
11 ~~his or her absent voter ballot in person from the clerk. The clerk~~
12 ~~of the city or township shall indicate to each elector who is~~
13 ~~registered in that city or township and who obtains his or her~~
14 ~~absent voter ballot in person from the clerk that the elector may~~
15 ~~sign an affidavit indicating that the elector does not have~~
16 ~~identification for election purposes in order to obtain his or her~~
17 ~~absent voter ballot in person from the clerk. However, if an~~
18 ~~elector obtains his or her absent voter ballot in person from the~~
19 ~~clerk and votes by absent voter ballot without providing~~
20 ~~identification for election purposes required under this~~
21 ~~subsection, the absent voter ballot of that elector must be~~
22 ~~prepared as a challenged ballot as provided in section 727 and must~~
23 ~~be counted as any other ballot is counted unless determined~~
24 ~~otherwise by a court of law under section 747 or 748 or any other~~
25 ~~applicable law.~~ **clerk must issue the elector a provisional absent**
26 **voter ballot that is processed according to section 523a(5), (6),**
27 **and (8). An applicant may satisfy the requirements under section**
28 **813(1) at any time before 5:00 p.m. on the sixth day after election**
29 **day.**

1 Sec. 764b. (1) An absent voter ballot must be delivered to the
2 clerk only as authorized in the instructions for an absent voter
3 provided in section 764a. **All absent voter ballots must be**
4 **delivered to the city or township clerk, or to an absent voter**
5 **ballot drop box, by 8:00 p.m. on election day. An absent voter**
6 **ballot delivered after 8:00 p.m. on election day must not be**
7 **counted.**

8 (2) The clerk of a city or township may accept delivery of
9 absent voter ballots at any location in the city or township.

10 (3) The clerk of a city or township may appoint the number of
11 assistants necessary to accept delivery of absent voter ballots at
12 any location in the city or township. An appointment as assistant
13 to accept delivery of absent voter ballots must be for 1 election
14 only. An assistant appointed to receive ballots at a location other
15 than the office of the clerk must be furnished credentials of
16 authority by the clerk. If an absent voter's ballot is received by
17 an assistant at any location other than the clerk's office the
18 assistant, upon request, shall exhibit the credentials to the
19 absent voter before the assistant accepts an absent voter ballot.
20 An assistant, before entering upon the discharge of duties, shall
21 take and subscribe to the oath of office as provided in section 1
22 of article XI of the state constitution of 1963. An assistant shall
23 perform only the duties assigned by the clerk. A person must not be
24 appointed as an assistant to accept delivery of absent voter
25 ballots who is a candidate or a member of the immediate family of a
26 candidate whose name appears on the ballot at that election.

27 (4) A clerk who receives a request from an absent voter under
28 section 764a for assistance in returning his or her absent voter
29 ballot shall make arrangements to collect the ballot from the voter

1 either personally or by sending an authorized assistant, if all of
2 the following conditions are satisfied:

3 (a) The clerk's office issued the absent voter ballot to that
4 absent voter.

5 (b) Upon the clerk's request, the absent voter states that he
6 or she is unable to return the absent voter ballot by the other
7 means specified in instructions (a), (b), or (c) of Step 5 under
8 section 764a.

9 (c) The absent voter telephones the appropriate clerk for
10 assistance on or before 5 p.m. on the Friday immediately before the
11 election.

12 (d) The absent voter requests the clerk to pick up the absent
13 voter ballot within the jurisdictional limits of the city or
14 township in which the absent voter is registered.

15 (5) Notwithstanding subsection (4), a clerk who receives a
16 request from an absent voter under section 764a for assistance in
17 returning his or her absent voter ballot may make arrangements to
18 collect the ballot from the voter either personally or by sending
19 an authorized assistant, if all of the following conditions are
20 satisfied:

21 (a) The clerk's office issued the absent voter ballot to that
22 absent voter.

23 (b) Upon the clerk's request, the absent voter states that he
24 or she is unable to return the absent voter ballot by the other
25 means specified in instructions (a), (b), or (c) of Step 5 under
26 section 764a.

27 (6) The clerk shall maintain a list open to the public that
28 contains the names and addresses of all authorized assistants
29 appointed under this section who are available to collect absent

1 voter ballots on or before election day in that city or township.

2 (7) An absent voter ballot received by the clerk before the
3 close of the polls on election day must not be invalidated solely
4 because the delivery to the clerk was not in compliance with
5 section 764a or this section, however the ballot must be considered
6 challenged and must be marked and processed as provided in section
7 745.

8 Sec. 813. (1) Within 6 days after an election, for each
9 provisional ballot that was placed in a provisional ballot return
10 envelope, the city or township clerk shall determine whether the
11 individual voting the provisional ballot was eligible to vote a
12 ballot. ~~and whether to tabulate the provisional ballot.~~ In making
13 this determination, the city or township clerk shall not open the
14 provisional ballot return envelope. **If the individual voting the**
15 **provisional ballot is determined to be eligible to vote a ballot,**
16 **the city or township clerk shall within 7 days after the election**
17 **send the provisional ballot to the board of county canvassers to be**
18 **tabulated.** A provisional ballot must only be tabulated **by the board**
19 **of county canvassers** if a valid voter registration record for the
20 elector is ~~located~~ **verified by the elector to the city or township**
21 **clerk** or, if the **elector was issued a provisional ballot under**
22 **section 523(5), 759(4), 759a(4), 759b(4), or 761(1) or (6), the**
23 **identity and residence of the elector is established by the elector**
24 **to the city or township clerk** using identification for election
25 purposes, along with a current utility bill, bank statement,
26 paycheck, government check, or other government document to
27 establish the voter's current residence address if the
28 identification for election purposes used by the elector does not
29 contain the voter's current residence address. **If an elector does**

1 not possess identification for election purposes, the identity and
 2 residence of the elector may also be established by the elector to
 3 the city or township clerk using a copy of his or her birth
 4 certificate or Social Security card, along with a current utility
 5 bill, bank statement, paycheck, government check, or other
 6 government document containing the name and current residence
 7 address of the elector. Before the provisional ballot is tabulated
 8 by the board of county canvassers, election officials shall process
 9 the ballot as a challenged ballot under sections 745 and 746. **The**
 10 **board of county canvassers must maintain the secrecy of the ballot**
 11 **when tabulating provisional ballots under this subsection. The**
 12 **secretary of state shall promulgate rules pursuant to the**
 13 **administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to**
 14 **24.328, to establish procedures for a board of county canvassers to**
 15 **tabulate provisional ballots under this subsection.**

16 ~~(2) Within 7 days after an election, but sooner if~~
 17 ~~practicable, the city or township clerk shall transmit the results~~
 18 ~~of provisional ballots tabulated after the election to the board of~~
 19 ~~county canvassers. The results must be transmitted in a form~~
 20 ~~prescribed by the secretary of state.~~

21 **(2) ~~(3)~~** Within 7 days after an election, the city or township
 22 clerk shall transmit to the county clerk a provisional ballot
 23 report for each precinct in the jurisdiction. The report must
 24 include for each precinct the number of provisional ballots issued,
 25 the number of provisional ballots tabulated on election day, the
 26 number of provisional ballots forwarded to the clerk to be
 27 determined after the election, the number of provisional ballots
 28 **sent to the board of county canvassers to be** tabulated ~~by the clerk~~
 29 after election day, and any additional information concerning

1 provisional ballots as required by the secretary of state.

2 ~~(4) Within 7 days after an election, the city or township~~
3 ~~clerk shall transmit to the county clerk an affidavit report that~~
4 ~~includes the number of affidavits signed by voters under section~~
5 ~~523(2). The affidavit report must be transmitted to the county~~
6 ~~clerk in a form prescribed by the secretary of state.~~

7 (3) ~~(5)~~ Within 7 days after an election, the city or township
8 clerk shall ensure that the qualified voter file is current and
9 includes any individual who registered to vote under section 497(3)
10 and (4).

11 Sec. 829. (1) The board of county canvassers shall include the
12 results of the tabulated provisional ballots in the canvass of the
13 election following procedures prescribed by the secretary of state
14 designed to maintain the secrecy of the ballot.

15 (2) Within 14 days after a primary or election, the county
16 clerk shall transmit a county provisional ballot report to the
17 secretary of state. The county provisional ballot report must be in
18 a manner prescribed by the secretary of state. After the secretary
19 of state receives a county provisional ballot report, the county
20 provisional ballot report must be immediately available for public
21 inspection.

22 ~~(3) Within 14 days after an election, the county clerk shall~~
23 ~~transmit a county affidavit report to the secretary of state. The~~
24 ~~county affidavit report must include the number of affidavits~~
25 ~~signed by voters under section 523(2). The county affidavit report~~
26 ~~must be transmitted in a form prescribed by the secretary of state.~~
27 ~~After the secretary of state receives the county affidavit report~~
28 ~~from the county clerk, the county affidavit report must immediately~~
29 ~~be available for public inspection.~~

1 (3) ~~(4)~~ Within 14 days after an election, the secretary of
2 state shall transmit to the house and senate committees dealing
3 with elections a voter registration application report that
4 includes the number of voter registration applications executed by
5 applicants under section 497(3) and (4).

6 **Sec. 946. (1) Elections in this state must be funded with**
7 **public money appropriated by the legislature or by the county,**
8 **city, or township conducting the election. This state, a**
9 **department, agency, commission, or board of this state, or a**
10 **county, city, or township must not accept or use any private funds,**
11 **in-kind contributions, or other consideration from any individual**
12 **or entity, either directly or indirectly, to conduct or administer**
13 **an election. The prohibition in this subsection applies to**
14 **election-related activities including, but not limited to, voter**
15 **registration, voter eligibility review, mailing of election**
16 **materials, sharing of voter information, creation or dissemination**
17 **of advertisements about an election, or recruiting and hiring**
18 **precinct election inspectors. The prohibition in this subsection**
19 **also applies to election-related equipment including, but not**
20 **limited to, tabulators, communication devices, signs, tents, voting**
21 **facilities or locations, or absent voter ballot drop boxes.**

22 **(2) Elections in this state must be conducted in accordance**
23 **with the United States Constitution, the state constitution of**
24 **1963, and the laws of this state. Individuals other than the**
25 **secretary of state or election officials with a county, city, or**
26 **township acting pursuant to law and the state constitution of 1963**
27 **must not direct the conduct or administration of elections in this**
28 **state.**

29 Enacting section 1. If any provision of this amendatory act is

1 found to be in conflict with the United States Constitution, the
2 state constitution of 1963, or federal law, this amendatory act
3 must be implemented to the maximum extent that the United States
4 Constitution, the state constitution of 1963, and federal law
5 permit. Any provision of this amendatory act that is held invalid
6 or inoperative is severable from the remaining provisions of this
7 amendatory act.