

SUBSTITUTE FOR
HOUSE BILL NO. 4840

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 811 and 847 (MCL 168.811 and 168.847), section
811 as amended by 2018 PA 603 and section 847 as amended by 2012 PA
271.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 811. **(1)** All election returns, including poll lists,
2 statements, tally sheets, absent voters' return envelopes bearing
3 the statement required by section 761, absent voters' records
4 required by section 760, and other returns made by the **election**
5 inspectors ~~of election~~ of the several precincts must be carefully
6 preserved and may be destroyed after the expiration of ~~2 years~~ **22**
7 **months** following the **date of the** primary or election at which the

1 same were used.

2 (2) All applications executed under section 523, all voter
3 registration applications executed by applicants under section
4 497(3) and (4), and all absent voters' applications must be
5 carefully preserved and may be destroyed after the expiration of 6
6 years following the **date of the** primary or election at which those
7 applications were executed.

8 (3) ~~All~~**Except as otherwise provided in this subsection, all**
9 ballots used at any primary or election may be destroyed after 30
10 days following the final determination of the board of canvassers
11 with respect to the primary or election unless a petition for
12 recount has been filed and not completed or unless their
13 destruction is stayed by an order of a court. **All ballots used for**
14 **any state or federal primary or election must be carefully**
15 **preserved and may be destroyed after the expiration of 22 months**
16 **following the date of the primary or election.**

17 (4) **Except as otherwise provided by law, all** electronic poll
18 book flash drives used at any primary or election must be carefully
19 preserved and may be destroyed after 30 days following
20 certification of an election by the board of state canvassers in a
21 precinct other than a precinct in which 1 or more of the following
22 occur:

23 (a) A petition for recount has been filed with the board of
24 state canvassers.

25 (b) A petition has been filed under section 879.

26 (c) A court of competent jurisdiction has issued an order
27 restraining interference with electronic poll book flash drives.

28 Sec. 847. (1) ~~The~~**Except as otherwise provided in subsection**
29 **(2), the** secretary of state may authorize the release of all

1 ballots, ballot boxes, voting machines, **electronic poll book flash**
2 **drives**, and equipment after 30 days following certification of an
3 election by the board of state canvassers in a precinct other than
4 a precinct in which 1 or more of the following occur:

5 (a) A petition for recount has been filed with the board of
6 state canvassers.

7 (b) A petition has been filed ~~pursuant to~~**under** section 879.

8 (c) A court of competent jurisdiction has issued an order
9 restraining interference with ballots, ballot boxes, voting
10 machines, **electronic poll book flash drives**, and equipment.

11 (2) **All ballots used for any state or federal primary or**
12 **election must be carefully preserved and may be destroyed after the**
13 **expiration of 22 months following the date of the primary or**
14 **election.**