

HOUSE BILL NO. 4840

May 13, 2021, Introduced by Reps. Borton, Fink, Beson, Posthumus, Beeler, Bellino, Damoose, Tisdell, Huizenga, Carra, Maddock, Markkanen, Roth, Outman, Hoitenga, Allor and Reilly and referred to the Committee on Elections and Ethics.

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

1 required by section 760, and other returns made by the **election**
2 inspectors ~~of election~~ of the several precincts must be carefully
3 preserved and may be destroyed after the expiration of 2 years
4 following the **date of the** primary or election at which the same
5 were used.

6 (2) All applications executed under section 523, all voter
7 registration applications executed by applicants under section
8 497(3) and (4), and all absent voters' applications must be
9 carefully preserved and may be destroyed after the expiration of ~~6~~
10 ~~years~~ **22 months** following the **date of the** primary or election at
11 which those applications were executed.

12 (3) All ballots used at any primary or election ~~may be~~
13 ~~destroyed after 30 days following the final determination of the~~
14 ~~board of canvassers with respect to the primary or election unless~~
15 ~~a petition for recount has been filed and not completed or unless~~
16 ~~their destruction is stayed by an order of a court.~~ **must be**
17 **carefully preserved and may be destroyed after the expiration of 22**
18 **months following the date of the primary or election.**

19 (4) All electronic poll book software used at any primary or
20 election **must be carefully preserved and may be destroyed after the**
21 **expiration of 22 months following the date of the primary or**
22 **election at which the electronic poll book software was used.**

23 Sec. 847. (1) The secretary of state may authorize the release
24 of all ~~ballots~~, ballot boxes, voting machines, and equipment after
25 30 days following certification of an election by the board of
26 state canvassers in a precinct other than a precinct in which 1 or
27 more of the following occur:

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

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

2 (c) A court of competent jurisdiction has issued an order
3 restraining interference with ~~ballots,~~ ballot boxes, voting
4 machines, and equipment.

5 (2) All ballots used at any primary or election must be
6 carefully preserved and may be destroyed after the expiration of 22
7 months following the date of the primary or election.

8 (3) All electronic poll book software used at any primary or
9 election must be carefully preserved and may be destroyed after the
10 expiration of 22 months following the date of the primary or
11 election at which the electronic poll book software was used.