

HOUSE BILL NO. 5949

March 22, 2022, Introduced by Reps. Pohutsky, Brabec, Young, Hope, Rogers, Cavanagh, Sowerby, Manoogian, Brenda Carter, Rabhi, Weiss, Stone, Tate, Kuppa, Steckloff, Morse, Hood, Breen, Hertel, Tyrone Carter, Aiyash, Camilleri, Puri, Lasinski, Neeley, Haadsma, Ellison, Thanedar, LaGrand, Koleszar, Scott, Brixie, Garza, Cynthia Johnson, Anthony and Yancey and referred to the Committee on Elections and Ethics.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 720 and 735 (MCL 168.720 and 168.735), section
735 as amended by 2004 PA 92, and by adding section 720a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 720. **(1)** On the day of ~~any~~**an** election, the polls ~~shall~~
2 ~~be opened~~**must open** at 7 o'clock in the forenoon,~~a.m.~~ and shall
3 **must** be continuously open until 8 o'clock in the afternoon and no
4 ~~longer. Every~~**p.m. Each** qualified elector present and in line at

1 the polls at ~~the hour prescribed for the closing thereof shall time~~
2 must be allowed to vote.

3 (2) For early voting under section 720a, the polls must be
4 open for at least 8 hours each day beginning on the second Saturday
5 before election day and ending on the Sunday before election day.
6 The city or township clerk shall provide notice to the electors as
7 provided in section 653a of the dates, times, and locations at
8 which early voting will be held in the city or township. Before
9 early voting begins, the city or township clerk shall post notice
10 at the clerk's office that includes both of the following:

11 (a) The dates and times that the polling places will be open
12 during the early voting period.

13 (b) The location of the polling places designated by the city
14 or township clerk to be used during the early voting period.

15 Sec. 720a. (1) Subject to subsection (2), each city or
16 township must provide early voting at 1 or more polling places
17 designated by the city or township clerk beginning on the second
18 Saturday before election day and ending on the Sunday before
19 election day.

20 (2) Not less than 60 days before an election, the clerk of a
21 city or township may do either of the following:

22 (a) Enter into an agreement with the clerk of another city or
23 township, or with the clerks of more than 1 city or township,
24 located in the same county as that city or township to provide for
25 the sharing of early voting polling places in those cities and
26 townships.

27 (b) Enter into an agreement with the clerk of the county in
28 which the city or township is located to conduct early voting for
29 that city or township. If a city or township has boundaries located

1 in more than 1 county, the clerk of the city or township shall only
2 enter into an agreement under this subdivision with the county
3 clerk of the county in which the majority of the electors of the
4 city or township reside.

5 (3) The secretary of state shall cooperate with each county,
6 city, and township clerk conducting early voting and provide
7 technical assistance to each county, city, or township clerk who
8 requests technical assistance.

9 (4) Except as otherwise provided in this section, an early
10 voting polling place is subject to all of the same requirements as
11 an election day polling place.

12 (5) An elector who votes at an early voting polling place has
13 all of the same rights, and is subject to all of the same
14 requirements, as an elector at an election day polling place.

15 (6) The poll book and poll list for each precinct must be
16 maintained in accordance with section 735.

17 (7) Early voting ballots must be processed and tabulated in
18 the same manner as ballots cast on election day.

19 Sec. 735. (1) At each primary and election, election
20 inspectors shall keep 1 poll book and 1 poll list. An election
21 inspector shall enter in the poll book, in the order in which
22 electors are given ballots, the name of each elector who is given a
23 ballot and immediately after the name, on the same line, shall
24 enter the number of the ballot given to the elector. For an absent
25 voter ballot, when an election inspector removes the ballot from
26 the sealed absent voter envelope, the election inspector shall
27 enter in the poll book the name of the absent voter and the number
28 of the ballot.

29 (2) For early voting under section 720a, the poll book must be

1 divided by date and separate records must be maintained for each
2 day during the early voting period as described in sections 720 and
3 720a.

4 (3) ~~(2)~~—If an elector is issued a provisional ballot, an
5 election inspector shall enter a proper designation in the poll
6 book, including whether the provisional ballot was tabulated in the
7 precinct or was secured for verification after the election.

8 (4) ~~(3)~~—At the completion of the precinct canvass, an election
9 inspector shall record on the certificate provided in the poll book
10 the number of each metal seal used to seal voting equipment and
11 ballot containers. Each member of the board of election inspectors
12 ~~shall~~**must** sign the certificate.