

# HOUSE BILL NO. 4568

May 16, 2023, Introduced by Reps. Whitsett, Rogers, Tsernoglou, Price, Byrnes, Rheingans, Andrews, Wilson, Hood, Pohutsky, Conlin, Hoskins, Brixie, McFall, Mentzer, Hope, Breen, Arbit, MacDonell, Wegela, Skaggs, Miller, Dievendorf, Scott, Morgan, Young, Koleszar, Weiss, Farhat, Paiz, Brabec, McKinney, Steckloff, Coffia, Edwards, O'Neal, Neeley, Grant and Martus and referred to the Committee on Elections.

A bill to amend 1954 PA 116, entitled  
"Michigan election law,"  
by amending section 931 (MCL 168.931), as amended by 1996 PA 583.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 931. (1) ~~A person~~**An individual** who violates 1 or more of  
2 the following subdivisions is guilty of a misdemeanor:

3           (a) ~~A person~~**An individual** shall not, either directly or  
4 indirectly, give, lend, or promise valuable consideration ~~to~~ or  
5 for any ~~person~~**individual** as an inducement to influence the manner  
6 of voting by ~~a person~~**an individual** relative to a candidate or

1 ballot question ~~or~~ as a reward for refraining from voting.

2 (b) ~~A person~~ **An individual** shall not, either before, on, or  
3 after an election, for the ~~person's~~ **individual's** own benefit or on  
4 behalf of any other ~~person~~, **individual**, receive, agree, or contract  
5 for valuable consideration for 1 or more of the following:

6 (i) Voting or agreeing to vote, or inducing or attempting to  
7 induce another to vote, at an election.

8 (ii) Refraining or agreeing to refrain, or inducing or  
9 attempting to induce another to refrain, from voting at an  
10 election.

11 (iii) Doing anything prohibited by this act.

12 (iv) Both distributing absent voter ballot applications to  
13 voters and receiving signed applications from voters for delivery  
14 to the appropriate clerk or assistant of the clerk. This  
15 subparagraph does not apply to an authorized election official.

16 (c) ~~A person~~ **An individual** shall not solicit any valuable  
17 consideration from a candidate for nomination for, or election to,  
18 an office described in this act. This subdivision does not apply to  
19 requests for contributions of money by or to an authorized  
20 representative of the political party committee of the organization  
21 to which the candidate belongs. This subdivision does not apply to  
22 a regular business transaction between a candidate and any other  
23 person that is not intended for, or connected with, the securing of  
24 votes or the influencing of voters in connection with the  
25 nomination or election.

26 (d) ~~A person~~ **An individual** shall not, either directly or  
27 indirectly, discharge or threaten to discharge an employee of the  
28 ~~person~~ **individual** for the purpose of influencing the employee's  
29 vote at an election.

1 (e) A priest, pastor, curate, or other officer of a religious  
2 society shall not for the purpose of influencing a voter at an  
3 election, impose or threaten to impose upon the voter a penalty of  
4 excommunication, dismissal, or expulsion, ~~or~~ command or advise the  
5 voter ~~under~~ pain of religious disapproval.

6 ~~(f) A person shall not hire a motor vehicle or other~~  
7 ~~conveyance or cause the same to be done, for conveying voters,~~  
8 ~~other than voters physically unable to walk, to an election.~~

9 (f) ~~(g)~~In a city, township, village, or school district that  
10 has a board of election commissioners authorized to appoint  
11 inspectors of election, an inspector of election, a clerk, or other  
12 election official who accepts an appointment as an inspector of  
13 election shall not fail to report at the polling place designated  
14 on election morning at the time specified by the board of election  
15 commissioners, unless excused as provided in this subdivision. ~~A~~  
16 ~~person~~**An individual** who violates this subdivision is guilty of a  
17 misdemeanor, ~~punishable~~ by a fine of not more than \$10.00 or  
18 imprisonment for not more than 10 days, or both. An inspector of  
19 election, clerk, or other election official who accepts an  
20 appointment as an inspector of election is excused for failing to  
21 report at the polling place on election day and is not subject to a  
22 fine or imprisonment under this subdivision if 1 or more of the  
23 following requirements are met:

24 (i) The inspector of election, clerk, or other election  
25 official notifies the board of election commissioners or other  
26 officers in charge of elections of ~~his or her~~**the** inability to  
27 serve at the time and place specified, 3 days or more before the  
28 election.

29 (ii) The inspector of election, clerk, or other election

1 official is excused from duty by the board of election  
 2 commissioners or other officers in charge of elections for cause  
 3 shown.

4 (g) ~~(h) A person~~ **An individual** shall not willfully fail to  
 5 perform a duty imposed upon that ~~person~~ **individual** by this act, ~~or~~  
 6 disobey a lawful instruction or order of the secretary of state as  
 7 chief state election officer or of a board of county election  
 8 commissioners, board of city election commissioners, or board of  
 9 inspectors of election.

10 (h) ~~(i) A delegate or member of a convention shall not solicit~~  
 11 a candidate for nomination before the convention for money, reward,  
 12 position, place, preferment, or other valuable consideration in  
 13 return for support by the delegate or member in the convention. A  
 14 candidate or other ~~person~~ **individual** shall not promise or give to a  
 15 delegate money, reward, position, place, preferment, or other  
 16 valuable consideration in return for support by or vote of the  
 17 delegate in the convention.

18 (i) ~~(j) A person~~ **An individual** elected to the office of  
 19 delegate to a convention shall not accept or receive any money or  
 20 other valuable consideration for ~~his or her~~ **the individual's** vote  
 21 as a delegate.

22 (j) ~~(k) A person~~ **An individual** shall not, while the polls are  
 23 open on an election day, solicit votes in a polling place or within  
 24 100 feet from an entrance to the building in which a polling place  
 25 is located.

26 (k) ~~(l) A person~~ **An individual** shall not keep a room or  
 27 building for the purpose, in whole or in part, of recording or  
 28 registering bets or wagers, or of selling pools upon the result of  
 29 a political nomination, appointment, or election. ~~A person~~ **An**

1 **individual** shall not wager property, money, or thing of value, or  
 2 be the custodian of money, property, or thing of value ~~—~~staked,  
 3 wagered, or pledged upon the result of a political nomination,  
 4 appointment, or election.

5 (l) ~~(m) A person—~~**An individual** shall not participate in a  
 6 meeting or a portion of a meeting of more than 2 ~~persons,~~  
 7 **individuals**, other than the ~~person's—~~**individual's** immediate family,  
 8 at which an absent voter ballot is voted.

9 (m) ~~(n) A person,—~~**An individual**, other than an authorized  
 10 election official, shall not, either directly or indirectly, give,  
 11 lend, or promise any valuable consideration to or for ~~a person—~~**an**  
 12 **individual** to induce that ~~person—~~**individual** to both distribute  
 13 absent voter ballot applications to voters and receive signed  
 14 absent voter ballot applications from voters for delivery to the  
 15 appropriate clerk.

16 (2) ~~A person—~~**An individual** who violates a provision of this  
 17 act for which a penalty is not otherwise specifically provided in  
 18 this act ~~—~~is guilty of a misdemeanor.

19 (3) ~~A person—~~**An individual** or ~~a person's—~~**an individual's** agent  
 20 who knowingly makes, publishes, disseminates, circulates, or places  
 21 before the public, or knowingly causes directly or indirectly to be  
 22 made, published, disseminated, circulated, or placed before the  
 23 public, in this state, either orally or in writing, an assertion,  
 24 representation, or statement of fact concerning a candidate for  
 25 public office at an election in this state, that is false,  
 26 deceptive, scurrilous, or malicious, without the true name of the  
 27 author being subscribed to the assertion, representation, or  
 28 statement if written, or announced if unwritten, is guilty of a  
 29 misdemeanor.

1           (4) As used in this section, "valuable consideration"  
2 includes, but is not limited to, money, property, a gift, a prize  
3 or chance for a prize, a fee, a loan, an office, a position, an  
4 appointment, or employment.