

MICHIGAN ELECTION LAW (EXCERPT)
Act 116 of 1954

168.931b Prohibition on intimidation of or interference with election workers; violation; penalties; application to constitutionally protected activities; definitions.

Sec. 931b. (1) An individual who intimidates an election official because of the election official's status as an election official, with the specific intent of interfering with the performance of that election official's election-related duties, is guilty of a crime as provided under subsection (3).

(2) An individual who prevents an election official from performing the election official's duties in conducting an election is guilty of a crime as provided under subsection (3).

(3) An individual who violates subsection (1) or (2) is guilty of a crime as follows:

(a) For a first offense, the individual is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both.

(b) For a second offense, the individual is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$1,000.00, or both.

(c) For a third or subsequent offense, the individual is guilty of a felony.

(4) This section does not apply to constitutionally protected activity, including, but not limited to, engaging in reporting, news gathering, protesting, lobbying, advocacy, or other activities intended to inform or influence the public or public officials, including election officials, on matters of public interest or public concern.

(5) As used in this section:

(a) "Duties" include, but are not limited to, any of the following:

(i) Creating, disseminating, collecting, or delivering applications or ballots, including absent voter ballots or absent voter ballot applications.

(ii) Registering voters.

(iii) Opening, closing, and maintaining order at polling places, early voting sites, and absent voter counting board locations.

(iv) Processing and assisting voters at polling places or early voting sites.

(v) Processing and tabulating ballots at polling places, early voting sites, and absent voter counting board locations.

(vi) Tallying ballots at polling places and absent voter counting board locations.

(vii) Certifying election results by a board of county canvassers or the board of state canvassers.

(b) "Election official" means a public officer, public employee, election inspector, member of the board of state canvassers, member of a board of county canvassers, member of an absent voter counting board, or a county, city, or township clerk who has a duty to perform in connection with an election conducted under this act.

(c) "Intimidate" means a willful course of conduct involving harassment of another individual that is intended to cause the individual to fear physical injury, that would cause a reasonable individual to fear physical injury, and that actually causes the individual to fear physical injury. Intimidate does not include constitutionally protected activity or conduct that serves a legitimate purpose.

History: Add. 2023, Act 253, Eff. Feb. 13, 2024.

Popular name: Election Code