

# SENATE BILL No. 52

January 27, 2009, Introduced by Senators CHERRY, SWITALSKI and JACOBS and referred to the Committee on Campaign and Election Oversight.

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~~**OPEN** at 7 o'clock in the forenoon, ~~A.M.~~ and shall be  
 3 continuously open until 8 o'clock in the afternoon and no longer.  
 4 ~~Every~~**P.M. EACH** qualified elector present and in line at the  
 5 polls at ~~the hour prescribed for the closing thereof~~**TIME** shall  
 6 be allowed to vote.

7           (2) **FOR EARLY VOTING UNDER SECTION 720A, THE CLERK**  
 8 **CONDUCTING THE ELECTION SHALL DESIGNATE THE HOURS AT WHICH THE**  
 9 **POLLS WILL OPEN AND CLOSE. THE POLLS SHALL BE OPEN NOT LESS THAN**  
 10 **7 HOURS EACH WEEKDAY AND NOT LESS THAN 3 HOURS EACH SATURDAY**

1 DURING THE EARLY VOTING PERIOD IN SECTION 720A. BEFORE EARLY  
2 VOTING BEGINS, THE CLERK SHALL POST THE HOURS THAT THE POLLS WILL  
3 BE OPEN AT THE CLERK'S OFFICE. THE CLERK SHALL PROVIDE NOTICE TO  
4 THE ELECTORS THAT SUBSTANTIALLY COMPLIES WITH THE FORM IN SECTION  
5 653A OF THE DATES AND HOURS THE EARLY VOTING POLLING PLACES WILL  
6 BE OPEN.

7 SEC. 720A. (1) EVERY CITY, TOWNSHIP, AND VILLAGE SHALL  
8 PROVIDE EARLY VOTING AT POLLING PLACES DESIGNATED BY THE CITY,  
9 TOWNSHIP, OR VILLAGE CLERK DURING THE PERIOD OF TIME SET FORTH IN  
10 THIS SECTION BEFORE A REGULAR OR SPECIAL ELECTION.

11 (2) EARLY VOTING SHALL BEGIN ON THE FIFTEENTH DAY BEFORE A  
12 REGULAR ELECTION AND END ON THE DAY BEFORE THE ELECTION. FOR  
13 PURPOSES OF A SPECIAL ELECTION HELD PURSUANT TO THIS ACT, EARLY  
14 VOTING SHALL BEGIN ON THE EIGHTH DAY BEFORE A SPECIAL ELECTION  
15 AND END ON THE DAY BEFORE THE ELECTION.

16 (3) THE SECRETARY OF STATE SHALL COOPERATE WITH EACH  
17 MUNICIPALITY CONDUCTING EARLY VOTING AND PROVIDE TECHNICAL  
18 ASSISTANCE TO EACH MUNICIPALITY THAT REQUESTS TECHNICAL  
19 ASSISTANCE.

20 (4) BEFORE BEING GIVEN A BALLOT, EACH ELECTOR USING EARLY  
21 VOTING SHALL PROVIDE IDENTIFICATION TO AN ELECTION OFFICIAL  
22 PURSUANT TO SECTION 523. IN ADDITION, EACH ELECTOR USING EARLY  
23 VOTING SHALL SUBMIT TO THE ELECTION OFFICIAL IN CHARGE OF THE  
24 PRECINCT AN EARLY VOTER CERTIFICATE IN SUBSTANTIALLY THE  
25 FOLLOWING FORM:

26 EARLY VOTER CERTIFICATE

1 I CERTIFY THAT MY NAME IS \_\_\_\_\_, MY ADDRESS IS  
2 \_\_\_\_\_, MY DATE OF BIRTH IS \_\_\_\_\_,  
3 AND I AM A QUALIFIED AND REGISTERED ELECTOR IN THIS ELECTION.  
4 I UNDERSTAND THAT IF I COMMIT OR ATTEMPT TO COMMIT FRAUD IN  
5 CONNECTION WITH VOTING, VOTE A FRAUDULENT BALLOT, OR VOTE  
6 MORE THAN ONCE IN AN ELECTION I COULD BE CONVICTED OF A  
7 FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 4 YEARS  
8 OR A FINE OF NOT MORE THAN \$2,000.00, OR BOTH. I UNDERSTAND  
9 THAT MY FAILURE TO SIGN THIS CERTIFICATE INVALIDATES MY BALLOT.  
10 \_\_\_\_\_  
11 (VOTER'S SIGNATURE) / (DATE)

12 (5) EXCEPT AS OTHERWISE PROVIDED, ALL OF THE FOLLOWING  
13 PROVISIONS OF THIS ACT APPLY TO EARLY VOTING:  
14 (A) ELECTION INSPECTORS.  
15 (B) CHALLENGES TO VOTERS.  
16 (C) POLL BOOK AND POLL LIST.  
17 (D) NOTICES, INSTRUCTIONS, AND PLACARDS.  
18 (E) SECURITY OF A VOTING MACHINE OR OTHER VOTING SYSTEM.  
19 (F) BALLOT SECURITY, BALLOT CONTAINERS, BALLOT COUNTING, AND  
20 BALLOT PRESERVATION.  
21 (G) SPOILED BALLOTS.  
22 (6) THE POLL BOOK AND POLL LIST FOR EACH PRECINCT SHALL BE  
23 MAINTAINED IN ACCORDANCE WITH SECTION 735.  
24 (7) EARLY VOTING BALLOTS SHALL BE PROCESSED IN THE SAME  
25 MANNER AS BALLOTS CAST ON ELECTION DAY AND SHALL NOT BE COUNTED  
26 UNTIL THE POLLS CLOSE ON ELECTION DAY.  
27 (8) AS USED IN THIS SECTION, "MUNICIPALITY" MEANS A CITY,  
28 TOWNSHIP, OR VILLAGE.

1           Sec. 735. (1) At each primary and election, election  
2 inspectors shall keep 1 poll book and 1 poll list. An election  
3 inspector shall enter in the poll book, in the order in which  
4 electors are given ballots, the name of each elector who is given  
5 a ballot and immediately after the name, on the same line, shall  
6 enter the number of the ballot given to the elector. For an  
7 absent voter ballot, when an election inspector removes the  
8 ballot from the sealed absent voter envelope, the election  
9 inspector shall enter in the poll book the name of the absent  
10 voter and the number of the ballot.

11           **(2) FOR EARLY VOTING UNDER SECTION 720A, THE POLL BOOK SHALL**  
12 **BE DIVIDED BY DATE AND SEPARATE RECORDS SHALL BE MAINTAINED FOR**  
13 **EACH DAY OF EARLY VOTING.**

14           (3) ~~(2)~~—If an elector is issued a provisional ballot, an  
15 election inspector shall enter a proper designation in the poll  
16 book, including whether the provisional ballot was tabulated in  
17 the precinct or was secured for verification after the election.

18           (4) ~~(3)~~—At the completion of the precinct canvass, an  
19 election inspector shall record on the certificate provided in  
20 the poll book the number of each metal seal used to seal voting  
21 equipment and ballot containers. Each member of the board of  
22 election inspectors shall sign the certificate.