
THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 758. (1) For the purposes of this act, "absent voter" means a qualified and registered elector who meets 1 or more of the following requirements:

(a) On account of physical disability, cannot without another's assistance attend the polls on the day of an election.

(b) On account of the tenets of his or her religion, cannot attend the polls on the day of election.

(c) Cannot attend the polls on the day of an election in the precinct in which he or she resides because of being an election
precinct inspector in another precinct.

(d) Is 60 years of age or older.

(e) Is absent or expects to be absent from the township or city in which he or she resides during the entire period the polls are open for voting on the day of an election.

(f) Cannot attend the polls on election day because of being confined in jail awaiting arraignment or trial.

G. APPLIES FOR AN ABSENT VOTER BALLOT IN PERSON WITH THE CLERK OF THE TOWNSHIP, CITY, OR VILLAGE IN WHICH HE OR SHE IS REGISTERED, AND HE OR SHE IDENTIFIES HIMSELF OR HERSELF TO THE CLERK BY PRESENTING AN OFFICIAL STATE PERSONAL IDENTIFICATION CARD ISSUED TO THAT ELECTOR UNDER 1972 PA 222, MCL 28.291 TO 28.300, AN OPERATOR'S OR CHAUFFEUR'S LICENSE ISSUED TO THAT ELECTOR UNDER THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.1 TO 257.923, OR ANOTHER GENERALLY RECOGNIZED PICTURE IDENTIFICATION CARD.

(2) Subsection (1) does not apply to a person who has moved outside of this state, regardless of length of his or her residence outside of this state, and who no longer maintains an actual residence in this state. The storage of personal effects or household goods, the ownership of property that is rented or leased to others, or occasional brief visits to a former domicile in this state while residing outside of this state for most of the year does-not constitute a residence for voting purposes in this state, except for each of the following:

(a) A person described in section 1 of article II of the state constitution of 1963 and statutes enacted under that section.

(b) A person described in section 759a.
Sec. 759. (1) At any time during the 75 days before a primary or special primary, but not later than 2 p.m. of the Saturday immediately before the primary or special primary, an elector who qualifies to vote as an absent voter, as defined in section 758, may apply for an absent voter ballot. The elector shall apply in person or, SUBJECT TO SECTION 758(1)(G), by mail with the clerk of the township, city, or village in which the elector is registered. An application received before a primary or special primary may be for either that primary only, or for that primary and the election that follows.

(2) Except as otherwise provided in subsection (1), at anytime during the 75 days before an election, but not later than 2 p.m. of the Saturday before the election, an elector who qualifies to vote as an absent voter, as defined in section 758, may apply for an absent voter ballot. The elector shall apply in person or, SUBJECT TO SECTION 758(1)(G), by mail with the clerk of the township, city, or village in which the voter is registered.

(3) An application for an absent voter ballot under this section may be made in any of the following ways:

(a) By a written request signed by the voter stating the statutory grounds for making the application.

(b) On an absent voter ballot application form provided for that purpose by the clerk of the city, township, or village.

(c) On a federal postcard application.

(4) An applicant for an absent voter ballot shall sign the application. A clerk or assistant clerk shall not deliver an absent voter ballot to an applicant who does not sign the application. A
person shall not be in possession of a signed absent voter ballot application except for the applicant; a member of the applicant's immediate family; a person residing in the applicant's household; a person whose job normally includes the handling of mail, but only during the course of his or her employment; a registered elector requested by the applicant to return the application; or a clerk, assistant of the clerk, or other authorized election official. A registered elector who is requested by the applicant to return his or her absent voter ballot application shall sign the certificate on the absent voter ballot application.

(5) The clerk of a city, township, or village shall have absent voter ballot application forms available in the clerk's office at all times and shall furnish an absent voter ballot application form to anyone upon a verbal or written request. The absent voter ballot application shall be in substantially the following form:

"Application for absent voter ballot for:

[ ] The primary or special primary election to be held on ____________ (Date).

[ ] The election to be held on _____ (Date).

(Check applicable election or elections)

I, .................................., a United States citizen and a qualified and registered elector of the ............. precinct of the township of ............ or village of ............. or of the ............. ward of the city of ............., in the county of .......... and state of Michigan, apply for
an official ballot, or ballots, to be voted by me at the election
or elections as requested in this application.

The statutory grounds on which I base my request are:

[ ] I expect to be absent from the community in which I am
registered for the entire time the polls are open on election day.

[ ] I am physically unable to attend the polls without the
assistance of another.

[ ] I cannot attend the polls because of the tenets of my
religion.

[ ] I have been appointed an election precinct inspector in a
precinct other than the precinct where I reside.

[ ] I am 60 years of age or older.

[ ] I cannot attend the polls because I am confined to jail
awaiting arraignment or trial.

(Check applicable reason)

Send absent voter ballot to me at:

...........................................
(Street No. or R.R.)

...........................................
(Post Office) (State) (Zip Code)

My registered address .......................................
(Street No. or R.R.)

...........................................
(Post Office) (State) (Zip Code)

Date.........................................................

I certify that I am a United States citizen and that
the statements in this absent voter ballot application
1 are true.

   ...........................................
   
   (Signature)

   WARNING

   You must be a United States citizen to vote. If you are not a
   United States citizen, you will not be issued an absent voter
   ballot.

   A person making a false statement in this absent voter ballot
   application is guilty of a misdemeanor. It is a violation of
   Michigan election law for a person other than those listed in the
   instructions to return, offer to return, agree to return, or
   solicit to return your absent voter ballot application to the
   clerk. An assistant authorized by the clerk who receives absent
   voter ballot applications at a location other than the clerk's
   office must have credentials signed by the clerk. Ask to see his or
   her credentials before entrusting your application with a person
   claiming to have the clerk's authorization to return your
   application.

Certificate of Authorized Registered
Elector Returning Absent Voter
Ballot Application

   I certify that my name is ....................... , my address is
   ....................... , and my date of birth is .............. ; that
   I am delivering the absent voter ballot application of
   ....................... at his or her request; that I did not solicit
   or request to return the application; that I have not made any
markings on the application; that I have not altered the application in any way; that I have not influenced the applicant; and that I am aware that a false statement in this certificate is a violation of Michigan election law.

________________________     ____________________________
(Date)                          (Signature)"

(6) IF AN ELECTOR WHO QUALIFIES TO VOTE AS AN ABSENT VOTER AS DEFINED IN SECTION 758(1)(G) APPLIES FOR AN ABSENT VOTER BALLOT, THE ABSENT VOTER BALLOT APPLICATION SHALL BE IN SUBSTANTIALLY THE FOLLOWING FORM:

"APPLICATION FOR ABSENT VOTER BALLOT FOR:

[  ] THE PRIMARY OR SPECIAL PRIMARY ELECTION TO BE HELD ON ___________________ (DATE).

[  ] THE ELECTION TO BE HELD ON _______ (DATE).

(CHECK APPLICABLE ELECTION OR ELECTIONS)

I, .................................. , A UNITED STATES CITIZEN AND A QUALIFIED AND REGISTERED ELECTOR OF THE ............ PRECINCT OF THE TOWNSHIP OF ............ OR VILLAGE OF ............ OR OF THE ............ WARD OF THE CITY OF .................................. , IN THE COUNTY OF .................................. AND STATE OF MICHIGAN, APPLY FOR AN OFFICIAL BALLOT, OR BALLOTS, TO BE VOTED BY ME AT THE ELECTION OR ELECTIONS AS REQUESTED IN THIS APPLICATION.

THE STATUTORY GROUND ON WHICH I BASE MY REQUEST IS:

[  ] I AM APPLYING FOR AN ABSENT VOTER BALLOT IN PERSON WITH THE CLERK OF THE TOWNSHIP, CITY, OR VILLAGE IN WHICH I AM
REGISTERED, AND I AM IDENTIFYING MYSELF TO THE CLERK BY PRESENTING
AN OFFICIAL STATE PERSONAL IDENTIFICATION CARD, AN OPERATOR'S OR
CHAUFFEUR'S LICENSE, OR ANOTHER GENERALLY RECOGNIZED PICTURE
IDENTIFICATION CARD.

SEND ABSENT VOTER BALLOT TO ME AT:

...........................................
(STREET NO. OR R.R.)

...........................................
(POST OFFICE) (STATE) (ZIP CODE)

MY REGISTERED ADDRESS ......................................
(STREET NO. OR R.R.)

...........................................
(POST OFFICE) (STATE) (ZIP CODE)

DATE.................................

I CERTIFY THAT I AM A UNITED STATES CITIZEN AND THAT
THE STATEMENTS IN THIS ABSENT VOTER BALLOT APPLICATION
ARE TRUE.

......................................
(SIGNATURE)

WARNING

YOU MUST BE A UNITED STATES CITIZEN TO VOTE. IF YOU ARE NOT A
UNITED STATES CITIZEN, YOU WILL NOT BE ISSUED AN ABSENT VOTER
BALLOT.

A PERSON MAKING A FALSE STATEMENT IN THIS ABSENT VOTER BALLOT
APPLICATION IS GUILTY OF A MISDEMEANOR. IT IS A VIOLATION OF
MICHIGAN ELECTION LAW FOR A PERSON OTHER THAN THOSE LISTED IN THE
INSTRUCTIONS TO RETURN, OFFER TO RETURN, AGREE TO RETURN, OR SOLICIT TO RETURN YOUR ABSENT VOTER BALLOT APPLICATION TO THE CLERK. AN ASSISTANT AUTHORIZED BY THE CLERK WHO RECEIVES ABSENT VOTER BALLOT APPLICATIONS AT A LOCATION OTHER THAN THE CLERK'S OFFICE MUST HAVE CREDENTIALS SIGNED BY THE CLERK. ASK TO SEE HIS OR HER CREDENTIALS BEFORE ENTRUSTING YOUR APPLICATION WITH A PERSON CLAIMING TO HAVE THE CLERK'S AUTHORIZATION TO RETURN YOUR APPLICATION.

CERTIFICATE OF AUTHORIZED REGISTERED ELECTOR RETURNING ABSENT VOTER BALLOT APPLICATION

I CERTIFY THAT MY NAME IS ..................... , MY ADDRESS IS ..................... , AND MY DATE OF BIRTH IS ............... ; THAT I AM DELIVERING THE ABSENT VOTER BALLOT APPLICATION OF ..................... AT HIS OR HER REQUEST; THAT I DID NOT SOLICIT OR REQUEST TO RETURN THE APPLICATION; THAT I HAVE NOT MADE ANY MARKINGS ON THE APPLICATION; THAT I HAVE NOT ALTERED THE APPLICATION IN ANY WAY; THAT I HAVE NOT INFLUENCED THE APPLICANT; AND THAT I AM AWARE THAT A FALSE STATEMENT IN THIS CERTIFICATE IS A VIOLATION OF MICHIGAN ELECTION LAW.

__________________________             ______________________________
(DATE)                          (SIGNATURE)"

(7) (6)—The following instructions for an applicant for an absent voter ballot shall be included with each application furnished an applicant:
INSTRUCTIONS FOR APPLICANTS FOR ABSENT VOTER BALLOTS

Step 1. After completely filling out the application, sign and date the application in the place designated. Your signature must appear on the application or you will not receive an absent voter ballot.

Step 2. Deliver the application by 1 of the following methods:

(a) Place the application in an envelope addressed to the appropriate clerk and place the necessary postage upon the return envelope and deposit it in the United States mail or with another public postal service, express mail service, parcel post service, or common carrier.

(b) Deliver the application personally to the clerk's office, to the clerk, or to an authorized assistant of the clerk.

(c) In either (a) or (b), a member of the immediate family of the voter including a father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, or grandchild or a person residing in the voter's household may mail or deliver the application to the clerk for the applicant.

(d) If an applicant cannot return the application in any of the above methods, the applicant may select any registered elector to return the application. The person returning the application must sign and return the certificate at the bottom of the application.

(7) A person who prints and distributes absent voter ballot applications shall print on the application the warning, certificate of authorized registered elector returning absent voter ballot application, and instructions required by this section.
(8) A person who makes a false statement in an absent voter ballot application is guilty of a misdemeanor. A person who forges a signature on an absent voter ballot application is guilty of a felony. A person who is not authorized in this act and who both distributes absent voter ballot applications to absent voters and returns those absent voter ballot applications to a clerk or assistant of the clerk is guilty of a misdemeanor.

(9) A PERSON WHO PRINTS AND DISTRIBUTES ABSENT VOTER BALLOT APPLICATIONS SHALL PRINT ON THE APPLICATION THE WARNING, CERTIFICATE OF AUTHORIZED REGISTERED ELECTOR RETURNING ABSENT VOTER BALLOT APPLICATION, AND INSTRUCTIONS REQUIRED BY THIS SECTION.

SEC. 761B. (1) FOR THE PERIOD BEGINNING 45 DAYS BEFORE EACH ELECTION AND CONTINUING THROUGH ELECTION DAY, IF A CITY, TOWNSHIP, OR VILLAGE CLERK'S OFFICE IS OPEN AND AN ELECTOR MAY OBTAIN HIS OR HER ABSENT VOTER BALLOT IN PERSON FROM THE CLERK AT THE CLERK'S OFFICE, A PERSON SHALL NOT DO EITHER OF THE FOLLOWING WITHIN 100 FEET OF AN ENTRANCE TO THE CLERK'S OFFICE:

(A) POST, DISPLAY, OR DISTRIBUTE ANY MATERIAL THAT DIRECTLY OR INDIRECTLY MAKES REFERENCE TO AN ELECTION, A CANDIDATE, OR A BALLOT QUESTION.

(B) PERSUADE OR ENDEAVOR TO PERSUADE A PERSON TO VOTE FOR OR AGAINST ANY PARTICULAR CANDIDATE OR PARTY TICKET OR FOR OR AGAINST ANY BALLOT QUESTION THAT IS BEING VOTED ON AT THE ELECTION.

(2) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR.

Enacting section 1. This amendatory act takes effect January 1, 2016.