

**SUBSTITUTE FOR  
SENATE BILL NO. 1238**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 2, 3, 31a, 491, 495, 497, 498, 500d, 509w, 509x, 523a, 759, 761, 765, 811, 813, and 829 (MCL 168.2, 168.3, 168.31a, 168.491, 168.495, 168.497, 168.498, 168.500d, 168.509w, 168.509x, 168.523a, 168.759, 168.761, 168.765, 168.811, 168.813, and 168.829), sections 2, 523a, 761, and 813 as amended by 2018 PA 129, section 3 as amended by 2003 PA 302, section 31a as added and section 811 as amended by 2012 PA 271, sections 491, 495, 497, 498, and 500d as amended by 2018 PA 125, section 509w as added by 1994 PA 441, section 509x as amended by 2018 PA 354, sections 759 and 829 as amended by 2012 PA 523, and section 765 as amended by 2018 PA 127, and by adding sections 493a, 499e, and 761b; and to repeal acts and parts of acts.

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

- 1           Sec. 2. As used in this act:
- 2           (a) "Absent voter" is ~~defined in section 758.~~ **A VOTER WHO**
- 3 **UTILIZES THE PROCESS DESCRIBED IN SECTION 759.**
- 4           **(B) "ABSENT VOTER BALLOT" MEANS A BALLOT THAT IS ISSUED TO A**
- 5 **VOTER THROUGH THE ABSENTEE VOTER PROCESS.**
- 6           (C) ~~(b)~~"Ballot container" is defined in section 14a.
- 7           (D) ~~(c)~~"Business day" or "secular day" means a day that is
- 8 not a Saturday, Sunday, or legal holiday.
- 9           (E) ~~(d)~~"Clearly observable boundaries" is defined in
- 10 section 654a.
- 11           **(F) "COMMON CARRIER" MEANS A COMPANY THAT TRANSPORTS MAIL,**
- 12 **ON REASONABLE REQUEST, ON REGULAR ROUTES AND AT SET RATES.**
- 13           (G) ~~(e)~~"Election" means an election or primary election at
- 14 which the electors of this state or of a subdivision of this
- 15 state choose or nominate by ballot an individual for public
- 16 office or decide a ballot question lawfully submitted to them.
- 17           (H) ~~(f)~~"Election precinct" is defined in section 654.
- 18           (I) ~~(g)~~"Fall" state and county conventions and "spring"
- 19 state and county conventions are assigned meanings in section
- 20 596.
- 21           (J) ~~(h)~~"General election" or "general November election"
- 22 means the election held on the November regular election date in
- 23 an even numbered year.
- 24           (K) ~~(i)~~"Identification for election purposes" means, if
- 25 issued to the individual presenting the card or document and if
- 26 presented for voting purposes the name on the card or document

1 sufficiently matches the individual's name in his or her voter  
2 registration record so as to accurately identify the individual  
3 as the registered elector, or if issued to the individual  
4 presenting the card or document and if presented for voter  
5 registration purposes, any of the following:

6       (i) An operator's or chauffeur's license issued under the  
7 Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or an  
8 enhanced driver license issued under the enhanced driver license  
9 and enhanced official state personal identification card act,  
10 2008 PA 23, MCL 28.301 to 28.308.

11       (ii) An official state personal identification card issued  
12 under 1972 PA 222, MCL 28.291 to 28.300, or an enhanced official  
13 state personal identification card issued under the enhanced  
14 driver license and enhanced official state personal  
15 identification card act, 2008 PA 23, MCL 28.301 to 28.308.

16       (iii) A current operator's or chauffeur's license issued by  
17 another state.

18       (iv) A current state personal identification card issued by  
19 another state.

20       (v) A current state government issued photo identification  
21 card.

22       (vi) A current United States passport or federal government  
23 issued photo identification card.

24       (vii) A current military photo identification card.

25       (viii) A current tribal photo identification card.

26       (ix) A current student photo identification card issued by a  
27 high school in this state, an institution of higher education in

1 this state described in section 4, 5, or 6 of article VIII of the  
 2 state constitution of 1963, a junior college or community college  
 3 established under section 7 of article VIII of the state  
 4 constitution of 1963, or another accredited degree or certificate  
 5 granting college or university, junior college, or community  
 6 college located in this state.

7 (I) ~~(j)~~—"Immediate family" means an individual's father,  
 8 mother, son, daughter, brother, sister, and spouse and a relative  
 9 of any degree residing in the same household as that individual.

10 Sec. 3. As used in this act:

11 (a) "Locked and sealed" is defined in section 14.

12 (b) "Major political party" is defined in section 16.

13 (c) "Metal seal" or "seal" is defined in section 14a.

14 (d) "Name that was formally changed" means a name changed by  
 15 a proceeding under chapter XI of the probate code of 1939, 1939  
 16 PA 288, MCL 711.1 to 711.3, or former 1915 PA 314, or through a  
 17 similar, statutorily sanctioned procedure under the law of  
 18 another state or country.

19 (e) "Odd year general election" means the election held on  
 20 the November regular election date in an odd numbered year.

21 (f) "Odd year primary election" means the election held on  
 22 the August regular election date in an odd numbered year.

23 (g) "Primary" or "primary election" is defined in section 7.

24 (H) **"REGULAR BALLOT" MEANS A BALLOT THAT IS ISSUED TO A**  
 25 **VOTER ON ELECTION DAY AT A POLLING PLACE LOCATION.**

26 (I) ~~(h)~~—"Qualified elector" is defined in section 10.

27 (J) ~~(i)~~—"Qualified voter file" is defined in section 509m.

1           (K) ~~(j)~~ "Regular election" means an election held on a  
 2 regular election date to elect an individual to, or nominate an  
 3 individual for, elective office in the regular course of the  
 4 terms of that elective office.

5           (I) ~~(k)~~ "Regular election date" means 1 of the dates  
 6 established as a regular election date in section 641.

7           (M) ~~(l)~~ "Residence" is defined in section 11.

8           Sec. 31a. (1) In order to ensure compliance with the  
 9 provisions of this act, after each election the secretary of  
 10 state may audit election precincts.

11           (2) The secretary of state shall ~~develop an election audit~~  
 12 ~~program that details the documents to be inspected and the~~  
 13 ~~procedures to be used during an election audit conducted under~~  
 14 ~~this section.~~ **PRESCRIBE THE PROCEDURES FOR ELECTION AUDITS THAT**  
 15 **INCLUDE REVIEWING THE DOCUMENTS, BALLOTS, AND PROCEDURES USED**  
 16 **DURING AN ELECTION AS REQUIRED IN SECTION 4 OF ARTICLE II OF THE**  
 17 **STATE CONSTITUTION OF 1963. THE SECRETARY OF STATE AND COUNTY**  
 18 **CLERKS SHALL CONDUCT ELECTION AUDITS, INCLUDING STATEWIDE**  
 19 **ELECTION AUDITS, AS SET FORTH IN THE PRESCRIBED PROCEDURES.** The  
 20 secretary of state ~~may~~ **SHALL** train and certify county clerks and  
 21 their staffs for the purpose of conducting election audits of  
 22 precincts randomly selected by the secretary of state in their  
 23 counties. **AN ELECTION AUDIT MUST INCLUDE AN AUDIT OF THE RESULTS**  
 24 **OF AT LEAST 1 RACE IN EACH PRECINCT SELECTED FOR AN AUDIT. A**  
 25 **STATEWIDE ELECTION AUDIT MUST INCLUDE AN AUDIT OF THE RESULTS OF**  
 26 **AT LEAST 1 STATEWIDE RACE OR STATEWIDE BALLOT QUESTION IN A**  
 27 **PRECINCT SELECTED FOR AN AUDIT. AN AUDIT CONDUCTED UNDER THIS**

1 SECTION IS NOT A RECOUNT AND DOES NOT CHANGE ANY CERTIFIED  
2 ELECTION RESULTS. The secretary of state shall supervise each  
3 county clerk in the performance of election audits conducted  
4 under this section.

5 (3) Each county clerk who conducts an election audit under  
6 this section shall provide the results of the election audit to  
7 the secretary of state within 20 days after the election audit.

8 Sec. 491. The inspectors of election at an election, primary  
9 election, or special election in this state shall not receive the  
10 vote of an individual whose name is not on the voter registration  
11 list generated from the qualified voter file for the precinct in  
12 which he or she offers to vote unless the individual meets the  
13 requirements of section 523a, OR THE INDIVIDUAL REGISTERED TO  
14 VOTE IN PERSON AT THE CITY OR TOWNSHIP CLERK'S OFFICE IN THE CITY  
15 OR TOWNSHIP IN WHICH HE OR SHE RESIDES DURING THE 14 DAYS BEFORE  
16 THE DAY OF AN ELECTION OR ON THE DAY OF AN ELECTION AND THE  
17 INDIVIDUAL PRESENTS A VOTER REGISTRATION RECEIPT TO THE  
18 INSPECTORS OF ELECTION.

19 SEC. 493A. (1) SUBJECT TO SUBSECTIONS (2) AND (3), THE  
20 SECRETARY OF STATE SHALL AUTOMATICALLY REGISTER TO VOTE EACH  
21 INDIVIDUAL WHO MEETS THE QUALIFICATIONS OF AN ELECTOR UNDER  
22 SECTION 492 AND WHO SUBMITS AN APPLICATION FOR AN OPERATOR'S OR  
23 CHAUFFEUR'S LICENSE ISSUED UNDER THE MICHIGAN VEHICLE CODE, 1949  
24 PA 300, MCL 257.1 TO 257.923, AN OFFICIAL STATE PERSONAL  
25 IDENTIFICATION CARD ISSUED UNDER 1972 PA 222, MCL 28.291 TO  
26 28.300, OR AN ENHANCED DRIVER LICENSE OR ENHANCED OFFICIAL STATE  
27 PERSONAL IDENTIFICATION CARD ISSUED UNDER THE ENHANCED DRIVER

1 LICENSE AND ENHANCED OFFICIAL STATE PERSONAL IDENTIFICATION CARD  
2 ACT, 2008 PA 23, MCL 28.301 TO 28.308. IN ADDITION, SUBJECT TO  
3 SUBSECTIONS (2) AND (3), THE SECRETARY OF STATE SHALL  
4 AUTOMATICALLY REGISTER TO VOTE EACH INDIVIDUAL WHO MEETS THE  
5 QUALIFICATIONS OF AN ELECTOR UNDER SECTION 492 AND WHO SUBMITS A  
6 CHANGE OF ADDRESS APPLICATION FOR AN OPERATOR'S OR CHAUFFEUR'S  
7 LICENSE ISSUED UNDER THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL  
8 257.1 TO 257.923, AN OFFICIAL STATE PERSONAL IDENTIFICATION CARD  
9 ISSUED UNDER 1972 PA 222, MCL 28.291 TO 28.300, OR AN ENHANCED  
10 DRIVER LICENSE OR ENHANCED OFFICIAL STATE PERSONAL IDENTIFICATION  
11 CARD ISSUED UNDER THE ENHANCED DRIVER LICENSE AND ENHANCED  
12 OFFICIAL STATE PERSONAL IDENTIFICATION CARD ACT, 2008 PA 23, MCL  
13 28.301 TO 28.308.

14 (2) FOR PURPOSES OF SUBSECTION (1), THE SECRETARY OF STATE  
15 SHALL ONLY AUTOMATICALLY REGISTER TO VOTE AN INDIVIDUAL WHO  
16 INDICATES ON HIS OR HER OPERATOR'S OR CHAUFFEUR'S LICENSE  
17 APPLICATION, OFFICIAL STATE PERSONAL IDENTIFICATION CARD  
18 APPLICATION, OR CHANGE OF ADDRESS APPLICATION THAT HE OR SHE IS A  
19 CITIZEN OF THE UNITED STATES.

20 (3) THE SECRETARY OF STATE SHALL NOT AUTOMATICALLY REGISTER  
21 TO VOTE AN INDIVIDUAL WHO INDICATES ON THE OPERATOR'S OR  
22 CHAUFFEUR'S LICENSE APPLICATION, OFFICIAL STATE PERSONAL  
23 IDENTIFICATION CARD APPLICATION, ENHANCED DRIVER LICENSE  
24 APPLICATION, ENHANCED OFFICIAL STATE PERSONAL IDENTIFICATION CARD  
25 APPLICATION, OR CHANGE OF ADDRESS APPLICATION THAT HE OR SHE  
26 DECLINES TO USE THE APPLICATION AS A VOTER REGISTRATION  
27 APPLICATION. THE SECRETARY OF STATE SHALL NOT TRANSMIT ANY

1 INFORMATION TO THE QUALIFIED VOTER FILE REGARDING ANY INDIVIDUAL  
2 WHO DECLINES TO USE AN APPLICATION DESCRIBED IN THIS SECTION AS A  
3 VOTER REGISTRATION APPLICATION.

4 (4) THE SECRETARY OF STATE SHALL ADD ANY INFORMATION  
5 REQUIRED UNDER SECTION 509Q TO THE QUALIFIED VOTER FILE FOR EACH  
6 ELECTOR REGISTERED UNDER SUBSECTION (1) AND SHALL FORWARD THE  
7 NAME OF EACH ELECTOR REGISTERED UNDER THIS SECTION TO THE CLERK  
8 OF THE CITY OR TOWNSHIP IN WHICH EACH ELECTOR REGISTERED RESIDES.

9 Sec. 495. The registration application must contain all of  
10 the following:

11 (a) The name of the elector.

12 (b) The residence address of the elector, including the  
13 street and number or rural route and box number and the apartment  
14 number, if any.

15 (c) The city or township and county of residence of the  
16 elector. ~~and the school district of the elector, if known.~~

17 (d) ~~The birthplace and date of birth of the elector.~~

18 (e) The driver license or state personal identification card  
19 number of the elector, if available.

20 (f) A statement that the elector is a citizen of the United  
21 States.

22 (g) A statement that the elector is at the time of  
23 completing the affidavit, or will be on the date of the next  
24 election, not less than 18 years of age.

25 (h) A statement that the elector has or will have lived in  
26 this state not less than 30 days before the next election.

27 (i) A statement that the elector has or will have



1 established his or her residence in the township or city in which  
2 the elector is applying for registration not less than 30 days  
3 before the next election.

4 (j) A statement that the elector is or will be a qualified  
5 elector of the township ~~, OR city, or village~~ on the date of the  
6 next election.

7 (k) A space in which the elector shall state the place of  
8 the elector's last registration, if any.

9 (l) A statement that the registration is not effective until  
10 processed by the clerk of the city or township in which the  
11 applicant resides.

12 (m) A statement that the applicant, if qualified, may vote  
13 at an election occurring ~~not less than 30 days~~ **ON OR** after the  
14 date of completing the application.

15 (n) A statement authorizing the cancellation of registration  
16 at the elector's last place of registration.

17 (o) A space for the elector to sign and certify to the truth  
18 of the statements on the application.

19 Sec. 497. (1) An individual who is not registered **TO VOTE**  
20 but possesses the qualifications of an elector as provided in  
21 section 492 may apply for registration to the clerk of the  
22 county, township, or city in which he or she resides ~~on a day~~  
23 ~~other than Saturday, Sunday, a legal holiday, or the day of a~~  
24 ~~regular, primary, school, or special election. Registrations~~  
25 ~~accepted between the thirtieth day before an election and the day~~  
26 ~~of the election, unless the thirtieth day falls on a Saturday,~~  
27 ~~Sunday, or legal holiday, in which event registration must be~~

1 ~~accepted during the following day, are not valid for the election~~  
2 ~~but are valid for subsequent regular, primary, school, or special~~  
3 ~~elections that are held so that not less than 30 days intervene~~  
4 ~~between the date the individual registered and the date of the~~  
5 ~~election.~~ IN PERSON, DURING THE CLERK'S REGULAR BUSINESS HOURS, OR  
6 BY MAIL OR ONLINE UNTIL THE FIFTEENTH DAY BEFORE AN ELECTION.

7 (2) AN INDIVIDUAL WHO IS NOT REGISTERED TO VOTE BUT  
8 POSSESSES THE QUALIFICATIONS OF AN ELECTOR AS PROVIDED IN SECTION  
9 492 MAY APPLY FOR REGISTRATION IN PERSON AT THE CITY OR TOWNSHIP  
10 CLERK'S OFFICE OF THE CITY OR TOWNSHIP IN WHICH HE OR SHE RESIDES  
11 FROM THE FOURTEENTH DAY BEFORE AN ELECTION AND CONTINUING THROUGH  
12 THE DAY OF THE ELECTION. AN INDIVIDUAL WHO APPLIES TO REGISTER TO  
13 VOTE UNDER THIS SUBSECTION MUST PROVIDE TO THE CITY OR TOWNSHIP  
14 CLERK PROOF OF RESIDENCY IN THAT CITY OR TOWNSHIP. FOR PURPOSES  
15 OF THIS SUBSECTION, "PROOF OF RESIDENCY" INCLUDES, SUBJECT TO  
16 SUBSECTION (3), ANY OF THE FOLLOWING:

17 (A) AN OPERATOR'S OR CHAUFFEUR'S LICENSE ISSUED UNDER THE  
18 MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.1 TO 257.923, OR AN  
19 ENHANCED DRIVER LICENSE ISSUED UNDER THE ENHANCED DRIVER LICENSE  
20 AND ENHANCED OFFICIAL STATE PERSONAL IDENTIFICATION ACT, 2008 PA  
21 23, MCL 28.301 TO 28.308.

22 (B) AN OFFICIAL STATE PERSONAL IDENTIFICATION CARD ISSUED  
23 UNDER 1972 PA 222, MCL 28.291 TO 28.300, OR AN ENHANCED OFFICIAL  
24 STATE PERSONAL IDENTIFICATION CARD ISSUED UNDER THE ENHANCED  
25 DRIVER LICENSE AND ENHANCED OFFICIAL STATE PERSONAL  
26 IDENTIFICATION CARD ACT, 2008 PA 23, MCL 28.301 TO 28.308.

27 (3) IF AN APPLICANT FOR VOTER REGISTRATION UNDER SUBSECTION

1 (2) DOES NOT HAVE PROOF OF RESIDENCY AS THAT TERM IS DEFINED IN  
2 SUBSECTION (2), THE APPLICANT MAY PROVIDE AS HIS OR HER PROOF OF  
3 RESIDENCY ANY OTHER FORM OF IDENTIFICATION FOR ELECTION PURPOSES  
4 AS THAT TERM IS DEFINED IN SECTION 2 AND 1 OF THE FOLLOWING  
5 DOCUMENTS THAT CONTAINS THE APPLICANT'S NAME AND CURRENT  
6 RESIDENCE ADDRESS:

7 (A) A CURRENT UTILITY BILL.

8 (B) A CURRENT BANK STATEMENT.

9 (C) A CURRENT PAYCHECK, GOVERNMENT CHECK, OR OTHER  
10 GOVERNMENT DOCUMENT.

11 (4) IF AN APPLICANT FOR VOTER REGISTRATION UNDER SUBSECTION  
12 (2) DOES NOT HAVE IDENTIFICATION FOR ELECTION PURPOSES, THE  
13 APPLICANT MAY REGISTER TO VOTE IF HE OR SHE SIGNS AN AFFIDAVIT  
14 INDICATING THAT THE APPLICANT DOES NOT HAVE IDENTIFICATION FOR  
15 ELECTION PURPOSES AND THE APPLICANT PROVIDES 1 OF THE FOLLOWING  
16 DOCUMENTS THAT CONTAINS THE APPLICANT'S NAME AND CURRENT  
17 RESIDENCE ADDRESS:

18 (A) A CURRENT UTILITY BILL.

19 (B) A CURRENT BANK STATEMENT.

20 (C) A CURRENT PAYCHECK, GOVERNMENT CHECK, OR OTHER  
21 GOVERNMENT DOCUMENT.

22 (5) IMMEDIATELY AFTER APPROVING A VOTER REGISTRATION  
23 APPLICATION, THE CITY OR TOWNSHIP CLERK SHALL PROVIDE TO THE  
24 INDIVIDUAL REGISTERING TO VOTE A VOTER REGISTRATION RECEIPT THAT  
25 IS IN A FORM AS APPROVED BY THE SECRETARY OF STATE. IF AN  
26 INDIVIDUAL REGISTERS TO VOTE IN PERSON 14 DAYS OR LESS BEFORE AN  
27 ELECTION OR REGISTERS TO VOTE ON ELECTION DAY, AND THAT APPLICANT

1 REGISTERS TO VOTE UNDER SUBSECTION (3) OR (4), THE BALLOT OF THAT  
2 ELECTOR MUST BE PREPARED AS A CHALLENGED BALLOT AS PROVIDED IN  
3 SECTION 727 AND MUST BE COUNTED AS ANY OTHER BALLOT IS COUNTED  
4 UNLESS DETERMINED OTHERWISE BY A COURT OF LAW UNDER SECTION 747  
5 OR 748 OR ANY OTHER APPLICABLE LAW.

6 (6) ~~(2)~~—Except as otherwise provided in sections 500a to  
7 500e **AND 509V**, an application for registration must not be  
8 executed at a place other than the office of the county,  
9 township, or city clerk or a public place or places designated by  
10 the clerk or deputy registrar for receiving registrations, but  
11 the clerk or deputy registrar may receive an application wherever  
12 he or she may be. If a county, township, or city clerk does not  
13 regularly keep his or her office open daily during certain hours,  
14 the clerk is not required to be at his or her office for the  
15 purpose of receiving applications for registration on a  
16 particular day nor during specific hours of a day, except as  
17 provided in section 498. ~~Registrations taken after the time of~~  
18 ~~closing registrations before an election need not be processed~~  
19 ~~until the date immediately following that election. A~~  
20 ~~registration must not be placed in a precinct registration file~~  
21 ~~until the date immediately following that election. If an~~  
22 ~~individual registers at a time that registrations are closed for~~  
23 ~~an election, the individual must be given a notice, signed by the~~  
24 ~~clerk, on a form developed by the secretary of state, informing~~  
25 ~~him or her that he or she is not eligible to vote in the election~~  
26 ~~and indicating the first date on which he or she is eligible to~~  
27 ~~vote.~~ **IF AN INDIVIDUAL REGISTERS TO VOTE WITH THE SECRETARY OF**

1 STATE DURING THE 14 DAYS BEFORE THE DAY OF AN ELECTION BY MAIL,  
2 ONLINE, OR BY AUTOMATIC VOTER REGISTRATION, AS DESCRIBED IN  
3 SECTION 493A, THE INDIVIDUAL MUST BE GIVEN A NOTICE ON A FORM  
4 DEVELOPED BY THE SECRETARY OF STATE INFORMING THE INDIVIDUAL THAT  
5 HE OR SHE IS NOT ELIGIBLE TO VOTE IN THE NEXT ELECTION UNLESS HE  
6 OR SHE APPLIES IN PERSON AT HIS OR HER CITY OR TOWNSHIP CLERK'S  
7 OFFICE AS PROVIDED IN SUBSECTION (2). Except as provided in  
8 sections 500a to 500e, the provisions of this section relating to  
9 registration apply.

10 Sec. 498. ~~(1) The governing body of a township or city may~~  
11 ~~provide by resolution that in that township or city the clerk~~  
12 ~~shall be at the clerk's office, or in some other convenient place~~  
13 ~~designated by the clerk, during the hours designated by the~~  
14 ~~governing body on the thirtieth day before an election or primary~~  
15 ~~election in the township or city unless the thirtieth day falls~~  
16 ~~on a Saturday, Sunday, or legal holiday, in which event~~  
17 ~~registration must be accepted during the same hours on the~~  
18 ~~following day.~~

19 (1) ~~(2)~~—In a township or city in which the clerk does not  
20 maintain regular daily office hours, the township board or the  
21 legislative body of the city may require that the clerk of the  
22 township or city shall be at the clerk's office or other  
23 designated place for the purpose of receiving applications for  
24 registration on the days that the board or legislative body  
25 designates. ~~, but not more than 5 days before the last day for~~  
26 ~~registration.~~

27 (2) ~~(3)~~—The clerk of each township or city shall give public

1 notice of the days and hours that the clerk will be at the  
 2 clerk's office or other designated place for the purpose of  
 3 receiving registrations before an election or primary election by  
 4 publication of the notice in a newspaper published or of general  
 5 circulation in the township or city and, if considered advisable  
 6 by the township or city clerk, by posting written or printed  
 7 notices in at least 2 of the most conspicuous places in each  
 8 election precinct. The publication or posting must be made not  
 9 less than ~~7-30~~ days before ~~the last day for receiving~~

10 ~~registrations.~~ **ELECTION DAY.** The notice of registration must  
 11 include the offices to be filled that will appear on the ballot.  
 12 If the notice of registration is for an election that includes a  
 13 ballot proposal, a caption or brief description of the ballot  
 14 proposal along with the location where an elector can obtain the  
 15 full text of the ballot proposal must be stated in the notice.

16 (3) ~~(4)~~—A county clerk may enter into an agreement with the  
 17 clerk of 1 or more townships or cities in the county or the  
 18 clerks of 1 or more cities or townships in a county may enter  
 19 into an agreement to jointly publish the notice required in  
 20 subsection ~~(3)~~—(2). The notice must be published in a newspaper  
 21 of general circulation in the cities and townships listed in the  
 22 notice.

23 **SEC. 499E. (1) THE CLERK OF A CITY OR TOWNSHIP SHALL BE**  
 24 **PRESENT OR HAVE AN ASSISTANT CLERK BE PRESENT AT THE CLERK'S**  
 25 **OFFICE AT ALL TIMES A POLLING PLACE IS OPEN ON ELECTION DAY TO**  
 26 **RECEIVE AND PROCESS VOTER REGISTRATION APPLICATIONS.**

27 (2) **IMMEDIATELY AFTER APPROVING A VOTER REGISTRATION**

1 APPLICATION UNDER THIS SECTION, THE CLERK OR ASSISTANT CLERK  
2 SHALL PREPARE A REGISTRATION CARD OR AN INSERT TO A REGISTRATION  
3 LIST IN A FORM PRESCRIBED BY THE SECRETARY OF STATE. IN ADDITION,  
4 THE CLERK OR ASSISTANT CLERK SHALL PROVIDE TO THE INDIVIDUAL  
5 REGISTERING TO VOTE A VOTER REGISTRATION RECEIPT THAT IS IN A  
6 FORM AS APPROVED BY THE SECRETARY OF STATE.

7 (3) THE CLERK SHALL PREPARE AND SEND A VOTER IDENTIFICATION  
8 CARD IN THE MANNER PRESCRIBED FOR CORRECTED VOTER IDENTIFICATION  
9 CARDS IN SECTION 499 AS SOON AS PRACTICAL AFTER THE ELECTION.

10 Sec. 500d. An individual who has properly completed an  
11 application for registration at an office of the secretary of  
12 state or his or her agent is permitted to vote in all elections  
13 ~~occurring not less than 30 days~~ after making the application if  
14 the clerk determines the individual is qualified. If the clerk  
15 determines the individual is not qualified, the clerk immediately  
16 shall send a notice to the applicant at the address stated in the  
17 application stating the determination and the reasons the  
18 individual is not qualified. An individual is permitted to vote  
19 if he or she presents at the polls a validated voter registration  
20 application receipt and the clerk determines the individual is  
21 qualified.

22 Sec. 509w. (1) The person processing an application  
23 submitted in person at a department of state office, a designated  
24 voter registration agency, or the office of a county clerk shall  
25 do all of the following:

26 (a) Validate the application in the manner prescribed by the  
27 secretary of state.

1 (b) Issue a receipt to the applicant verifying the  
2 acceptance of the application.

3 (2) Except as otherwise provided in subsection (3), the  
4 department of state office, the designated voter registration  
5 agency, or the county clerk shall transmit the application not  
6 later than 7 days after receipt of the application to the clerk  
7 of the county, city, or township where the applicant resides.

8 (3) If an application under subsection (1) is made ~~within 7~~  
9 ~~days before the close of registration for a federal election,~~  
10 **FROM THE TWENTY-FIRST DAY TO THE FIFTEENTH DAY BEFORE AN**  
11 **ELECTION**, the department of state office, the designated voter  
12 registration agency, or the county clerk shall transmit the  
13 application not later than 1 business day to the clerk of the  
14 county, city, or township where the applicant resides.

15 (4) If a completed application is transmitted by the  
16 secretary of state or a designated voter registration agency to a  
17 county clerk, the secretary of state, to the extent funds are  
18 appropriated, shall compensate the county clerk for the cost of  
19 forwarding the application to the proper city or township clerk  
20 of the applicant's residence from funds appropriated to the  
21 secretary of state for that purpose.

22 Sec. 509x. An application for registration is considered  
23 received on or before the ~~close of registration~~ **FIFTEENTH DAY**  
24 **BEFORE AN ELECTION** if 1 of the following requirements is met:

25 (a) An application is received at a department of state  
26 office, a designated voter registration agency, or the office of  
27 a county, city, or township clerk on or before the ~~close of~~



1 ~~registration.~~**FIFTEENTH DAY BEFORE AN ELECTION.**

2 (b) An application is received through the mail that is  
3 postmarked on or before the ~~close of registration.~~**FIFTEENTH DAY**  
4 **BEFORE AN ELECTION.**

5 (c) An application is received through the mail on or before  
6 the ~~seventh day immediately following the close of registration,~~  
7 **EIGHTH DAY BEFORE AN ELECTION**, if the postmark is missing or is  
8 unclear and the application, on its face, is dated by the  
9 applicant on or before the ~~close of registration.~~**FIFTEENTH DAY**  
10 **BEFORE AN ELECTION.** The clerk shall consider an application  
11 received under this subdivision as received before the ~~close of~~  
12 ~~registration.~~**FIFTEENTH DAY BEFORE AN ELECTION.**

13 (d) An application is submitted electronically through the  
14 electronic voter registration interface on or before the ~~close of~~  
15 ~~registration.~~**FIFTEENTH DAY BEFORE AN ELECTION.**

16 Sec. 523a. (1) If an individual who has applied to register  
17 to vote on or before the ~~close of registration~~**ELECTION DAY**  
18 appears at a polling place on election day and completes an  
19 application under section 523 is not listed on the voter  
20 registration list, the election inspector shall issue a ballot to  
21 the individual as follows:

22 (a) For an individual who presents a receipt issued by a  
23 department of state office, a designated voter registration  
24 agency, or the elector's county, city, or township clerk's office  
25 verifying the acceptance of a voter registration application  
26 ~~before the close of registration~~ and completes a new voter  
27 registration application, the election inspector shall allow the

1 individual to vote a ballot in the same manner as an elector  
2 whose name is listed on the voter registration list.

3 (b) For an individual who does not present a receipt  
4 verifying the acceptance of a voter registration application  
5 under subdivision (a), the election inspector shall determine  
6 whether the individual is in the appropriate polling place based  
7 on residence information provided by the individual. The election  
8 inspector shall review any documents or maps in the polling place  
9 or communicate with the city or township clerk to verify the  
10 appropriate polling place for the individual. The election  
11 inspector shall direct an individual who is not in the  
12 appropriate polling place to the appropriate polling place. If  
13 the individual refuses to go to the appropriate polling place,  
14 the election inspector shall issue the individual a provisional  
15 ballot that is processed according to subsection (5).

16 (2) Except for an individual who produces a receipt under  
17 subsection (1)(a), the election inspector shall require an  
18 individual who is not listed on the voter registration list to  
19 execute a sworn statement affirming that the individual submitted  
20 a voter registration application **ON OR** before ~~the close of~~  
21 ~~registration~~ **ELECTION DAY** and is eligible to vote in the  
22 election. An individual who provides false information in a  
23 signed sworn statement under this subsection is guilty of  
24 perjury. An individual signing a sworn statement shall complete a  
25 new voter registration application. The individual shall state  
26 the approximate date and in what manner the registration  
27 application was submitted:

1 (a) To a department of state office.

2 (b) To a designated voter registration agency.

3 (c) To the office of his or her county, city, or township  
4 clerk.

5 (d) By a mailed application.

6 (3) The election inspector shall contact the city or  
7 township clerk to verify whether the individual who signed the  
8 sworn statement under subsection (2) is listed in the  
9 registration records of the jurisdiction or whether there is any  
10 information contrary to the content of the sworn statement.

11 (4) If the city or township clerk verifies the elector  
12 information and finds no information contrary to the information  
13 provided by the individual in the sworn statement and the  
14 individual presents identification for election purposes that  
15 contains a current residence address to establish his or her  
16 identity and residence address, the individual is permitted to  
17 vote a provisional ballot that is tabulated on election day in  
18 the same manner as an elector whose name is listed on the voter  
19 registration list, except that the election inspectors shall  
20 process the ballot as a challenged ballot under sections 745 and  
21 746.

22 (5) If the election inspector is not able to contact the  
23 city or township clerk, the individual is not in the correct  
24 precinct, or the individual is unable to present identification  
25 for election purposes that contains a current residence address,  
26 the individual must be issued a provisional ballot that is not  
27 tabulated on election day but is secured for verification after

1 the election. A provisional ballot must also be issued under this  
2 subsection to a voter who presents identification for election  
3 purposes that does not bear the voter's current residence  
4 address, if the voter also presents a document to establish the  
5 voter's current residence address. The election inspector shall  
6 accept a document containing the name and current residence  
7 address of the voter as sufficient documentation to issue a  
8 provisional ballot if it is 1 of the following documents:

9 (a) A current utility bill.

10 (b) A current bank statement.

11 (c) A current paycheck, government check, or other  
12 government document.

13 (6) A provisional ballot must be placed in a provisional  
14 ballot return envelope prescribed by the secretary of state and  
15 delivered to the city or township clerk after the polls close in  
16 a manner as prescribed by the secretary of state.

17 (7) For a provisional ballot voted under subsection (4), the  
18 election inspector shall provide the voter with a notice that his  
19 or her ballot has been tabulated. For a provisional ballot voted  
20 under subsection (5), the election inspector shall provide the  
21 voter with a notice that the voter's information will be verified  
22 by the clerk of the jurisdiction within 6 days after the election  
23 to determine whether the ballot will be tabulated and, if the  
24 ballot is not tabulated, to determine the reason it was not  
25 tabulated. A clerk of a jurisdiction shall provide a free access  
26 system for the voter to determine whether the ballot was  
27 tabulated. The free access system may include a telephone number

1 that does not require a toll charge, a toll-free telephone  
2 number, an internet website, or a mailed notice.

3 (8) As used in this section and sections 813 and 829,  
4 "provisional ballot" means a special ballot utilized for an  
5 individual who is not listed on the voter registration list at  
6 the polling place that is tabulated only after verification of  
7 the individual's eligibility to vote.

8 Sec. 759. (1) ~~At~~ **SUBJECT TO SECTION 761(3), AT** any time  
9 during the 75 days before a primary or special primary, but not  
10 later than ~~2 p.m. of the Saturday immediately before the~~ **8 P.M.**  
11 **ON THE DAY OF A** primary or special primary, an elector ~~who~~  
12 ~~qualifies to vote as an absent voter, as defined in section 758,~~  
13 may apply for an absent voter ballot. The elector shall apply in  
14 person or by mail with the clerk of the township ~~, or city, or~~  
15 ~~village~~ in which the elector is registered. **THE CLERK OF A CITY**  
16 **OR TOWNSHIP SHALL NOT SEND BY FIRST-CLASS MAIL AN ABSENT VOTER**  
17 **BALLOT TO AN ELECTOR AFTER 5 P.M. ON THE FRIDAY IMMEDIATELY**  
18 **BEFORE THE ELECTION. IN ADDITION, THE CLERK OF A CITY OR TOWNSHIP**  
19 **SHALL NOT ISSUE AN ABSENT VOTER BALLOT TO A REGISTERED ELECTOR**  
20 **AFTER 4 P.M. ON THE DAY BEFORE THE ELECTION.** An application  
21 received before a primary or special primary may be for either  
22 that primary only, or for that primary and the election that  
23 follows. **AN INDIVIDUAL MAY SUBMIT A VOTER REGISTRATION**  
24 **APPLICATION AND AN ABSENT VOTER BALLOT APPLICATION AT THE SAME**  
25 **TIME IF APPLYING IN PERSON WITH THE CLERK OF THE CITY OR TOWNSHIP**  
26 **IN WHICH THE INDIVIDUAL RESIDES. IMMEDIATELY AFTER HIS OR HER**  
27 **VOTER REGISTRATION APPLICATION AND ABSENT VOTER BALLOT**

1 APPLICATION ARE APPROVED BY THE CLERK, THE INDIVIDUAL MAY,  
 2 SUBJECT TO THE IDENTIFICATION REQUIREMENT IN SECTION 761(6),  
 3 COMPLETE AN ABSENT VOTER BALLOT AT THE CLERK'S OFFICE.

4 (2) Except as otherwise provided in subsection (1) AND  
 5 SUBJECT TO SECTION 761(3), at ~~anytime~~ ANY TIME during the 75 days  
 6 before an election, but not later than ~~2 p.m. of the Saturday~~  
 7 ~~before the~~ 8 P.M. ON THE DAY OF AN election, an elector ~~who~~  
 8 ~~qualifies to vote as an absent voter, as defined in section 758,~~  
 9 may apply for an absent voter ballot. The elector shall apply in  
 10 person or by mail with the clerk of the township, city, or  
 11 village in which the voter is registered. THE CLERK OF A CITY OR  
 12 TOWNSHIP SHALL NOT SEND BY FIRST-CLASS MAIL AN ABSENT VOTER  
 13 BALLOT TO AN ELECTOR AFTER 5 P.M. ON THE FRIDAY IMMEDIATELY  
 14 BEFORE THE ELECTION. IN ADDITION, THE CLERK OF A CITY OR TOWNSHIP  
 15 SHALL NOT ISSUE AN ABSENT VOTER BALLOT TO A REGISTERED ELECTOR  
 16 AFTER 4 P.M. ON THE DAY BEFORE THE ELECTION. AN INDIVIDUAL MAY  
 17 SUBMIT A VOTER REGISTRATION APPLICATION AND AN ABSENT VOTER  
 18 BALLOT APPLICATION AT THE SAME TIME IF APPLYING IN PERSON WITH  
 19 THE CLERK OF THE CITY OR TOWNSHIP IN WHICH THE INDIVIDUAL  
 20 RESIDES. IMMEDIATELY AFTER HIS OR HER VOTER REGISTRATION  
 21 APPLICATION AND ABSENT VOTER BALLOT APPLICATION ARE APPROVED BY  
 22 THE CLERK, THE INDIVIDUAL MAY, SUBJECT TO THE IDENTIFICATION  
 23 REQUIREMENT IN SECTION 761(6), COMPLETE AN ABSENT VOTER BALLOT AT  
 24 THE CLERK'S OFFICE.

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

27 (a) By a written request signed by the voter. ~~stating the~~

1 ~~statutory grounds for making the application.~~

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

5 (c) On a federal postcard application.

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

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

26 "Application for absent voter ballot for:

27 [ ] The primary or special primary election to be held on

1 \_\_\_\_\_ (Date).

2 [ ] The election to be held on \_\_\_\_\_ (Date).

3 (Check applicable election or elections)

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

12 ~~\_\_\_\_\_ The statutory grounds on which I base my request are:~~

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

16 ~~\_\_\_\_\_ [ ] I am physically unable to attend the polls without the~~  
17 ~~assistance of another.~~

18 ~~\_\_\_\_\_ [ ] I cannot attend the polls because of the tenets of my~~  
19 ~~religion.~~

20 ~~\_\_\_\_\_ [ ] I have been appointed an election precinct inspector in~~  
21 ~~a precinct other than the precinct where I reside.~~

22 ~~\_\_\_\_\_ [ ] I am 60 years of age or older.~~

23 ~~\_\_\_\_\_ [ ] I cannot attend the polls because I am confined to jail~~  
24 ~~awaiting arraignment or trial.~~

25 ~~\_\_\_\_\_ (Check applicable reason)~~

26 Send absent voter ballot to me at:



1 .....  
2

(Street No. or R.R.)

3 .....  
4

(Post Office) (State) (Zip Code)

5 My registered address .....  
6

(Street No. or R.R.)

7 .....  
8

(Post Office) (State) (Zip Code)

9 Date.....  
10

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

13 .....  
14

(Signature)

15 WARNING

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

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

1 person claiming to have the clerk's authorization to return your  
2 application.

3 Certificate of Authorized Registered  
4 Elector Returning Absent Voter  
5 Ballot Application

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

15 \_\_\_\_\_  
16 (Date) (Signature) "

17 (6) The following instructions for an applicant for an  
18 absent voter ballot ~~shall~~ **MUST** be included with each application  
19 furnished an applicant:

20 INSTRUCTIONS FOR APPLICANTS FOR ABSENT VOTER BALLOTS

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

1 voter ballot.

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

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

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

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

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

21 (7) A person who prints and distributes absent voter ballot  
22 applications shall print on the application the warning,  
23 certificate of authorized registered elector returning absent  
24 voter ballot application, and instructions required by this  
25 section.

26 (8) A person who makes a false statement in an absent voter  
27 ballot application is guilty of a misdemeanor. A person who

1 forges a signature on an absent voter ballot application is  
2 guilty of a felony. A person who is not authorized in this act  
3 and who both distributes absent voter ballot applications to  
4 absent voters and returns those absent voter ballot applications  
5 to a clerk or assistant of the clerk is guilty of a misdemeanor.

6       Sec. 761. (1) If the clerk of a city ~~, OR~~ township ~~, or~~  
7 ~~village~~ receives an application for an absent voter ballot from a  
8 person registered to vote in that city ~~, OR~~ township ~~, or~~ ~~village~~  
9 and if the signature on the application agrees with the signature  
10 for the person contained in the qualified voter file or on the  
11 registration card as required in subsection (2), the clerk  
12 immediately upon receipt of the application or, if the  
13 application is received before the printing of the absent voter  
14 ballots, as soon as the ballots are received by the clerk, shall  
15 forward by mail, postage prepaid, or shall deliver personally 1  
16 of the ballots or set of ballots if there is more than 1 kind of  
17 ballot to be voted to the applicant. Subject to the  
18 identification requirement in subsection (6), absent voter  
19 ballots may be delivered to an applicant in person at the office  
20 of the clerk.

21       (2) The qualified voter file must be used to determine the  
22 genuineness of a signature on an application for an absent voter  
23 ballot. Signature comparisons must be made with the digitized  
24 signature in the qualified voter file. If the qualified voter  
25 file does not contain a digitized signature of an elector, or is  
26 not accessible to the clerk, the city or township clerk shall  
27 compare the signature appearing on the application for an absent

1 voter ballot to the signature contained on the master card.

2 (3) ~~Notwithstanding section 759, providing that no absent~~  
3 ~~voter applications shall be received by the clerk after 2 p.m. on~~  
4 ~~the Saturday before the election, and subject~~ **SUBJECT** to the  
5 identification requirement in subsection (6) **AND EXCEPT AS**  
6 **OTHERWISE PROVIDED IN THIS SUBSECTION**, a person qualified to vote  
7 as an absent voter may apply in person at the clerk's office  
8 before ~~4-8~~ p.m. on a ~~ELECTION~~ day ~~before the election except~~  
9 ~~Sunday or a legal holiday~~ to vote as an absent voter. **ONLY AN**  
10 **INDIVIDUAL WHO IS NOT A REGISTERED ELECTOR AND WHO REGISTERS TO**  
11 **VOTE ON ELECTION DAY IN PERSON WITH THE CLERK OF THE CITY OR**  
12 **TOWNSHIP IN WHICH THE INDIVIDUAL RESIDES MAY APPLY FOR AND**  
13 **COMPLETE AN ABSENT VOTER BALLOT IN PERSON AT THE CLERK'S OFFICE**  
14 **ON ELECTION DAY. IN ADDITION, THE CLERK OF A CITY OR TOWNSHIP**  
15 **SHALL NOT ISSUE AN ABSENT VOTER BALLOT TO A REGISTERED ELECTOR**  
16 **AFTER 4 P.M. ON THE DAY BEFORE THE ELECTION.** The applicant shall  
17 receive his or her absent voter ballot and vote the ballot in the  
18 clerk's office. All other absent voter ballots, except ballots  
19 delivered pursuant to an emergency absent voter ballot  
20 application under section 759b, must be mailed or delivered to  
21 the registration address of the applicant unless the application  
22 requests delivery to an address outside the city ~~, village,~~ or  
23 township or to a hospital or similar institution, in which case  
24 the absent voter ballots must be mailed or delivered to the  
25 address given in the application. However, a clerk may mail or  
26 deliver an absent voter ballot, upon request of the absent voter,  
27 to a post office box if the post office box is where the absent

1 voter normally receives personal mail and the absent voter does  
2 not receive mail at his or her registration address.

3 (4) Absent voter ballots must be issued in the same order in  
4 which applications are received by the clerk of a city, township,  
5 or village, as nearly as may be, and each ballot issued must bear  
6 the lowest number of each kind available for this purpose.

7 However, this provision does not prohibit a clerk from  
8 immediately issuing an absent voter ballot to an absent voter who  
9 applies in person in the clerk's office for absent voter ballots.

10 The clerk shall enclose with the ballot or ballots a return  
11 envelope properly addressed to the clerk and bearing upon the  
12 back of the envelope a printed statement in substantially the  
13 following form:

14 TO BE COMPLETED

15 BY THE CLERK

16 \_\_\_\_\_

17 Name of Voter

Street Address or R.R.

18 \_\_\_\_\_

19 City ~~, OR~~ Township ~~or~~ Village

County

20 Ward \_\_\_\_\_ Precinct \_\_\_\_\_ Date of Election \_\_\_\_\_

21 =====

22 TO BE COMPLETED BY THE ABSENT VOTER

23 I assert that I am a United States citizen and a qualified  
24 and registered elector of the city ~~, OR~~ township ~~, or~~ village  
25 named above. I am voting as an absent voter in conformity with  
26 state election law. Unless otherwise indicated below, I

1 personally marked the ballot enclosed in this envelope without  
2 exhibiting it to any other person.

3 I further assert that this absent voter ballot is being  
4 returned to the clerk or an assistant of the clerk by me  
5 personally; by public postal service, express mail service,  
6 parcel post service, or other common carrier; by a member of my  
7 immediate family; or by a person residing in my household.

8 DATE: \_\_\_\_\_ SIGN HERE: X \_\_\_\_\_  
9 Signature of Absent Voter

10 The above form must be signed or your vote will not be counted.  
11 AN ABSENT VOTER WHO KNOWINGLY MAKES A FALSE STATEMENT IS GUILTY  
12 OF A MISDEMEANOR.

13 =====

14 TO BE COMPLETED ONLY IF VOTER IS ASSISTED IN VOTING  
15 BY ANOTHER PERSON

16 I assisted the above named absent voter who is disabled or  
17 otherwise unable to mark the ballot in marking his or her absent  
18 voter ballot pursuant to his or her directions. The absent voter  
19 ballot was inserted in the return envelope without being  
20 exhibited to any other person.

21 \_\_\_\_\_  
22 Signature of Person Street Address City, ~~Twp., or~~  
23 Assisting Voter or R.R. Village **OR TOWNSHIP**

24 \_\_\_\_\_  
25 Printed Name of Person Assisting Voter

26 A PERSON WHO ASSISTS AN ABSENT VOTER AND WHO KNOWINGLY MAKES A

1 FALSE STATEMENT IS GUILTY OF A FELONY.

2 =====

3 WARNING

4 PERSONS WHO CAN LEGALLY BE IN POSSESSION OF AN ABSENT VOTER  
5 BALLOT ISSUED TO AN ABSENT VOTER ARE LIMITED TO THE ABSENT VOTER;  
6 A PERSON WHO IS A MEMBER OF THE ABSENT VOTER'S IMMEDIATE FAMILY  
7 OR RESIDES IN THE ABSENT VOTER'S HOUSEHOLD AND WHO HAS BEEN ASKED  
8 BY THE ABSENT VOTER TO RETURN THE BALLOT; A PERSON WHOSE JOB IT  
9 IS TO HANDLE MAIL BEFORE, DURING, OR AFTER BEING TRANSPORTED BY A  
10 PUBLIC POSTAL SERVICE, EXPRESS MAIL SERVICE, PARCEL POST SERVICE,  
11 OR COMMON CARRIER, BUT ONLY DURING THE NORMAL COURSE OF HIS OR  
12 HER EMPLOYMENT; AND THE CLERK, ASSISTANTS OF THE CLERK, AND OTHER  
13 AUTHORIZED ELECTION OFFICIALS OF THE CITY ~~OR~~ TOWNSHIP. ~~OR~~  
14 VILLAGE, ~~OR SCHOOL DISTRICT.~~ ANY OTHER PERSON IN POSSESSION OF AN  
15 ABSENT VOTER BALLOT IS GUILTY OF A FELONY.

16 (5) An absent voter who knowingly makes a false statement on  
17 the absent voter ballot return envelope is guilty of a  
18 misdemeanor. A person who assists an absent voter and who  
19 knowingly makes a false statement on the absent voter ballot  
20 return envelope is guilty of a felony.

21 (6) If an elector obtains his or her absent voter ballot in  
22 person from the clerk of the city ~~OR~~ township ~~or village~~ in  
23 which he or she is registered, the clerk of the city ~~OR~~  
24 township ~~or village~~ shall not provide an absent voter ballot to  
25 that elector until the elector identifies himself or herself to  
26 the clerk by presenting identification for election purposes. If



1 an elector does not have identification for election purposes,  
2 the elector may sign an affidavit to that effect before the clerk  
3 of the city ~~, OR township, or village~~ and be allowed to obtain  
4 his or her absent voter ballot in person from the clerk. The  
5 clerk of the city ~~, village,~~ or township shall indicate to each  
6 elector who is registered in that city ~~, village,~~ or township and  
7 who obtains his or her absent voter ballot in person from the  
8 clerk that the elector may sign an affidavit indicating that the  
9 elector does not have identification for election purposes in  
10 order to obtain his or her absent voter ballot in person from the  
11 clerk. However, if an elector obtains his or her absent voter  
12 ballot in person from the clerk and votes by absent voter ballot  
13 without providing identification for election purposes required  
14 under this subsection, the absent voter ballot of that elector  
15 must be prepared as a challenged ballot as provided in section  
16 727 and must be counted as any other ballot is counted unless  
17 determined otherwise by a court of law under section 747 or 748  
18 or any other applicable law.

19 **SEC. 761B. (1) BEGINNING JANUARY 1, 2019, THE CLERK OF EACH**  
20 **CITY OR TOWNSHIP SHALL BE AVAILABLE IN HIS OR HER OFFICE TO ISSUE**  
21 **AND RECEIVE ABSENT VOTER BALLOTS FOR ANY COMBINATION OF AT LEAST**  
22 **8 HOURS ON THE SATURDAY OR SUNDAY IMMEDIATELY BEFORE ELECTION**  
23 **DAY.**

24 **(2) AT LEAST 30 DAYS BEFORE THE DATE OF AN ELECTION, THE**  
25 **CLERK OF EACH CITY OR TOWNSHIP SHALL POST AND NOTIFY THE**  
26 **SECRETARY OF STATE OF THE HOURS THAT THE CLERK'S OFFICE WILL BE**  
27 **OPEN ON THE SATURDAY OR SUNDAY, OR BOTH, IMMEDIATELY BEFORE THE**

1 ELECTION TO ISSUE AND RECEIVE ABSENT VOTER BALLOTS.

2 (3) SUBJECT TO THE REQUIREMENTS FOR POLLING PLACES IN  
3 SECTION 662, UPON THE APPROVAL BY RESOLUTION OF THE GOVERNING  
4 BODY OF A CITY OR TOWNSHIP, THE CLERK OF THAT CITY OR TOWNSHIP  
5 MAY SPECIFY ADDITIONAL LOCATIONS AND HOURS THAT THE CLERK WILL BE  
6 AVAILABLE TO ISSUE AND RECEIVE ABSENT VOTER BALLOTS. THESE  
7 ADDITIONAL LOCATIONS MUST ALLOW CHALLENGERS AS DESCRIBED IN  
8 SECTION 730.

9 (4) AT LEAST 30 DAYS BEFORE THE DATE OF AN ELECTION, THE  
10 CLERK OF EACH CITY OR TOWNSHIP SHALL POST AND NOTIFY THE  
11 SECRETARY OF STATE, IF APPLICABLE, CONCERNING THE ADDITIONAL  
12 LOCATIONS AND HOURS THAT THE CLERK WILL BE AVAILABLE TO ISSUE AND  
13 RECEIVE ABSENT VOTER BALLOTS AS PROVIDED UNDER SUBSECTION (3).

14 Sec. 765. (1) A clerk who receives an absent voter ballot  
15 return envelope containing the marked ballots of an absent voter  
16 shall not open that envelope before delivering the envelope to  
17 the board of election inspectors as provided in this section. The  
18 city or township clerk shall safely keep in his or her office  
19 until election day any absent voter ballot return envelopes  
20 received by the clerk before election day containing the marked  
21 ballots of an absent voter.

22 (2) Before the opening of the polls on election day or as  
23 soon after the opening of the polls as possible, the clerk shall  
24 deliver the absent voter ballot return envelopes to the  
25 chairperson or other member of the board of election inspectors  
26 in the absent voter's precinct, together with the signed absent  
27 voter ballot applications received by the clerk from any voters

1 of that precinct and the clerk's list or record kept relative to  
2 those absent voters. However, if higher numbered ballots are used  
3 under section 717, the clerk shall retain the applications and  
4 lists in his or her office and shall keep the applications and  
5 lists open to public inspection at all reasonable hours. Absent  
6 voter ballots must not be tabulated before the opening of the  
7 polls on election day.

8 (3) The city or township clerk, or authorized designee of  
9 the clerk, shall call for and receive absent voter ballots from  
10 the post office at which the city or township clerk regularly  
11 receives mail addressed to the city or township clerk on election  
12 day. ~~in sufficient time to deliver any envelopes containing~~  
13 ~~absent voter ballots~~ **ANY ENVELOPES CONTAINING ABSENT VOTER**  
14 **BALLOTS THAT ARE RECEIVED FROM THE POST OFFICE OR FROM VOTERS WHO**  
15 **VOTED BY ABSENTEE BALLOT IN PERSON IN THE CLERK'S OFFICE ON**  
16 **ELECTION DAY MUST BE DELIVERED** to the board of election  
17 inspectors ~~before the close of the polls.~~ **OR THE ABSENT VOTER**  
18 **COUNTING BOARDS TO BE TABULATED.**

19 (4) If a marked absent voter ballot is received by the clerk  
20 after the close of the polls, the clerk shall plainly mark the  
21 envelope with the time and date of receipt and shall file the  
22 envelope in his or her office. ~~Except as otherwise provided in~~  
23 ~~section 759b, the clerk shall not deliver an absent voter ballot~~  
24 ~~to a voter after the opening of the polls on election day.~~

25 (5) On or before 8 a.m. on election day, the clerk shall  
26 post in the clerk's office or otherwise make public the number of  
27 absent voter ballots the clerk distributed to absent voters and

1 the number of absent voter ballot return envelopes containing the  
2 marked ballots of absent voters received by the clerk before  
3 election day and **TO BE** delivered to the board of election  
4 inspectors or the absent voter counting boards under this act. On  
5 or before 9 p.m. on election day, the clerk shall post in the  
6 clerk's office or otherwise make public the number of absent  
7 voter ballot return envelopes containing the marked ballots of  
8 absent voters received by the clerk on election day and delivered  
9 to the board of election inspectors, under subsection (3), along  
10 with the total number of absent voter ballot return envelopes  
11 containing the marked ballots of absent voters received by the  
12 clerk both before and on election day and delivered to the board  
13 of election inspectors or the absent voter counting boards under  
14 this act. As soon as possible after all precincts in the city or  
15 township are processed, the clerk shall post in the clerk's  
16 office or otherwise make public the number of absent voter ballot  
17 return envelopes containing the marked ballots of absent voters  
18 received by the election inspectors at the precincts on election  
19 day, along with the total number of absent voter ballot return  
20 envelopes containing the marked ballots of absent voters received  
21 in the city or township for that election. This subsection  
22 applies only to elections in which a federal or state office  
23 appears on the ballot.

24       Sec. 811. All election returns, including poll lists,  
25 statements, tally sheets, absent voters' return envelopes bearing  
26 the statement required by section 761, absent voters' records  
27 required by section 760, and other returns made by the inspectors

1 of election of the several precincts ~~shall~~**MUST** be carefully  
2 preserved and may be destroyed after the expiration of 2 years  
3 following the primary or election at which the same were used.  
4 All applications executed under section 523, **ALL VOTER**  
5 **REGISTRATION APPLICATIONS EXECUTED BY APPLICANTS UNDER SECTION**  
6 **497(3) AND (4)**, and all absent voters' applications ~~shall~~**MUST** be  
7 carefully preserved and may be destroyed after the expiration of  
8 6 years following the primary or election at which those  
9 applications were executed. All ballots used at any primary or  
10 election may be destroyed after 30 days following the final  
11 determination of the board of canvassers with respect to the  
12 primary or election unless a petition for recount has been filed  
13 and not completed or unless their destruction is stayed by an  
14 order of a court.

15       Sec. 813. (1) Within 6 days after an election, for each  
16 provisional ballot that was placed in a provisional ballot return  
17 envelope, the city or township clerk shall determine whether the  
18 individual voting the provisional ballot was eligible to vote a  
19 ballot and whether to tabulate the provisional ballot. In making  
20 this determination, the city or township clerk shall not open the  
21 provisional ballot return envelope. A provisional ballot must  
22 only be tabulated if a valid voter registration record for the  
23 elector is located or if the identity and residence of the  
24 elector is established using identification for election  
25 purposes, along with a current utility bill, bank statement,  
26 paycheck, government check, or other government document to  
27 establish the voter's current residence address if the

1 identification for election purposes used by the elector does not  
2 contain the voter's current residence address. Before the  
3 provisional ballot is tabulated, election officials shall process  
4 the ballot as a challenged ballot under sections 745 and 746.

5 (2) Within 7 days after an election, but sooner if  
6 practicable, the city or township clerk shall transmit the  
7 results of provisional ballots tabulated after the election to  
8 the board of county canvassers. The results must be transmitted  
9 in a form prescribed by the secretary of state.

10 (3) Within 7 days after an election, the city or township  
11 clerk shall transmit to the county clerk a provisional ballot  
12 report for each precinct in the jurisdiction. The report must  
13 include for each precinct the number of provisional ballots  
14 issued, the number of provisional ballots tabulated on election  
15 day, the number of provisional ballots forwarded to the clerk to  
16 be determined after the election, the number of provisional  
17 ballots tabulated by the clerk after election day, and any  
18 additional information concerning provisional ballots as required  
19 by the secretary of state.

20 (4) Within 7 days after an election, the city or township  
21 clerk shall transmit to the county clerk an affidavit report that  
22 includes the number of affidavits signed by voters under section  
23 523(2). The affidavit report must be transmitted to the county  
24 clerk in a form prescribed by the secretary of state.

25 **(5) WITHIN 7 DAYS AFTER AN ELECTION, THE CITY OR TOWNSHIP**  
26 **CLERK SHALL ENSURE THAT THE QUALIFIED VOTER FILE IS CURRENT AND**  
27 **INCLUDES ANY INDIVIDUAL WHO REGISTERED TO VOTE UNDER SECTION**

1 497(3) AND (4).

2 Sec. 829. (1) The board of county canvassers shall include  
3 the results of the tabulated provisional ballots in the canvass  
4 of the election following procedures prescribed by the secretary  
5 of state designed to maintain the secrecy of the ballot.

6 (2) Within 14 days after a primary or election, the county  
7 clerk shall transmit a county provisional ballot report to the  
8 secretary of state. The county provisional ballot report ~~shall~~  
9 **MUST** be in a manner prescribed by the secretary of state. After  
10 the secretary of state receives a county provisional ballot  
11 report, the county provisional ballot report ~~shall~~**MUST** be  
12 immediately available for public inspection.

13 (3) Within 14 days after an election, the county clerk shall  
14 transmit a county affidavit report to the secretary of state. The  
15 county affidavit report ~~shall~~**MUST** include the number of  
16 affidavits signed by voters under section 523(2). The county  
17 affidavit report ~~shall~~**MUST** be transmitted in a form prescribed  
18 by the secretary of state. After the secretary of state receives  
19 the county affidavit report from the county clerk, the county  
20 affidavit report ~~shall~~**MUST** immediately be available for public  
21 inspection.

22 (4) **WITHIN 14 DAYS AFTER AN ELECTION, THE SECRETARY OF STATE**  
23 **SHALL TRANSMIT TO THE HOUSE AND SENATE COMMITTEES DEALING WITH**  
24 **ELECTIONS A VOTER REGISTRATION APPLICATION REPORT THAT INCLUDES**  
25 **THE NUMBER OF VOTER REGISTRATION APPLICATIONS EXECUTED BY**  
26 **APPLICANTS UNDER SECTION 497(3) AND (4).**

27 Enacting section 1. Sections 524 and 758 of the Michigan

1 election law, 1954 PA 116, MCL 168.524 and 168.758, are repealed.