May 19, 2020, Introduced by Reps. Chirkun, Cherry, Jones, Gay-Dagnogo and Tyrone Carter and referred to the Committee on Elections and Ethics.

168.733, 168.736b, 168.736c, 168.736d, 168.736e, 168.737a, 168.741,
168.751, 168.754, 168.755a, 168.757, 168.759a, 168.759b, 168.761b,
168.764a, 168.764b, 168.765, 168.765a, 168.794, 168.795, 168.796,
168.797b, 168.811, 168.829, 168.931, and 168.932), sections 3, 491,
500d, 765, 811, and 829 as amended and sections 499e and 761b as
added by 2018 PA 603, section 31 as amended by 2012 PA 271,
sections 301 and 653a as amended by 2005 PA 71, section 305 as
amended by 2010 PA 334, section 355 as amended by 2013 PA 51,
section 385 as added by 2012 PA 586, section 480 as amended by 2012
PA 276, sections 576 and 579 as amended by 1996 PA 213, section 580
as amended by 1985 PA 160, section 659 as amended by 2014 PA 94,
sections 662 and 727 as amended by 2004 PA 92, section 668 as
amended by 2004 PA 96, sections 669, 679, 741, and 764b as amended
by 2018 PA 120, sections 731 and 932 as amended by 1995 PA 261,
sections 733 and 931 as amended by 1996 PA 583, sections 736b,
736c, 736d, and 736e as amended by 2018 PA 190, section 737a as
amended by 2018 PA 611, section 755a as added by 2014 PA 79,
section 759a as amended by 2012 PA 523, section 764a as amended by
2012 PA 128, section 765a as added by 2018 PA 123, section 794 as
amended by 1992 PA 8, section 795 as amended by 2018 PA 127, and
sections 796 and 797b as amended by 1990 PA 109, and by adding
section 641a; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 3. As used in this act:

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

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

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

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

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

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

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

(h) "Regular ballot" means a ballot that is issued to a voter on election day at a polling place location.

(i) "Qualified elector" is defined in section 10.

(j) "Qualified voter file" is defined in section 509m.

(k) "Regular election" means an election held on a regular election date to elect an individual to, or nominate an individual for, elective office in the regular course of the terms of that elective office.

(l) "Regular election date" means 1 of the dates established as a regular election date in section 641.

(m) "Residence" is defined in section 11.

Sec. 31. (1) The secretary of state shall do all of the following:

(a) Subject to subsection (2), issue instructions and promulgate rules pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, for the conduct of elections and registrations in accordance with the laws of this state.

(b) Advise and direct local election officials as to the proper methods of conducting elections.
(c) Publish and furnish for the use in each election precinct before each state primary and election a manual of instructions that includes specific instructions on assisting voters in casting their ballots, directions on the location of voting stations in polling places, procedures and forms for processing challenges, and procedures on prohibiting campaigning in the polling places as prescribed in this act.

(d) Publish indexed pamphlet copies of the registration, primary, and election laws and furnish to the various county, city, township, and village clerks a sufficient number of copies for their own use and to enable them to include 1 copy with the election supplies furnished each precinct board of election inspectors under their respective jurisdictions. The secretary of state may furnish single copies of the publications to organizations or individuals who request the same for purposes of instruction or public reference.

(e) Prescribe and require uniform forms, notices, and supplies the secretary of state considers advisable for use in the conduct of elections and registrations.

(f) Prepare the form of ballot for any proposed amendment to the constitution or proposal under the initiative or referendum provision of the constitution to be submitted to the voters of this state.

(g) Require reports from the local election officials the secretary of state considers necessary.

(h) Investigate, or cause to be investigated by local authorities, the administration of election laws, and report violations of the election laws and regulations to the attorney general or prosecuting attorney, or both, for prosecution.
(i) Publish in the legislative manual the vote for governor and secretary of state by townships and wards and the vote for members of the state legislature cast at the preceding November election, which shall be returned to the secretary of state by the county clerks on or before the first day of December following the election. All clerks shall furnish to the secretary of state, promptly and without compensation, any further information requested of them to be used in the compilation of the legislative manual.

(j) Establish a curriculum for comprehensive training and accreditation of all county, city, township, and village officials who are responsible for conducting elections.

(k) Establish a continuing election education program for all county, city, township, and village clerks.

(l) Establish and require attendance by all new appointed or elected election officials at an initial course of instruction within 6 months before the date of the election.

(m) Establish a comprehensive training curriculum for all precinct inspectors.

(n) Create an election day dispute resolution team that has regional representatives of the department of state, which team shall appear on site, if necessary.

(2) Pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, the secretary of state shall promulgate rules establishing uniform standards for state and local nominating, recall, and ballot question petition signatures. The standards for petition signatures may include, but need not be limited to, standards for all of the following:

(a) Determining the validity of registration of a circulator
or individual signing a petition.

(b) Determining the genuineness of the signature of a circulator or individual signing a petition, including digitized signatures.

(c) Proper designation of the place of registration of a circulator or individual signing a petition.

Sec. 301. (1) Unless a particular power or duty of an election official or a particular election procedure is specifically governed by a provision of this chapter, a school district election is governed by the provisions of this act that generally govern elections.

(2) Except as provided in section 305, the school district election coordinator for a school district shall conduct each regular election and each special election that is requested by the school board to submit a ballot question or to fill a vacancy on the school board. In addition to receiving requests from the school board to hold special elections, the school district election coordinator shall do all of the following:

(a) Receive filing fees or nominating petitions and affidavits of identity from candidates for school board and petitions for special elections.

(b) Procure the necessary qualified voter file precinct lists.

(c) Certify candidates.

(d) Receive ballot proposal language.

(e) Issue absent voter ballots.

(3) A school district election coordinator who is a county clerk may delegate, if the city or township clerk agrees, all or a portion of the school district election coordinator's duties to that city or township clerk. The school district election
coordinator shall not delegate duties to any person not named in this section.

(4) A school district election coordinator who is a county clerk may delegate the following duties to the city or township clerk, who shall perform the following duties:

(a) Distribute, receive, and process absent voter ballot applications for a school election.

(b) Make voting systems available for the conduct of a school election.

(c) Make available to the school district election coordinator the list of election inspectors for that city or township.

(d) Notify school district electors of precinct and polling place location changes.

(5) If the county clerk is the school district election coordinator for a school district, the county election commission shall establish that school district's election precincts and polling place locations in accordance with this act.

Sec. 305. (1) Within 30 days after the effective date of this chapter, the school district election coordinating committee for each school district shall hold an initial meeting. Within 14 days after convening the initial meeting, the school district election coordinating committee shall file a report with the secretary of state that sets forth the arrangements that are agreed upon for the conduct of the school district's elections. Each school district election coordinating committee member shall sign the report and retain a copy.

(2) After filing its initial report under subsection (1) and until December 31, 2012, a school district election coordinating committee shall meet at 2-year intervals to review and, if
necessary, alter the election arrangements set forth in its previous report. Beginning January 1, 2013, a school district election coordinating committee shall meet at 4-year intervals or earlier if determined necessary by the chairperson of the school district election coordinating committee to review and, if necessary, alter the election arrangements set forth in its previous report. After each review, a school district election coordinating committee shall either notify the secretary of state in writing that its previous report is not being altered or file with the secretary of state a report with the alterations. Until December 31, 2012, election arrangements made by the clerks of the jurisdictions participating in the school district election coordinating committee meeting are binding on the participating jurisdictions for at least 2 years after the report is filed, and each jurisdiction continues to be bound until an altered report is filed. Beginning January 1, 2013, election arrangements made by the clerks of the jurisdictions participating in the school district election coordinating committee meeting are binding on the participating jurisdictions until an altered report is filed.

(3) The arrangements agreed upon by a school district election coordinating committee for the conduct of the school district's elections shall accomplish at least both of the following:

(a) If a school district election is held on the same day as an election of a jurisdiction that overlaps with the school district, an elector wishing to vote in both elections shall not be required to vote at 2 different locations.

(b) If, before the filing of an initial report or of the notice or altered report after its review, a city or township clerk notifies the school district election coordinating committee that
the city or township clerk, in consultation with the city council or township board, as applicable, has decided to participate in the conduct of the school district's elections, the school district election coordinating committee shall include that city or township clerk in its initial or an altered report as the person conducting the school district's elections in the clerk's city or township.

(4) Notwithstanding the other provisions of this chapter, if a city or township is holding an election for elective office or on a ballot question at the same time that a school district located in whole or part in the city or township is holding an election, the city or township clerk shall also conduct the school district election within his or her jurisdiction. If a city or township clerk is conducting a school election under this subsection, the clerk shall use the same precincts that are used for state and federal elections as the precincts for the school district election. If these precincts change the polling place location for school district electors, the clerk shall notify those school district electors of the location of the different polling place. A city or township clerk with the consent of the school district election coordinator may use the school election precincts and polling places. A city or township clerk conducting an election under this subsection may consolidate election precincts in the manner provided in section 659.

Sec. 355. (1) The candidate or candidates of each political party to a township office receiving the greatest number of votes cast for candidates of that office, as set forth in the report of the board of county canvassers, based on the returns from the various election precincts, or as determined by the board of county canvassers as the result of a recount, shall must be declared the
nominee or nominees of that political party for that office at the next ensuing November election. The board of county canvassers shall certify the nomination or nominations to the township clerk within 48 hours after the polls close—8 p.m. on election day.

(2) Within 4 days following the primary, the township clerk shall deliver to the county clerk a list setting forth the names, addresses, political affiliation, and office sought of all candidates nominated at the primary.

Sec. 385. (1) Unless a particular power or duty of an election official or a particular election procedure is specifically governed by a provision of this chapter, a metropolitan district election is governed by the provisions of this act that generally govern elections.

(2) The metropolitan district election coordinator shall conduct each regular election that is requested by the legislative body of a metropolitan district to submit a ballot question or to fill a position or vacancy on the legislative body of the metropolitan district. The metropolitan district election coordinator shall do all of the following:

(a) Receive nominating petitions and affidavits of identity from candidates for officer to the legislative body of a metropolitan district and petitions for ballot questions.

(b) Procure the necessary qualified voter file precinct lists.

(c) Certify candidates.

(d) Receive ballot proposal language.

(e) Issue absent voter ballots.

(3) A metropolitan district election coordinator may delegate, if the city or township clerk agrees, all or a portion of the metropolitan district election coordinator's duties to that city or
tow township clerk. The metropolitan district election coordinator shall not delegate duties to any person not named in this section.

(4) A metropolitan district election coordinator may delegate the following duties to the city or township clerk, who shall perform the following duties:

(a) Distribute, receive, and process absent voter ballot applications for a metropolitan district election.

(b) Make voting systems available for the conduct of a metropolitan district election.

(c) Make available to the metropolitan district election coordinator the list of election inspectors for that city or township.

(d) Notify metropolitan district electors of precinct and polling place location changes.

(5) The county election commission shall establish that metropolitan district’s election precincts and polling place locations in accordance with this act.

Sec. 480. If a proposed constitutional amendment or other special question is to be submitted to the electors of this state for popular vote, the secretary of state shall, not less than 60 days before the date of the election at which the proposed constitutional amendment or other special question is to be submitted, certify the statement of the purpose for designation on the ballot to the clerk of each county in this state, together with the form in which the constitutional amendment or other special questions must be printed on the ballot. The secretary of state shall also furnish the county clerks in this state 2 copies of the text of each constitutional amendment or other special question and 2 copies of each statement for each voting precinct in
their respective counties. Each county clerk shall furnish the copies of the statement to the township and city clerks in his or her county at the time other supplies for the election are furnished. Each township or city clerk shall, before the opening of the polls on election day, deliver the copies of the text and statement to which each voting precinct in his or her township or city is entitled to the board of election inspectors of the precinct, who shall post the same in conspicuous places in the room where the election is held.

Sec. 491. The inspectors of election at an election, primary election, or special election in this state shall not receive the vote of an individual whose name is not on the voter registration list generated from the qualified voter file for the precinct in which he or she offers to vote, unless the individual meets the requirements of section 523a, or the individual registered to vote in person at the city or township clerk's office in the city or township in which he or she resides during the 14 days before the day of an election or on the day of an election and the individual presents a voter registration receipt to the inspectors of election.

Sec. 499e. (1) The clerk of a city or township shall be present or have a deputy clerk be present at the clerk's office at all times a polling place is open between 7 a.m. and 8 p.m. on election day to receive and process voter registration applications.

(2) Immediately after approving a voter registration application under this section, the clerk or deputy clerk shall prepare a registration card or an insert to a registration list in a form prescribed by the secretary of state. In addition, the clerk
or deputy clerk shall provide to the individual registering to vote a voter registration receipt that is in a form as approved by the secretary of state.

(3) The clerk shall prepare and send a voter identification card in the manner prescribed for corrected voter identification cards in section 499 as soon as practical after the election.

Sec. 500d. An individual who has properly completed an application for registration at an office of the secretary of state or his or her agent is permitted to vote in all elections after making the application if the clerk determines the individual is qualified. If the clerk determines the individual is not qualified, the clerk immediately shall send a notice to the applicant at the address stated in the application stating the determination and the reasons the individual is not qualified. An individual is permitted to vote if he or she presents at the polls a validated voter registration application receipt and the clerk determines the individual is qualified.

Sec. 576. (1) An elector, after having received a ballot or ballots, shall enter a booth or voting compartment and, while there concealed from view, shall vote the ballot or ballots by making a cross or a check mark in the square darkening the oval or box at the left of the names of those candidates for whom the elector desires to vote, but in no case for more candidates for any office than is indicated under the title of each office. However, an elector may vote for a person whose name is not printed on the ballot by inserting the name in a manner that will substitute it for any name that is printed on the ballot or where no candidate's name appears upon the ballot.

(2) The elector shall indicate his or her choice of candidates
on 1 party ticket only and, after marking the ballot, the elector shall fold it for deposit pursuant to the provisions of this act. A ballot on which more than 1 party ticket has been voted is void.

(3) This section is subject to section 736a.

Sec. 579. If an elector, after marking his or her ballot, exposes it to any person in a manner likely to reveal the name of any candidate for whom the elector voted, the board of election inspectors shall reject the ballot and the elector shall forfeit the right to vote at the primary. A note of the occurrence shall be made upon the poll list opposite the name of the elector. This section does not apply to an elector who exposes his or her ballot to a minor child accompanying that elector in the booth or voting compartment under section 736a.

Sec. 580. In counting the ballots, after the closing of the polls, only those candidates having crosses or check marks marked in the squares to the left of their names shall be considered to have received votes, and any ballot upon which more votes have been recorded for candidates for any office than may, by law, be elected to that office shall be rejected as to all names appearing on the ballot for that office only.

Sec. 641a. (1) Beginning October 1, 2020, each regular and special election must be conducted by absent voter ballot only.

(2) Beginning 60 days before each regular election and special election conducted after October 1, 2020 in a city or township, the clerk of that city or township shall send to each registered elector in that city or township an absent voter ballot application for that election.

Sec. 653a. (1) On receipt of the notice from the county clerk
pursuant to **under** section 652, the clerk of each city and township shall give notice of the time and place at which **date** the election is to be held, the offices to be filled, and the proposals to be submitted to the voters. The notice **shall** must be published in a newspaper published, or of general circulation, in the city or township. A caption or brief description of the proposal or proposals along with the location where an elector can obtain the full text of the proposal or proposals **shall** must be included in the notice. The publication **shall** must be made not less than 7 days before the election. The notice **shall** must be in substantially the following form:

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ELECTION NOTICE

To the qualified electors of the city or township ________________________________ notice is hereby given that a ________________________________

(indicate whether regular, special, or primary) election will be held in ________________________________ on ________ from 7 a.m. to 8 p.m. for the purpose of

(date)
nominating or electing candidates for the following offices:

(list of offices)

and to vote on the following proposals:

(list all proposals to be submitted to voters)

List of polling place locations: ________________________________.

_______________________

(clerk)

(2) A county clerk may enter into an agreement with the clerk
of 1 or more townships or cities in the county or the clerks of 1
or more cities or townships in a county may enter into an agreement
to jointly publish the notice in subsection (1). The notice shall
must be published in a newspaper of general circulation in the
cities and townships listed in the notice. If certain offices or
proposals are to be voted on in less than all of the precincts, the
notice shall must specify the townships or cities that shall vote
on only those offices or proposals.

Sec. 654. The words "election precinct" as As used in this
act, shall mean "election precinct" means a political subdivision,
the area of which is embraced in its entirety within the confines
of a city, ward, township, or village, and for which not more than
1 polling place absent voter counting board is provided for all
qualified and registered electors residing therein. When in that
area. If not divided according to law into 2 or more election
precincts, each organized city, ward, township, and village shall
be an election precinct.

Sec. 659. (1) If a county, city, ward, township, village,
metropolitan district, or school district is divided into 2 or more
election precincts, the county, city, ward, township, or village
election commissioners may, by resolution, consolidate the election
precincts for a particular any election. that is not a general
November election, primary election immediately before a general
November election, or other statewide or federal election. In
making the determination to consolidate election precincts for a
particular election, the election commission shall take into
consideration the number of choices the voter must make, the
percentage of registered voters who voted at the last similar
election in the jurisdiction, and the intensity of the interest of
the electors in the jurisdiction concerning the candidates and proposals to be voted upon. Consolidated precincts shall not exceed 5,000 active registered electors.

(2) A consolidation under this section shall be made not less than 60 days before a primary, general, or special election.

(3) Unless the polling places for the election precincts to be consolidated are located in the same building, when If a county, city, ward, township, or village consolidates election precincts for a particular election under subsection (1), the election commissioners or other designated election officials shall do both of the following:

(a) Provide notice to the registered electors of the affected election precincts of the consolidation of election precincts for the particular election. Notice may be provided by mail or other method designed to provide actual notice to the registered electors.

(b) Post a written notice at each election precinct polling place stating the location of the consolidated election precinct polling place.

(4) If a county, city, ward, township, or village consolidates election precincts under this section, each affected election precinct shall be treated as a whole unit and shall not be divided during the consolidation.

Sec. 660. When If a city, ward, township, or village is subdivided into election precincts, or the election precincts are altered or rearranged, the city, township, or village election commission, or other officials charged with the performance of the duty by the charter of the city or village, shall enter that action
of record in its proceedings, specify the numbers of the precincts altered or rearranged in numerical order, and describe the boundaries of each precinct. Notice of the subdivision, alteration, or rearrangement shall be given immediately by the city, township, or village clerk. The notification shall be effected by mailing to each qualified and registered elector affected by the subdivision, alteration, or rearrangement a notice by first class letter postage advising of the location of his new polling place and, if deemed advisable by the city, township, or village election commission, by posting a public notice of the change in 2 places in each precinct affected, thereby, advising the boundaries of each of the precincts. A notice shall also be immediately transmitted to the county clerk, and the county clerk shall transmit to the secretary of state, not later than 200 days prior to the primary next preceding the general November election, the number of election precincts in his county. The city, township, or village clerk shall give like notice of the abolition of the division of a city, ward, township, or village into election precincts, and shall, in the notice of abolition, state that the city, ward, township, or village is restored as a single election precinct and indicate the location of the polling place therein. Notice of the abolition shall be immediately transmitted to the county clerk, and by him or her to the secretary of state, as in the case of the subdivision or alteration of boundaries as herein provided in this section.

Sec. 662. (1) The legislative body in each city, village, and township shall designate and prescribe the place or places of holding an election for a city, village, or township election, and
shall provide a suitable polling place location in or for each precinct located in the city, village, or township for use by an absent voter counting board at each election. Except as otherwise provided in this section, school buildings, fire stations, police stations, and other publicly owned or controlled buildings must be used as polling places. If it is not possible or convenient to use a publicly owned or controlled building as a polling place, the legislative body of the city, township, or village may use as a polling place a building owned or controlled by an organization that is exempt from federal income tax as provided by section 501(c), other than 501(c)(4), (5), or (6), of the internal revenue code of 1986, or any successor statute—26 USC 501. The legislative body of a city, township, or village shall not designate as a polling place a building that is owned by a person who is a sponsor of a political committee or independent committee. A city, township, or village shall not use as a polling place a building that does not meet the requirements of this section. As used in this subsection, "sponsor of a political committee or independent committee" means a person who is described as being a sponsor under section 24(3) of the Michigan campaign finance act, 1976 PA 388, MCL 169.224, and includes a subsidiary of a corporation or a local of a labor organization, if the corporation or labor organization is considered a sponsor under section 24(3) of the Michigan campaign finance act, 1976 PA 388, MCL 169.224.

(2) The legislative body in each city, village, and township shall make arrangements for the rental or erection of suitable buildings for use as polling places for absent voter counting boards if publicly owned or controlled buildings are not
available, and shall have the polling places locations equipped with the necessary facilities for lighting and with adequate facilities for heat and ventilation. The legislative body may establish a central polling place or places for 6 precincts or less if it is possible and convenient for the electors to vote at the central polling place. The legislative body may abolish other polling places not required as a result of the establishment of a central polling place.

(3) The legislative body of a city, village, or township may establish a polling place at a for profit or nonprofit residence or facility in which 150 persons or more aged 62 or older reside or at an apartment building or complex in which 150 persons or more reside. A township board may provide polling places located locations within the limits of a city that has been incorporated from territory formerly a part of the township, and the electors of the township may cast their ballots at those polling places. If 2 contiguous townships utilize a combined township hall or other publicly owned or controlled building within 1 of the township's boundaries and outside of the other township's boundaries, and there is not another publicly owned or controlled building or a building owned or controlled by an organization that is exempt from federal income tax, as provided by section 501(c), other than 501(c)(4), (5), or (6), of the internal revenue code of 1986, 26 USC 501, available or suitable for a polling place location within the other township, then each township board may provide a polling place location in that publicly owned building for 1 or more election precinct.

(4) The legislative body of a city, village, or township shall not establish, move, or abolish a polling place location less than
60 days before an election unless necessary because a polling place location has been damaged, destroyed, or rendered inaccessible or unusable as a polling place location.

(5) The legislative body of a city, village, or township shall ensure that a polling place established under this section is accessible and complies with the voting accessibility for the elderly and handicapped act and the help America vote act of 2002.

(6) As used in this section, "accessible" means the removal or modification of policies, practices, and procedures that deny an individual with a disability the opportunity to vote, including the removal of physical barriers as identified in section 261(b) of the help America vote act of 2002, 42 USC 15421, so as to ensure individuals with disabilities the opportunity to participate in elections in this state.

Sec. 668. Before the polls open, 7 a.m. on election day, the city, township, or village clerk shall deliver to the board of election inspectors of each election precinct the voter registration list, the forms for poll lists and returns, and any other supplies necessary to conduct the election.

Sec. 669. For a federal, state, district, or county primary or election, a city or township board of election commissioners shall provide for each election precinct, at the expense of the respective city or township, each of the following:

(a) For each election precinct, a ballot container approved under section 24j to be utilized in the precinct.

(b) For each polling place, a United States flag and any additional items needed to display the flag. The flag must measure not less than 3 feet wide and 5 feet long. The election inspectors shall ensure that the flag is displayed at or in each polling place.
during an election.

Sec. 672. At every election, there **shall** be a board of at least 3 inspectors of election, constituted as in this chapter, provided, in and for each election precinct. Not less than a majority of the inspectors **shall** be present in the precinct polling place during the time the polls are open.

Sec. 678. Each board of election inspectors shall possess **possesses** full authority to maintain peace, regularity, and order, at its polling place, and to enforce obedience to their lawful commands during any primary or election and during the canvass of the votes. after the poll is closed.

Sec. 679. (1) The legislative body of a city or township, by resolution, may provide that for an election in a precinct of the city or township, there **shall be is** an additional board of election inspectors, known as the counting board. The counting board must consist of 3 or more election inspectors. Sections 673a and 674 apply to the appointment of election inspectors to counting boards under this section. The counting board shall count the ballots cast in the precinct at an election and make a statement of returns of that count. The provisions of this chapter relative to the appointment, qualifications, privileges, powers, duties, and oaths of office of election inspectors apply to the members of a counting board, to the extent that they apply to the counting of the votes cast at and the making of the statement of returns of an election.

(2) In a precinct for which a counting board has been provided, the duties of the election inspectors who have conducted the election during the day cease on the closing of the polls and, upon the closing of the polls, the counting board assumes charge and control of the place of voting, the ballot boxes, the ballots,
and all other equipment of the polling place precinct location and shall proceed with the counting of votes. The counting board shall perform all duties required by this act to be performed after the closing of the polls at an election by the board of election inspectors in a precinct that does not have a counting board, as provided in this section.

(3) Section 662 applies to the designation and prescribing of the place or places in which the counting board performs its duties under this section.

Sec. 715. It shall be is the duty of county, city, and township clerks to keep safeguarded all official ballots for absent voters' use. The said township or city clerk shall have has the right to open the package or packages of absent voter ballots received by him for any precinct in his the township or city, provided he shall receive application the clerk receives applications for absent voter ballots from any qualified elector of such the precinct, but not otherwise. He The clerk shall in no case not open any of the other packages of official ballots, but shall keep them intact in some safe and secure place, and shall deliver them and other election supplies, together with the absent voter ballots remaining in his possession, to the chairman chairperson or some member of the board of inspectors of election of the proper precinct or precincts of his township or city, as the case may be, before 7 o'clock in the forenoon a.m. of the day of election. On delivery of said the ballots to the chairman chairperson or some other member of the board of election, said the clerk shall take a receipt therefor, which receipt that he or she shall file in his or her office.

Sec. 720. On the day of any election, the polls shall be
open at 7 o'clock in the forenoon, and shall be continuously open
until 8 o'clock in the afternoon and no longer. Every every
qualified elector present and in line at the polls at the hour
prescribed for the closing thereof shall be is allowed to vote
until 8 p.m.

Sec. 721. Unless otherwise specified, the hours for the
opening and closing of polls and for the conducting of elections
shall be are governed by eastern standard time. Provided,
however, That However, in the counties where central standard time
is the observed time of any such county, the opening and closing of
the polls and the conducting of elections may be governed by
central standard time, upon resolution to such that effect adopted
by the county board of supervisors.

Sec. 723. Before opening the polls, 7 a.m. on election day,
each ballot box to be used at the election shall must be examined
by the board of inspectors of election and the contents, if any,
removed therefrom; it shall from the ballot box. The ballot box
must then be locked, and the key thereof for the ballot box
delivered to 1 of the inspectors, to be designated by the board.
The said ballot box shall must not be opened during the election.

Sec. 727. (1) An election inspector shall challenge the ballot
of an applicant applying for a ballot elector if the inspector
knows or has good reason to suspect that the applicant elector is
not a qualified and registered elector of the precinct, or if a
challenge appears in connection with the applicant's elector's
name in the registration book. A registered elector of the precinct
present in the polling place may challenge the right of anyone
attempting to vote if the elector knows or has good reason to
suspect that individual is not a registered elector in that
precinct. An election inspector or other qualified challenger may challenge the right of an individual attempting to vote who has previously applied for an absent voter ballot and who on election day is claiming to have never received the absent voter ballot or to have lost or destroyed the absent voter ballot.

(2) Upon a challenge being made under subsection (1), an election inspector shall immediately do all of the following:

(a) Identify as provided in sections 745 and 746 a ballot voted by the challenged individual, if any.

(b) Make a written report including all of the following information:

(i) All election disparities or infractions complained of or believed to have occurred.

(ii) The name of the individual making the challenge.

(iii) The time of the challenge.

(iv) The name, telephone number, and address of the challenged individual.

(v) Other information considered appropriate by the election inspector.

(c) Retain the written report created under subdivision (b) and make it a part of the election record.

(d) Inform a challenged elector of his or her rights under section 729.

(3) A challenger shall not make a challenge indiscriminately and without good cause. A challenger shall not handle the poll books while observing election procedures or the ballots during the counting of the ballots. A challenger shall not interfere with or unduly delay the work of the election inspectors. An individual who challenges a qualified and registered elector of a voting precinct...
for the purpose of annoying or delaying voters is guilty of a
misdemeanor.

Sec. 731. (1) Not less than 20 and not more than 30 days
before an election, an incorporated organization or organized
committee of interested citizens other than political party
committees authorized by this act intending to appoint challengers
at the election shall file with the clerk of the county, city,
village, or township in which the election is to be held, a
statement setting forth the intention of the organization or
committee to appoint challengers. The statement shall set
forth the reason why the organization or committee claims the right
to appoint challengers, with a facsimile of the card to be used,
and shall be signed and sworn to by the chief presiding
officer, the secretary, or some other officer of the organization
or committee. The clerk or secretary of state, as applicable under
subsection (2), may deny an organization or committee the
authorization to appoint challengers if that organization or
committee fails to furnish evidence satisfactory to the clerk or
secretary of state that the organization or committee is devoted to
the purposes enumerated in section 730.

(2) Not later than 2 business days after receipt of a
statement of intent to appoint challengers under subsection (1), a
clerk shall approve or deny the organization's or committee's
authorization to appoint challengers and notify the organization or
committee of that approval or denial. If authorization is denied
under this subsection, an organization or committee may appeal the
denial with the secretary of state not later than 2 business days
after receipt of the denial. Not later than 2 business days after
receipt of an appeal of a denial under this subsection, the
secretary of state shall review the clerk's denial and approve or
deny the organization's or committee's authorization to appoint
challengers and notify the organization or committee and the clerk
of that decision.

(3) Before the opening of the polls, 7 a.m. on election day,
the clerk shall certify in writing to the board of election
inspectors in a county, city, village, or township in which the
election will be conducted the names of organizations and
committees that are authorized under this section to appoint and
keep challengers at the polling places in the county, city,
village, or township.

(4) A person who files a statement under this section on
behalf of an organization or committee that is not authorized by
this act to appoint challengers or a clerk who knowingly fails to
perform the duties required by this section is guilty of a felony
punishable by a fine of not more than $1,000.00— or by
imprisonment for not more than 2 years, or both.

Sec. 733. (1) The board of election inspectors shall provide
space for the challengers within the polling place that enables the
challengers to observe the election procedure and each person
applying to vote. A challenger may do 1 or more of the following:

(a) Under the scrutiny of an election inspector, inspect
without handling the poll books, as ballots are issued to electors
and the electors’ names being entered in the poll book.

(b) Observe the manner in which the duties of the election
inspectors are being performed.

(c) Challenge the voting rights of an individual who
the challenger has good reason to believe is not a registered
elector.
(d) Challenge an election procedure that is not being properly performed.

(e) Bring to an election inspector's attention any of the following:

(i) Improper handling of a ballot by an elector or election inspector.

(ii) A violation of a regulation made by the board of election inspectors pursuant to section 742.

(iii) Campaigning being performed by an election inspector or other person in violation of section 744.

(iv) A violation of election law or other prescribed election procedure.

(f) Remain during the canvass of votes and until the statement of returns is duly signed and made.

(g) Examine without handling each ballot as it is being counted.

(h) Keep records of votes cast and other election procedures as the challenger desires.

(i) Observe the recording of absent voter ballots on voting machines.

(2) The board of election inspectors shall provide space for each challenger, if any, at each counting board that enables the challengers to observe the counting of the ballots. A challenger at the counting board may do 1 or more of the activities allowed in subsection (1), as applicable.

(3) Any evidence of drinking of alcoholic beverages or disorderly conduct is sufficient cause for the expulsion of a challenger from the polling place or the counting board. The election inspectors and other election officials on duty shall
(4) A person—An individual—shall not threaten or intimidate a challenger while performing an activity allowed under subsection (1). A challenger shall not threaten or intimidate an elector while the elector is entering the polling place, applying to vote, entering the voting compartment, voting, or leaving the polling place.

Sec. 736b. Each ballot secrecy sleeve used at a primary election must either contain the following ballot marking instructions printed on the front of the ballot secrecy sleeve or must have a clear plastic pocket on the front of the ballot secrecy sleeve that contains a printed copy of the following ballot marking instructions must be used at a primary election:

**PRIMARY ELECTION**

**TO VOTE:** Completely darken the oval opposite each choice as shown:
[insert graphic here].

— OR —

**TO VOTE:** Completely darken the box opposite each choice as shown:
[insert graphic here].

**IMPORTANT:** To mark your ballot, use only a black or blue ink pen. **DO NOT USE ANY OTHER INK COLOR!**

**PARTISAN SECTION:** There may be multiple party sections on the ballot. Select the party section of your choice. **YOU MAY VOTE IN ONE PARTY SECTION ONLY; YOU CANNOT "SPLIT YOUR TICKET." IF YOU VOTE IN MORE THAN ONE PARTY SECTION, YOUR PARTISAN BALLOT WILL BE REJECTED.** **DO NOT** vote for more candidates than indicated under each office title.
WRITE-IN CANDIDATES: To vote for a candidate whose name is not
printed on the ballot, write or place the name of that candidate in
the blank space provided and completely darken the voting target
area. Do not cast a write-in vote for a candidate whose name is
already printed on the ballot for that office.

CHECK BOTH SIDES OF BALLOT: This ballot has two sides. Be certain to
check the reverse side of the ballot.

WHEN YOU HAVE COMPLETED VOTING: Place the ballot in the secrecy
elease so that votes cannot be seen and the numbered stub is
visible. Return the ballot to the election official stationed at the
tabulator. (If voting by absentee ballot, follow the instructions
provided by the clerk for returning the ballot.)

NOTE: If you make a mistake, return your ballot to the election
official and obtain a new ballot. Do not attempt to erase or correct
any marks made in error.

Sec. 736c. Each ballot secrecy sleeve used at a general
election must either contain the following ballot marking
instructions printed on the front of the ballot secrecy sleeve or
must have a clear plastic pocket on the front of the ballot secrecy
sleeve that contains a printed copy of the following ballot
marking instructions:

GENERAL ELECTION

TO VOTE: Completely darken the oval opposite each choice as shown:
[insert graphic here].

-- OR --

TO VOTE: Completely darken the box opposite each choice as shown:
[insert graphic here].

IMPORTANT: To mark your ballot, use only a black or blue ink pen.

DO NOT USE ANY OTHER INK COLOR!
PARTISAN SECTION: To vote the partisan section of the ballot, you may cast a "mixed ticket."

Mixed Ticket: Vote for the individual candidates of your choice in each office.

NONPARTISAN and PROPOSAL SECTIONS of the ballot (if any) must be voted separately.

DO NOT vote for more candidates than indicated under each office title.

WRITE-IN CANDIDATES: To vote for a candidate whose name is not printed on the ballot, write or place the name of that candidate in the blank space provided and completely darken the voting target area. Do not cast a write-in vote for a candidate whose name is already printed on the ballot for that office.

CHECK BOTH SIDES OF BALLOT: This ballot has two sides. Be certain to check the reverse side of the ballot.

WHEN YOU HAVE COMPLETED VOTING: Place the ballot in the secrecy sleeve so that votes cannot be seen and the numbered stub is visible. Return the ballot to the election official stationed at the tabulator. (If voting by absentee ballot, follow the instructions provided by the clerk for returning the ballot.)

NOTE: If you make a mistake, return your ballot to the election official and obtain a new ballot. Do not attempt to erase or correct any marks made in error.

Sec. 736d. Each ballot secrecy sleeve used at a nonpartisan election must either contain the following ballot marking instructions printed on the front of the ballot secrecy sleeve or must have a clear plastic pocket on the front of the ballot secrecy sleeve that contains a printed copy of the following ballot marking instructions must be used at a nonpartisan election:
NONPARTISAN ELECTION

TO VOTE: Completely darken the oval opposite each choice as shown: [insert graphic here].

-- OR --

TO VOTE: Completely darken the box opposite each choice as shown: [insert graphic here].

IMPORTANT: To mark your ballot, use only a black or blue ink pen. DO NOT USE ANY OTHER INK COLOR!

DO NOT vote for more candidates than indicated under each office title.

WRITE-IN CANDIDATES: To vote for a candidate whose name is not printed on the ballot, write or place the name of that candidate in the blank space provided and completely darken the voting target area. Do not cast a write-in vote for a candidate whose name is already printed on the ballot for that office.

CHECK BOTH SIDES OF BALLOT: This ballot has two sides. Be certain to check the reverse side of the ballot.

WHEN YOU HAVE COMPLETED VOTING: Place the ballot in the secrecy sleeve so that votes cannot be seen and the numbered stub is visible. Return the ballot to the election official stationed at the tabulator. (If voting by absentee ballot, follow the instructions provided by the clerk for returning the ballot.)

NOTE: If you make a mistake, return your ballot to the election official and obtain a new ballot. Do not attempt to erase or correct any marks made in error.

Sec. 736e. Each ballot secrecy sleeve used at a special election must either contain the following ballot marking instructions printed on the front of the ballot secrecy sleeve or must have a clear plastic pocket on the front of the ballot secrecy sleeve.
sleeve that contains a printed copy of the The following ballot
marking instructions must be used at a special election:

SPECIAL ELECTION

TO VOTE: Completely darken the oval opposite each choice as shown:
[insert graphic here].

-- OR --

TO VOTE: Completely darken the box opposite each choice as shown:
[insert graphic here].

IMPORTANT: To mark your ballot, use only a black or blue ink pen.

DO NOT USE ANY OTHER INK COLOR!

CHECK BOTH SIDES OF BALLOT: This ballot has two sides. Be certain
to check the reverse side of the ballot.

WHEN YOU HAVE COMPLETED VOTING: Place the ballot in the secrecy
evelope so that votes cannot be seen and the numbered stub is
visible. Return the ballot to the election official stationed at
the tabulator. (If voting by absentee ballot, follow the
instructions provided by the clerk for returning the ballot.)

NOTE: If you make a mistake, return your ballot to the election
official and obtain a new ballot. Do not attempt to erase or
correct any marks made in error.

Sec. 737a. (1) Except as otherwise provided in this section,
the board of election inspectors shall not count a write-in vote
for a person—an individual unless that person—individual has filed
a declaration of intent to be a write-in candidate as provided in
this section. The write-in candidate shall file the declaration of
intent to be a write-in candidate with the filing official for that
elective office on or before 4 p.m. on the second Friday
immediately before the election. The secretary of state,
immediately after the 4 p.m. filing deadline under this subsection,
shall prepare and have delivered a list of all persons who have filed a declaration of intent to be a write-in candidate under this subsection, if any, to the appropriate county clerks. A filing official other than the secretary of state who receives a declaration of intent to be a write-in candidate or list of persons who filed a declaration of intent from another filing official under this subsection shall prepare and have delivered a list of all persons who have filed a declaration of intent to be a write-in candidate to the board of election inspectors in the appropriate precincts before the close of the polls—8 p.m. on election day.

(2) If a candidate whose name is printed on the official ballot for the election dies or is otherwise disqualified after 4 p.m. on the second Friday immediately before the election, the requirement of filing a declaration of intent to be a write-in candidate under subsection (1) does not apply to a write-in candidate. If a death or disqualification has occurred as described in this subsection, the board of election inspectors shall count all write-in votes for write-in candidates for the office sought by the deceased or disqualified candidate.

(3) Subsections (1) and (2) do not apply to a write-in candidate for precinct delegate. The board of election inspectors shall not count a write-in vote for a write-in candidate for precinct delegate unless that candidate has filed a declaration of intent to be a write-in candidate as provided in this subsection. A write-in candidate for precinct delegate shall file a declaration of intent to be a write-in candidate with the county clerk of the county in which that precinct is located on or before 4 p.m. on the Friday immediately before the election or with the board of
election inspectors in the appropriate precinct before the close of the polls 8 p.m. on election day. A county clerk who receives a declaration of intent to be a write-in candidate for precinct delegate under this subsection shall prepare and have delivered a list of all persons who have filed a declaration of intent to be a write-in candidate to the city and township clerks for the appropriate precincts before election day. A city or township clerk shall deliver a list of all persons who have filed a declaration of intent to be a write-in candidate for precinct delegate to the board of election inspectors in the appropriate precincts before the close of the polls 8 p.m. on election day.

(4) The secretary of state shall prescribe forms for the declaration of intent to be a write-in candidate. Clerks shall maintain a supply of declaration of intent to be a write-in candidate forms in the clerk's office and make the forms available in the polling places during the August primary for this purpose. The declaration of intent to be a write-in candidate form must include all of the following information:

(a) The name of the person intending to be a write-in candidate.

(b) The elective office that the person seeks as a write-in candidate.

(c) The residence address of the person seeking elective office as a write-in candidate.

(d) Other information the secretary of state considers appropriate.

Sec. 741. The board of inspectors of election clerks shall preserve the unused ballots, together with the ballots that have
been spoiled by the electors and in place of which other ballots have been issued, and return them to the city or township clerk, or other officer provided by a city charter, with a statement of the number of ballots voted, and the clerk shall give to the election inspectors a receipt that must be filed with the chairperson of the board.

Sec. 751. When If at an election an elector shall state that the elector cannot mark his or her ballot, the elector shall be assisted in the marking of his or her ballot by 2 inspectors of election, the clerk of the city or township in which that elector resides. If an elector is so disabled on account of blindness, the elector may be assisted in the marking of his or her ballot by a member of his or her immediate family or by a person—an individual over 18 years of age designated by the individual who is blind.

Sec. 754. The inspectors—clerk upon whom shall fall the duty of assisting a voter shall render such assistance inside the voting booth—clerk's office by showing him or her how to mark his or her ballot in order to vote as he desires, desired, or the inspector—clerk shall himself or herself mark the ballot as directed by the voter, but no a ballot shall must not be marked by the inspector—clerk from any written or printed list or slip furnished him or her by the voter or any other person—individual. The inspector—clerk shall not suggest to the voter how he or she should vote, or in any manner attempt to influence him or her as to the marking of his—the ballot, nor allow any other person—individual to do so. The duties and restrictions with respect to inspectors—clerks as provided for in this section shall apply to and govern any person—individual
Sec. 755a. (1) If an elector is unable to write, or sign his or her name on an election document because of a physical disability, the elector may execute the election document where a signature is required either by making his or her mark or by using a signature stamp.

(2) As used in this section, "election document" includes, but is not limited to, any of the following:

(a) A voter application as described in section 523.

(b) An absent voter ballot application as described in section 759 or 759a.

(c) An emergency absent voter ballot application as described in section 759b.

(d) An absent voter ballot return envelope as described in section 761.

Sec. 757. Any inspector or clerk who willfully assists any elector in any manner contrary to the provisions contained in this section, shall, upon conviction, be guilty of a felony.

Sec. 759a. (1) An absent uniformed services voter or an overseas voter who is not registered, but possessed the qualifications of an elector under section 492, may apply for registration by using the federal postcard application. The department of state, bureau of elections, is responsible for disseminating information on the procedures for registering and voting to an absent uniformed services voter and an overseas voter.

(2) Upon the request of an absent uniformed services voter or an overseas voter, the clerk of a county, city, township, or
village shall electronically transmit a blank voter registration application or blank absent voter ballot application to the voter. The clerk of a county, city, township, or village shall accept a completed voter registration application or completed absent voter ballot application electronically transmitted by an absent
uniformed services voter or overseas voter. A voter registration application or absent voter ballot application submitted by an absent uniformed services voter or overseas voter shall must contain the signature of the voter.

(3) A spouse or dependent of an overseas voter who is a citizen of the United States, is accompanying that overseas voter, and is not a qualified and registered elector anywhere else in the United States, may apply for an absent voter ballot even though the spouse or dependent is not a qualified elector of a city or township of this state.

(4) An absent uniformed services voter or an overseas voter, whether or not registered to vote, may apply for an absent voter ballot. Upon receipt of an application for an absent voter ballot under this section that complies with this act, a county, city, village, or township clerk shall forward to the applicant the absent voter ballots requested, the forms necessary for registration, and instructions for completing the forms. If the ballots are not yet available at the time of receipt of the application, the clerk shall immediately forward to the applicant the registration forms and instructions, and forward the ballots as soon as they are available. If a federal postcard application or an application from the official United States Department of Defense website is filed, the clerk shall accept the federal postcard application or the application from the official
United States Department of Defense website as the registration application and shall not send any additional registration forms to the applicant. If the ballots and registration forms are received before the close of the polls at 8 p.m. on election day and if the registration complies with the requirements of this act, the absent voter ballots must be delivered to the proper election board to be tabulated. If the registration does not comply with the requirements of this act, the clerk shall retain the absent voter ballots until the expiration of the time that the voted ballots must be kept and shall then destroy the ballots without opening the envelope. The clerk may retain registration forms completed under this section in a separate file. The address in this state shown on a registration form is the residence of the registrant.

(5) Not later than 45 days before an election, a county, city, township, or village clerk shall electronically transmit or mail as appropriate an absent voter ballot to each absent uniformed services voter or overseas voter who applied for an absent voter ballot 45 days or more before the election.

(6) Upon the request of an absent uniformed services voter or overseas voter, the clerk of a county, city, township, or village shall electronically transmit an absent voter ballot to the voter. The voter shall print the absent voter ballot and return the voted ballot by mail to the appropriate clerk.

(7) The secretary of state shall prescribe electronic absent voter ballot formats and electronic absent voter ballot transmission methods. Each county, city, township, or village clerk shall employ the prescribed electronic ballot formats to fulfill an absent voter ballot request received from an absent uniformed
services voter or overseas voter who wishes to receive his or her
absent voter ballot through an electronic transmission. The
secretary of state shall establish procedures to implement the
requirements in this section and for the processing of a marked
absent voter ballot returned by an absent uniformed services voter
or overseas voter who obtained his or her absent voter ballot
through an electronic transmission.

(8) The secretary of state shall modify the printed statement
provided under section 761(4) and the absent voter ballot
instructions provided under section 764a as appropriate to
accommodate the procedures developed for electronically
transmitting an absent voter ballot to an absent uniformed services
voter or overseas voter. A statement shall be included in the
certificate signed by the absent voter who obtained his or her
absent voter ballot through an electronic transmission that the
secrecy of the absent voter ballot may be compromised during the
duplication process. The absent voter ballot instructions provided
to an absent uniformed services voter or overseas voter shall include the proper procedures for returning the absent voter ballot
to the appropriate clerk.

(9) The size of a precinct shall not be determined by
registration forms completed under this section.

(10) An absent uniformed services voter or an overseas voter
who submits an absent voter ballot application is eligible to vote
as an absent voter in any local, state, or federal election
occurring in the calendar year in which the election is held for
that ballot requested if the absent voter ballot application is
received by the county, city, village, or township clerk not later
than 2 p.m. of the Saturday before the election. A county, city, or
A township clerk receiving an absent voter ballot application from an absent uniformed services voter or overseas voter shall transmit to a village clerk and the school district election coordinators, where applicable, the necessary information to enable the village clerk and school district election coordinators to forward an absent voter ballot for each applicable election in that calendar year to the absent voter. A village clerk receiving an absent voter ballot application from an absent uniformed services voter or overseas voter shall transmit to the township clerk and the school district election coordinators, where applicable, the necessary information to enable the city or township clerk and school district election coordinators to forward an absent voter ballot for each applicable election in that calendar year to the absent voter. If the local elections official rejects a voter registration application or absent voter ballot application submitted by an absent uniformed services voter or overseas voter, the election official shall notify the voter of the rejection.

(11) An electronic mail address provided by an absent uniformed services voter or overseas voter for the purposes of this section is confidential and exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(12) Under the uniformed and overseas citizens absentee voting act, the state director of elections shall approve a ballot form and registration procedures for absent uniformed services voters and overseas voters.

(13) An absent uniformed services voter or an overseas voter may use the federal write-in absentee ballot, in accordance with the provisions of the uniformed and overseas citizens absentee voting act, at a regular election or special election to vote for a
local, state, or federal office or on a ballot question. An absent
uniformed services voter or an overseas voter who uses the federal
write-in absentee ballot shall return his or her voted federal
write-in absentee ballot by mail to the appropriate clerk. The
state bureau of elections shall do both of the following:
(a) Make the ballot format for each election available to
absent uniformed services voters and overseas voters by electronic
mail or on an internet website maintained by the department of
state.
(b) Make the ballot information, including the offices, names
of candidates, and ballot proposals, for each election available to
absent uniformed services voters and overseas voters on an internet
website maintained by the department of state.
(14) The clerk of a city, village, or township shall submit to
the county clerk of the county in which that city, village, or
township is located a written statement no later than 45 days
before each election indicating whether absent voter ballots were
issued to absent uniformed services voters or overseas voters in
compliance with this section and the uniformed and overseas
citizens absentee voting act. The city, village, or township clerk
shall provide to the county clerk a written explanation describing
remedial actions taken by the city, village, or township clerk if
the city, village, or township clerk fails to comply with this
section and the uniformed and overseas citizens absentee voting
act. Not later than 42 days before each election, each county clerk
shall submit to the state bureau of elections a written report
compiled from the written statements submitted by the city,
village, and township clerks. The written report shall
identify the cities, villages, and townships that complied with the
45-day deadline under this subsection, the cities, villages, and
townships that did not comply with the 45-day deadline under this
subsection, but provided a written explanation, and those cities,
villages, and townships that did not comply with the 45-day
deadline under this subsection and that did not provide a written
explanation. The state bureau of elections may require the clerk of
a city, village, or township that did not comply with the 45-day
deadline under this subsection, but provided a written explanation,
to provide additional information. The state bureau of elections
shall require the clerk of a city, village, or township that did
not comply with the 45-day deadline and that did not provide a
written explanation to file a written explanation, describing the
remedial actions taken by the city, village, or township clerk,
within 1 business day after the state bureau of elections notifies
the clerk of that city, village, or township.

(15) For a presidential primary election, the secretary of
state shall prescribe procedures for contacting an elector who is
an absent uniformed services voter or an overseas voter, as
described in this section, and who is eligible to receive an absent
voter ballot or who applies for an absent voter ballot for the
presidential primary election, offering the elector the opportunity
to select a political party ballot for the presidential primary
election.

(16) The secretary of state shall order a city, village, or
township clerk to extend the ballot receipt deadline for any
absentee voter ballots under this section that were not transmitted
to an absent uniformed services voter or overseas voter in
compliance with subsection (5). The extension **shall-must** equal the
total number of days beyond the deadline as provided in subsection
(5) that the city, village, or township clerk transmitted the requested absentee voter ballots. These absentee voter ballots received during the extension time **shall** must be counted and tabulated for the final results of the election provided that the absentee voter ballots are executed and sent by **the close of the polls** 8 p.m. on election day. The election may be formally certified before the end of the extension time if the number of outstanding absentee voter ballots under this subsection will not alter the outcome of the election.

(17) As used in this section:

(a) "Absent uniformed services voter" means any of the following:

(i) A member of a uniformed service on active duty who, by reason of being on active duty, is absent from the place of residence where the member is otherwise qualified to vote.

(ii) A member of the merchant marine who, by reason of service in the merchant marine, is absent from the place of residence where the member is otherwise qualified to vote.

(iii) A spouse or dependent of a member referred to in subparagraph (i) or (ii) who, by reason of the active duty or service of the member, is absent from the place of residence where the spouse or dependent is otherwise qualified to vote.

(b) "Member of the merchant marine" means an individual, other than a member of a uniformed service or an individual employed, enrolled, or maintained on the Great Lakes or the inland waterways, who is either of the following:

(i) Employed as an officer or crew member of a vessel documented under the laws of the United States, a vessel owned by the United States, or a vessel of foreign-flag registry under
charter to or control of the United States.

(ii) Enrolled with the United States for employment or training for employment, or maintained by the United States for emergency relief service, as an officer or crew member of a vessel documented under the laws of the United States, a vessel owned by the United States, or a vessel of foreign-flag registry under charter to or control of the United States.

(c) "Overseas voter" means any of the following:

(i) An absent uniformed services voter who, by reason of active duty or service, is absent from the United States on the date of an election.

(ii) A person who resides outside of the United States and is qualified to vote in the last place in which the person was domiciled before leaving the United States.

(iii) A person who resides outside of the United States and who, but for such residence outside of the United States, would be qualified to vote in the last place in which he or she was domiciled before leaving the United States.

(d) "Uniformed services" means the army, navy, air force, marine corps, coast guard, Army, Navy, Air Force, Marine Corps, Coast Guard, the commissioned corps Commissioned Corps of the public health service, Public Health Service, the commissioned corps Commissioned Corps of the national oceanic National Oceanic and atmospheric administration, Atmospheric Administration, a reserve component of a uniformed service, or the Michigan national guard National Guard as that term is defined in section 105 of the Michigan military act, 1967 PA 150, MCL 32.505.

Sec. 759b. (1) Any registered elector may apply for absent voter ballots at any time prior to before 4 p.m. on election day if
the elector becomes physically disabled or
shall be absent from the city or township because of sickness or
death in the family which has occurred at a time which has
made it impossible to apply for absent voter ballots by the
statutory deadline. The application must be called an
emergency absent voter application.

(2) Emergency absent voter applications may be made by letter
or on a form provided by the clerk. The application must set
forth that the voter is qualified to vote in the election, stating
the statutory reason for applying for an emergency absent voter
ballot, and that the reason for applying after the statutory
deadline occurred at such a time to make it impossible to file an
application for absent voter ballots by the statutory deadline.

(3) Any person intentionally making a false statement in such an
emergency absent voter application is guilty of a felony. Any
person aiding or abetting any person to make a false statement on
such an emergency absent voter application is guilty of a felony.

(4) Upon receipt by the clerk of a valid application for an
emergency absent voter ballot, the clerk may deliver the ballots to
the applicant in person, through a deputy or an election assistant,
or the clerk may deliver them at his or her office to a person
named by the applicant in the application. The voter
may return the ballots to the clerk in the sealed envelope provided
therefor with the ballots in any manner he or she sees fit. To be
valid, ballots must be returned to the clerk in time to be
delivered to the polls prior to absent voter counting board before
8 p.m. on election day.

Sec. 761b. (1) Beginning January 1, 2019, the The clerk of
each city or township shall be available in his or her office to
issue and receive absent voter ballots for any combination of at least 8 hours on the Saturday or Sunday immediately before election day.

(2) At least 30 days before the date of an election, the clerk of each city or township shall post and notify the secretary of state of the hours that the clerk's office will be open on the Saturday or Sunday, or both, immediately before the election to issue and receive absent voter ballots.

(3) Subject to the requirements for polling places in section 662, upon the approval by resolution of the governing body of a city or township, the clerk of that city or township may specify additional locations and hours that the clerk will be available to issue and receive absent voter ballots. These additional locations must allow challengers as described in section 730.

(4) At least 30 days before the date of an election, the clerk of each city or township shall post and notify the secretary of state, if applicable, concerning the additional locations and hours that the clerk will be available to issue and receive absent voter ballots as provided under subsection (3).

Sec. 764a. The following instructions for an absent voter must be included with each ballot or set of ballots furnished an absent voter:

INSTRUCTIONS FOR ABSENT VOTERS

Step 1. Enclosed you will find voting instructions as to the method of voting. Read these carefully and then vote the ballot.

Step 2. After voting a ballot, place the ballot in the secrecy sleeve, if any. If a secrecy sleeve is not provided, refold the ballot to conceal your votes.

Step 3. Place the ballot or ballots in the return envelope and
securely seal the envelope.

Step 4. Sign and date the return envelope in the place designated. Your signature must appear on the return envelope or the ballot will not be counted. If you are disabled or otherwise unable to mark the ballot and required assistance in voting your absent voter ballot, have the person who assisted you complete the section on the return envelope entitled "TO BE COMPLETED ONLY IF VOTER IS ASSISTED IN VOTING BY ANOTHER PERSON".

Step 5. Deliver the return envelope by 1 of the following methods:

(a) 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 envelope personally to the office of the clerk, 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 a ballot to the clerk for the voter.

(d) You may request by telephone that the clerk who issued the ballot provide assistance in returning the ballot. The clerk is required to provide assistance if you are unable to return your absent voter ballot as specified in (a), (b), or (c) above, if it is before 5 p.m. on the Friday immediately preceding the election, and if you are asking the clerk to pick up the absent voter ballot within the jurisdictional limits of the city, township, or village in which you are registered. Your absent voter ballot will
then be picked up by the clerk or an election assistant sent by the clerk. All authorized individuals authorized to pick up absent voter ballots are required to carry credentials issued by the clerk. If using this absent voter ballot return method, do not give your ballot to anyone until you have checked their credentials.

Step 6. The ballot must reach the clerk or an authorized assistant of the clerk before the close of the polls 8 p.m. on election day. An absent voter ballot received by the clerk or assistant of the clerk after the close of the polls 8 p.m. on election day will not be counted.

WARNING

All of the following actions are violations of the Michigan election law and are illegal in this state:

(1) To vote an absent voter ballot at a meeting or gathering at which other people are voting absent voter ballots.

(2) For a person who is assisting an absent voter in marking the ballot to suggest or in any manner attempt to influence the absent voter on how he or she should vote.

(3) For a person who is present and knows that a person is voting an absent voter ballot to suggest or in any manner attempt to influence the absent voter on how he or she should vote.

(4) For a person other than those listed in these instructions to return, offer to return, agree to return, or solicit to return an absent voter ballot to the clerk.

(5) For a person other than the absent voter; a person listed in these instructions; or a person whose job it is to handle mail before, during, or after being transported by a public postal service, express mail service,
parcel post service, or common carrier, but only during the normal course of his or her employment to be in possession of a voted or unvoted absent voter ballot.

Sec. 764b. (1) An absent voter ballot must be delivered to the clerk only as authorized in the instructions for an absent voter provided in section 764a.

(2) The clerk of a city or township may accept delivery of absent voter ballots at any location in the city or township.

(3) The clerk of a city or township may appoint the number of assistants necessary to accept delivery of absent voter ballots at any location in the city or township. An appointment as assistant to accept delivery of absent voter ballots must be for 1 election only. An assistant appointed to receive ballots at a location other than the office of the clerk must be furnished credentials of authority by the clerk. If an absent voter's ballot is received by an assistant at any location other than the clerk's office the assistant, upon request, shall exhibit the credentials to the absent voter before the assistant accepts an absent voter ballot. An assistant, before entering upon the discharge of duties, shall take and subscribe to the oath of office as provided in section 1 of article XI of the state constitution of 1963. An assistant shall perform only the duties assigned by the clerk. A person—An individual must not be appointed as an assistant to accept delivery of absent voter ballots who is a candidate or a member of the immediate family of a candidate whose name appears on the ballot at that election.

(4) A clerk who receives a request from an absent voter under section 764a for assistance in returning his or her absent voter ballot shall make arrangements to collect the ballot from the voter
either personally or by sending an authorized assistant, if all of the following conditions are satisfied:

(a) The clerk's office issued the absent voter ballot to that absent voter.

(b) Upon the clerk's request, the absent voter states that he or she is unable to return the absent voter ballot by the other means specified in instructions (a), (b), or (c) of Step 5 under section 764a.

(c) The absent voter telephones the appropriate clerk for assistance on or before 5 p.m. on the Friday immediately before the election.

(d) The absent voter requests the clerk to pick up the absent voter ballot within the jurisdictional limits of the city or township in which the absent voter is registered.

(5) Notwithstanding subsection (4), a clerk who receives a request from an absent voter under section 764a for assistance in returning his or her absent voter ballot may make arrangements to collect the ballot from the voter either personally or by sending an authorized assistant, if all of the following conditions are satisfied:

(a) The clerk's office issued the absent voter ballot to that absent voter.

(b) Upon the clerk's request, the absent voter states that he or she is unable to return the absent voter ballot by the other means specified in instructions (a), (b), or (c) of Step 5 under section 764a.

(6) The clerk shall maintain a list open to the public that contains the names and addresses of all authorized assistants appointed under this section who are available to collect absent
voter ballots on or before election day in that city or township.

(7) An absent voter ballot received by the clerk before the close of the polls 8 p.m. on election day must not be invalidated solely because the delivery to the clerk was not in compliance with section 764a or this section, however the ballot must be considered challenged and must be marked and processed as provided in section 745.

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

(2) Before the opening of the polls 7 a.m. on election day or as soon after the opening of the polls 7 a.m. on election day as possible, the clerk shall deliver the absent voter ballot return envelopes to the chairperson or other member of the board of election inspectors in the absent voter's precinct, together with the signed absent voter ballot applications received by the clerk from any voters of that precinct and the clerk's list or record kept relative to those absent voters. However, if higher numbered ballots are used under section 717, the clerk shall retain the applications and lists in his or her office and shall keep the applications and lists open to public inspection at all reasonable hours. Absent voter ballots must not be tabulated before the opening of the polls 7 a.m. on election day.

(3) The city or township clerk, or authorized designee of the
clerk, shall call for and receive absent voter ballots from the post office at which the city or township clerk regularly receives mail addressed to the city or township clerk on election day. Any envelopes containing absent voter ballots that are received from the post office or from voters who voted by absentee ballot in person in the clerk's office on election day must be delivered to the board of election inspectors at the absent voter counting boards to be tabulated.

(4) If a marked absent voter ballot is received by the clerk after the close of the polls, 8 p.m. on election day, the clerk shall plainly mark the envelope with the time and date of receipt and shall file the envelope in his or her office.

(5) On or before 8 a.m. on election day, the clerk shall post in the clerk's office or otherwise make public the number of absent voter ballots the clerk distributed to absent voters and the number of absent voter ballot return envelopes containing the marked ballots of absent voters received by the clerk before election day and to be delivered to the board of election inspectors at the absent voter counting boards under this act. On or before 9 p.m. on election day, the clerk shall post in the clerk's office or otherwise make public the number of absent voter ballot return envelopes containing the marked ballots of absent voters received by the clerk on election day and delivered to the board of election inspectors, under subsection (3), along with the total number of absent voter ballot return envelopes containing the marked ballots of absent voters received by the clerk both before and on election day and delivered to the board of election inspectors at the absent voter counting boards under this act. As soon as possible after all precincts in the city or township are processed, the
clerk shall post in the clerk's office or otherwise make public the number of absent voter ballot return envelopes containing the marked ballots of absent voters received by the election inspectors at the precincts on election day, along with the total number of absent voter ballot return envelopes containing the marked ballots of absent voters received in the city or township for that election. This subsection applies only to elections in which a federal or state office appears on the ballot.

Sec. 765a. (1) If a city or township decides to use absent voter counting boards, the board of election commissioners of that city or township shall establish an absent voter counting board for each election day precinct in that city or township. The ballot form of an absent voter counting board must correspond to the ballot form of the election day precinct for which it is established. After the polls close 8 p.m. on election day, the county, city, or township clerk responsible for producing the accumulation report of the election results submitted by the boards of precinct election inspectors shall format the accumulation report to clearly indicate all of the following:

(a) The election day precinct returns.
(b) The corresponding absent voter counting board returns.
(c) A total of each election day precinct return and each corresponding absent voter counting board return.

(2) The board of election commissioners shall establish the absent voter counting boards. The board of election commissioners shall appoint the election inspectors to those absent voter counting boards not less than 21 days or more than 40 days before the election at which they are to be used. Sections 673a and 674 apply to the appointment of election inspectors to absent voter
counting boards under this section. The board of election commissioners shall determine the number of ballots that may be expeditiously counted by an absent voter counting board in a reasonable period of time, taking into consideration the size and complexity of the ballot to be counted pursuant to the guidelines of the secretary of state. Combined ballots must be regarded as the number of ballots as there are sections to the ballot.

(3) If more than 1 absent voter counting board is to be used, the city or township clerk shall determine the number of electronic voting systems or the number of ballot boxes and the number of election inspectors to be used in each of the absent voter counting boards and to which absent voter counting board the absent voter ballots for each precinct are assigned for counting.

(4) In a city or township that uses absent voter counting boards under this section, absent voter ballots must be counted in the manner provided in this section and absent voter ballots must not be delivered to the polling places. The board of election commissioners shall provide a place for each absent voter counting board to count the absent voter ballots. Section 662 applies to the designation and prescribing of the absent voter counting place or places in which the absent voter counting board performs its duties under this section, except the location may be in a different jurisdiction if the county provides a tabulator for use at a central absent voter counting board location in that county. The places must be designated as absent voter counting places. Except as otherwise provided in this section, laws relating to paper ballot precincts, including laws relating to the appointment of election inspectors, apply to absent voter counting places. The provisions of this section relating to placing of absent voter
ballots on electronic voting systems apply. More than 1 absent
voter counting board may be located in 1 building.

(5) The clerk of a city or township that uses absent voter
counting boards shall supply each absent voter counting board with
supplies necessary to carry out its duties under this act. The
supplies must be furnished to the city or township clerk in the
same manner and by the same persons or agencies as for other
precincts.

(6) Absent voter ballots received by the clerk before election
day must be delivered to the absent voter counting board by the
clerk or the clerk's authorized assistant at the time the election
inspectors of the absent voter counting boards report for duty,
which time must be established by the board of election
commissioners. Absent voter ballots received by the clerk before
the time set for the closing of the polls 8 p.m. on election day
must be delivered to the absent voter counting boards. Absent voter
ballots must be delivered to the absent voter counting boards in
the sealed absent voter ballot return envelopes in which they were
returned to the clerk. Written or stamped on each of the return
envelopes must be the time and the date that the envelope was
received by the clerk and a statement by the clerk that the
signatures of the absent voters on the envelopes have been checked
and found to agree with the signatures of the voters on the
registration cards or the digitized signatures of voters contained
in the qualified voter file as provided under section 766. If a
signature on the registration card or a digitized signature
contained in the qualified voter file and on the absent voter
ballot return envelope does not agree as provided under section
766, if the absent voter failed to sign the envelope, or if the
statement of the absent voter is not properly executed, the clerk shall mark the envelope "rejected" and the reason for the rejection and shall place his or her name under the notation. An envelope marked "rejected" must not be delivered to the absent voter counting board but must be preserved by the clerk until other ballots are destroyed in the manner provided in this act. The clerk shall also comply with section 765(5).

(7) This chapter does not prohibit an absent voter from voting in person within the voter's precinct at an election, notwithstanding that the voter may have applied for an absent voter ballot and the ballot may have been mailed or otherwise delivered to the voter. The voter, the election inspectors, and other election officials shall proceed in the manner prescribed in section 769. The clerk shall preserve the canceled ballots for 2 years.

(7) (8) The absent voter counting boards shall process the ballots and returns in as nearly as possible the same manner as ballots are processed in paper ballot precincts. The poll book may be combined with the absent voter list or record required by section 760, and the applications for absent voter ballots may be used as the poll list. The processing and tallying of absent voter ballots may commence at 7 a.m. on the day of the election.

(8) (9) An election inspector, challenger, or any other person individual in attendance at an absent voter counting place at any time after the processing of ballots has begun shall take and sign the following oath that may be administered by the chairperson or a member of the absent voter counting board:

"I (name of person taking oath) do solemnly swear (or affirm) that I shall not communicate in any way any information relative to
the processing or tallying of votes that may come to me while in
this counting place until after the polls are closed."
8 p.m. on
election day.".

(9) (10) The oaths administered under subsection (9) (8) must
be placed in an envelope provided for the purpose and sealed with
the red state seal. Following the election, the oaths must be
delivered to the city or township clerk. Except as otherwise
provided in subsection (12), a person (11), an individual in
attendance at the absent voter counting place shall not leave the
counting place after the tallying has begun until the polls close.
A person 8 p.m. on election day. An individual who causes the polls
to be closed or who discloses an election result or in any manner
characterizes how any ballot being counted has been voted in a
voting precinct before 8 p.m. on election day is guilty of a felony.

(10) (11) Voted absent voter ballots must be placed in an
approved ballot container, and the ballot container must be sealed
in the manner provided by this act for paper ballot precincts. The
seal numbers must be recorded on the statement sheet and in the
poll book.

(11) (12) Subject to this subsection, a local election
official who has established an absent voter counting board, the
deputy or employee of that local election official, an employee of
the state bureau of elections, a county clerk, an employee of a
county clerk, or a representative of a voting equipment company may
enter and leave an absent voter counting board after the tally has
begun but before the polls close. A person 8 p.m. on election day.
An individual described in this subsection may enter an absent
voter counting board only for the purpose of responding to an
inquiry from an election inspector or a challenger or providing
instructions on the operation of the counting board. Before
entering an absent voter counting board, an individual
described in this subsection must take and sign the oath prescribed
in subsection (9). The chairperson of the absent voter
counting board shall record in the poll book the name of an individual
described in this subsection who enters the absent
ter counting board. An individual described in this
subsection who enters an absent voter counting board and who
discloses an election result or in any manner characterizes how any
ballot being counted has been voted in a precinct before the time
the polls can be legally closed 8 p.m. on election day is guilty of
a felony. As used in this subsection, "local election official"
means a county, city, or township clerk.

(12) The secretary of state shall develop instructions
consistent with this act for the conduct of absent voter counting
boards. The secretary of state shall distribute the instructions
developed under this subsection to city and township clerks 40 days
or more before a general election in which absent voter counting
boards will be used. A city or township clerk shall make the
instructions developed under this subsection available to the
public and shall distribute the instructions to each challenger in
attendance at an absent voter counting board. The instructions
developed under this subsection are binding upon the operation of
an absent voter counting board used in an election conducted by a
county, city, or township.

Sec. 794. As used in sections 794 to 799a:
(a) "Audit trail" means a record of the votes cast by each
voter that can be printed, recorded, or visually reviewed after the
polls are closed at 8 p.m. on election day. The record shall not allow for the identification of the voter.

(b) "Ballot" means a card, ballot label, paper ballot, envelope, or any medium through which votes are recorded.

(c) "Ballot label" means the display or material containing the names of offices and candidates or the questions to be voted on.

(d) "Counting center" means 1 or more locations selected by the board of election commissioners of the city, county, township, village, or school district at which ballots are counted by means of electronic tabulating equipment or vote totals are electronically received from electronic tabulating equipment and electronically compiled.

(e) "Electronic tabulating equipment" means an apparatus that electronically examines and counts votes recorded on ballots and tabulates the results.

(f) "Electronic voting system" means a system in which votes are recorded and counted by electronic tabulating equipment.

(g) "Escrow account" means a third party approved by the secretary of state for the purpose of taking custody of all source codes, including all revisions or modifications of source codes.

(h) "Memory device" means a method or device used to store electronic data.

(i) "Source code" means the assembly language or high-level language used to program the electronic voting system.

(j) "Voting device" means an apparatus that contains the ballot label and allows the voter to record his or her vote.

(k) "Voting station" means an enclosure provided to ensure
ballot secrecy during the voting of the ballot.

(k) "Memory device" means a method or device used to store electronic data.

Sec. 795. (1) An electronic voting system acquired or used under sections 794 to 799a must meet all of the following requirements:

(a) Provide for voting in secrecy, except in the case of voters who receive assistance as provided by this act.

(b) Utilize a paper ballot for tabulating purposes.

(c) Permit each elector to vote at an election for all individuals and offices for whom and for which the elector is lawfully entitled to vote; to vote for as many individuals for an office as the elector is entitled to vote for; and to vote for or against any question upon which the elector is entitled to vote. Except as otherwise provided in this subdivision, the electronic tabulating equipment must reject all choices recorded on the elector's ballot for an office or a question if the number of choices exceeds the number that the elector is entitled to vote for on that office or question. Electronic tabulating equipment that can detect that the choices recorded on an elector's ballot for an office or a question exceeds the number that the elector is entitled to vote for on that office or question must be located at each polling place and programmed to reject a ballot containing that type of an error. If a choice on a ballot is rejected as provided in this subdivision, an elector must be given the opportunity to have that ballot considered a spoiled ballot and to vote another ballot.

(d) Permit an elector, at a presidential election, by a single selection to vote for the candidates of a party for president.
vice-president, President, Vice President, and presidential electors.

(e) Permit an elector in a primary election to vote for the candidates in the party primary of the elector's choice. Except as otherwise provided in this subdivision, the electronic tabulating equipment must reject each ballot on which votes are cast for candidates of more than 1 political party. Electronic tabulating equipment that can detect that the elector has voted for candidates of more than 1 political party must be located at each polling place—absent voter counting board and programmed to reject a ballot containing that type of an error. If a choice on a ballot is rejected as provided in this subdivision, an elector must be given the opportunity to have that ballot considered a spoiled ballot and to vote another ballot.

(f) Prevent an elector from voting for the same person individual more than once for the same office.

(g) Reject a ballot on which no valid vote is cast. Electronic tabulating equipment must be programmed to reject a ballot on which no valid vote is cast.

(h) Be suitably designed for the purpose used; be durably constructed; and be designed to provide for safety, accuracy, and efficiency.

(i) Be designed to accommodate the needs of an elderly voter or a person with 1 or more disabilities.

(j) Record correctly and count accurately each vote properly cast.

(k) Provide an audit trail.

(l) Provide an acceptable method for an elector to vote for a person—an individual whose name does not appear on the ballot.
(m) Allow for accumulation of vote totals from the precincts in the jurisdiction. The accumulation software must meet specifications prescribed by the secretary of state and must be certified by the secretary of state as meeting these specifications.

(n) Be compatible with or include at least 1 voting device that is accessible for an individual with disabilities to vote in a manner that provides the same opportunity for access and participation, including secrecy and independence, as provided for other voters. The voting device must include nonvisual accessibility for the blind and visually impaired.

(2) Electronic tabulating equipment that counts votes at the precinct before the close of the polls 8 p.m. on election day must provide a method for rendering the equipment inoperable if vote totals are revealed before the close of the polls 8 p.m. on election day. Electronic tabulating equipment that tabulates ballots, including absentee ballots, at a central location must be programmed to reject a ballot if the choices recorded on an elector's ballot for an office or a question exceed the number that the elector is entitled to vote for on that office or question, if no valid choices are recorded on an elector's ballot, or if, in a primary election, votes are recorded for candidates of more than 1 political party.

(3) Each jurisdiction in this state conducting an election shall equip each polling place with at least 1 accessible voting device as required under subsection (1)(n).

Sec. 796. Sample ballots, which shall be facsimile copies of the official ballot or ballot labels, shall be provided as required by law. At least 2 copies shall be posted in
each polling place on election day. Sample ballots may be printed on a single page or on a number of pages stapled together.

Sec. 797b. The secretary of state shall promulgate rules pursuant to the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, being sections 24.201 to 24.328 of the Michigan Compiled Laws, 1969 PA 306, MCL 24.201 to 24.328, governing the tabulation of ballots, certification of results, delivery of ballots and certified results, and sealing of devices and ballot boxes after the polls are closed 8 p.m. on election day.

Sec. 811. All election returns, including poll lists, statements, tally sheets, absent voters' return envelopes bearing the statement required by section 761, absent voters' records required by section 760, and other returns made by the inspectors of election of the several precincts must be carefully preserved and may be destroyed after the expiration of 2 years following the primary or election at which the same were used. All applications executed under section 523, all voter registration applications executed by applicants under section 497(3) and (4), and all absent voters' applications must be carefully preserved and may be destroyed after the expiration of 6 years following the primary or election at which those applications were executed. All ballots used at any primary or election may be destroyed after 30 days following the final determination of the board of canvassers with respect to the primary or election unless a petition for recount has been filed and not completed or unless their destruction is stayed by an order of a court.

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

(2) Within 14 days after a primary or election, the county clerk shall transmit a county provisional ballot report to the secretary of state. The county provisional ballot report must be in a manner prescribed by the secretary of state. After the secretary of state receives a county provisional ballot report, the county provisional ballot report must be immediately available for public inspection.

(3) Within 14 days after an election, the county clerk shall transmit a county affidavit report to the secretary of state. The county affidavit report must include the number of affidavits signed by voters under section 523(2). The county affidavit report must be transmitted in a form prescribed by the secretary of state. After the secretary of state receives the county affidavit report from the county clerk, the county affidavit report must immediately be available for public inspection.

(4) Within 14 days after an election, the secretary of state shall transmit to the house and senate committees dealing with elections a voter registration application report that includes the number of voter registration applications executed by applicants under section 497(3) and (4).

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

(a) A person shall not, either directly or indirectly, give, lend, or promise valuable consideration to or for any person, as an inducement to influence the manner of voting by a person relative to a candidate or ballot question—or as a reward for refraining from voting.

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

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

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

(iii) Doing anything prohibited by this act.

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

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

(d) A person shall not, either directly or indirectly, discharge or threaten to discharge an employee of the person for the purpose of influencing the employee's vote at an election.

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

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

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

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

(ii) The inspector of election, clerk, or other election
official is excused from duty by the board of election
commissioners or other officers in charge of elections for cause
shown.

(h) A person shall not willfully fail to perform a duty
imposed upon that person by this act, or disobey a lawful
instruction or order of the secretary of state as chief state
election officer or of a board of county election commissioners,
board of city election commissioners, or board of inspectors of
election.

(i) A delegate or member of a convention shall not solicit a
candidate for nomination before the convention for money, reward,
position, place, preferment, or other valuable consideration in
return for support by the delegate or member in the convention. A
candidate or other person shall not promise or give to a delegate
money, reward, position, place, preferment, or other valuable
consideration in return for support by or vote of the delegate in
the convention.

(j) A person elected to the office of delegate to a convention
shall not accept or receive any money or other valuable
consideration for his or her vote as a delegate.

(k) A person shall not, while the polls are open on an
election day, solicit votes in a polling place or within 100 feet
from an entrance to the building in which a polling place is
located.

(k) (l) A person shall not keep a room or building for the
purpose, in whole or in part, of recording or registering bets or
wagers, or of selling pools upon the result of a political
nomination, appointment, or election. A person shall not wager
property, money, or thing of value, or be the custodian of money,
property, or thing of value, staked, wagered, or pledged upon the
result of a political nomination, appointment, or election.

(l) (m) A person shall not participate in a meeting or a
portion of a meeting of more than 2 persons, other than the
A person's immediate family, at which an absent voter ballot is voted.

(m) A person, other than an authorized election official, shall not, either directly or indirectly, give, lend, or promise any valuable consideration to or for a person to induce that person to both distribute absent voter ballot applications to voters and receive signed absent voter ballot applications from voters for delivery to the appropriate clerk.

(2) A person who violates a provision of this act for which a penalty is not otherwise specifically provided in this act — is guilty of a misdemeanor.

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

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

Sec. 932. A person who violates 1 or more of the following subdivisions is guilty of a felony:

(a) A person shall not attempt, by means of bribery, menace, or other corrupt means or device, either directly or indirectly, to
influence an elector in giving his or her vote, or to deter the
elector from, or interrupt the elector in giving his or her vote at
any election held in this state.

(b) A person not duly authorized by law shall not, during the
progress of any election or after the closing of the polls 8 p.m.
on election day and before the final results of the election have
been ascertained, break open or violate the seals or locks of any
ballot box or voting machine used or in use at that election. A
person shall not willfully damage or destroy any ballot box or
voting machine. A person shall not obtain undue possession of that
ballot box or voting machine. A person shall not conceal, withhold,
or destroy a ballot box or voting machine, or fraudulently or
forcibly add to or diminish the number of ballots legally deposited
in the box or the totals on the voting machine. A person shall not
aid or abet in any act prohibited by this subdivision.

(c) An inspector of election, clerk, or other officer or
person having custody of any record, election list of voters,
affidavit, return, statement of votes, certificates, poll book, or
of any paper, document, or vote of any description, which pursuant
to under this act is directed to be made, filed, or preserved,
shall not willfully destroy, mutilate, deface, falsify, or
fraudulently remove or secrete any or all of those items, in whole
or in part, or fraudulently make any entry, erasure, or alteration
on any or all of those items, or permit any other person to do so.

(d) A person shall neither disclose to any other person the
name of any candidate voted for by any elector, the contents of
whose ballots were seen by the person, nor in any manner obstruct
or attempt to obstruct any elector in the exercise of his or her
duties as an elector under this act.
(e) A person who is not involved in the counting of ballots as provided by law and who has possession of an absent voter ballot mailed or delivered to another person shall not do any of the following:

(i) Open the envelope containing the ballot.

(ii) Make any marking on the ballot.

(iii) Alter the ballot in any way.

(iv) Substitute another ballot for the absent voter ballot that the person possesses.

(f) A person other than an absent voter; a person whose job it is to handle mail before, during, or after being transported by a public postal service, express mail service, parcel post service, or common carrier, but only during the normal course of his or her employment; a clerk or assistant of the clerk; a member of the immediate family of the absent voter including 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 absent voter's household shall not do any of the following:

(i) Possess an absent voter ballot mailed or delivered to another person, regardless of whether the ballot has been voted.

(ii) Return, solicit to return, or agree to return an absent voter ballot to the clerk of a city, township, village, or school district.

(g) A person who assists an absent voter who is disabled or otherwise unable to mark the ballot shall only render his or her assistance by showing the absent voter how to vote the ballot as the absent voter desires or by marking the ballot as directed by the absent voter. A person who assists an absent voter who is disabled or otherwise unable to mark the ballot shall not suggest
or in any manner attempt to influence the absent voter on how he or
she should vote or allow any other person to do so.

(h) A person present while an absent voter is voting an absent
voter ballot shall not suggest or in any manner attempt to
influence the absent voter on how he or she should vote.

(i) A person shall not plan or organize a meeting at which
absent voter ballots are to be voted.

Enacting section 1. Sections 346, 507, 523, 523a, 575, 577,
663, 664, 668a, 675, 709, 717, 722, 724, 726, 729, 736, 736a, 738,
740, 742, 743, 744, 744a, 746, 749, 762, 769, 797, 797a, 801, 813,
and 932e of the Michigan election law, 1954 PA 116, MCL 168.346,
168.507, 168.523, 168.523a, 168.575, 168.577, 168.663, 168.664,
168.668a, 168.675, 168.709, 168.717, 168.722, 168.724, 168.726,
168.729, 168.736, 168.736a, 168.738, 168.740, 168.742, 168.743,
168.744, 168.744a, 168.746, 168.749, 168.762, 168.769, 168.797,
168.797a, 168.801, 168.813, and 168.932e, are repealed.