

SENATE BILL NO. 278

March 24, 2021, Introduced by Senators MACDONALD, LASATA, HORN, THEIS, STAMAS, ZORN, BIZON, BARRETT, VICTORY, DALEY, BUMSTEAD, OUTMAN and VANDERWALL and referred to the Committee on Elections.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 761d (MCL 168.761d), as added by 2020 PA 177.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 761d. (1) Except as otherwise provided in ~~this subsection~~
2 ~~and~~ subsection (2), if an absent voter ballot drop box was ordered
3 or installed in a city or township before October 1, 2020, that
4 absent voter ballot drop box is exempt from the requirements of
5 ~~this section. Subsection (5) applies to an absent voter ballot drop~~

1 ~~box described in this subsection.~~**subsections (3) and (4).**

2 (2) If an absent voter ballot drop box was ordered, but not
3 installed in, a city or township before October 1, 2020, the clerk
4 of that city or township must make every reasonable effort to have
5 that absent voter ballot drop box comply with the requirements of
6 ~~this section.~~**subsections (3) and (4).**

7 (3) An absent voter ballot drop box must meet all of the
8 following requirements:

9 (a) Be clearly labeled as an absent voter ballot drop box.

10 (b) Whether located indoors or outdoors, be securely locked
11 and be designed to prevent the removal of absent voter ballots when
12 locked.

13 (c) If located in an area that is not continuously staffed, be
14 secured to prevent the removal of the absent voter ballot drop box
15 from its location.

16 (4) If an absent voter ballot drop box is located outdoors,
17 all of the following apply:

18 (a) The drop box must be securely locked and bolted to the
19 ground or to another stationary object.

20 (b) The drop box must be equipped with a single slot or
21 mailbox-style lever to allow absent voter ballot return envelopes
22 to be placed in the drop box, and all other openings on the drop
23 box must be securely locked.

24 (c) The city or township clerk must use video monitoring of
25 that drop box to ensure effective monitoring of that drop box.

26 (d) The drop box must be in a public, well-lit area with good
27 visibility.

28 (e) The city or township clerk must immediately report to
29 local law enforcement any vandalism involving the drop box or any

1 suspicious activity occurring in the immediate vicinity of the drop
2 box.

3 (5) Only a city or township clerk, his or her deputy clerk, or
4 a sworn member of his or her staff, is authorized to collect absent
5 voter ballots from an absent voter ballot drop box.

6 (6) When an individual who is authorized under subsection (5)
7 collects absent voter ballots from an absent voter ballot drop box,
8 that individual must, unless collecting absent voter ballots from
9 other absent voter ballot drop boxes in the city or township,
10 immediately return those collected absent voter ballots to the city
11 or township clerk's office, or, if applicable, to an absent voter
12 counting board on election day.

13 (7) All absent voter ballots collected from an absent voter
14 ballot drop box must be transported in a ballot container approved
15 under section 24j.

16 (8) The city or township clerk must document each time absent
17 voter ballots are collected from an absent voter ballot drop box in
18 that city or township. The documentation required under this
19 subsection must include, but is not limited to, all of the
20 following:

21 (a) The date the absent voter ballots are collected from the
22 absent voter ballot drop box.

23 (b) The name of the individual who collected the absent voter
24 ballots from the absent voter ballot drop box.

25 (c) The location in the city or township of the absent voter
26 ballot drop box.