

# HOUSE BILL No. 5466

November 29, 2001, Introduced by Rep. Richner and referred to the Committee on Redistricting and Elections.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 46, 544c, 552, 590f, 590h, and 759 (MCL 168.46, 168.544c, 168.552, 168.590f, 168.590h, and 168.759), section 544c as amended by 1999 PA 219, section 552 as amended by 1999 PA 220, sections 590f and 590h as added by 1988 PA 116, and section 759 as amended by 1995 PA 261.

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

1       Sec. 46. As soon as practicable after the state board of  
2 canvassers has, by the official canvass, ascertained the result  
3 of an election as to electors of president and vice-president of  
4 the United States, the governor shall certify, under the seal of  
5 the state, to the United States secretary of state, the names and  
6 ~~post office~~ addresses of the electors of this state chosen as  
7 electors of president and vice-president of the United States.

1 The governor shall also transmit to each elector chosen as an  
2 elector for president and vice-president of the United States a  
3 certificate, in triplicate, under the seal of the state, of his  
4 OR HER election.

5       Sec. 544c. (1) A nominating petition shall be 8-1/2 inches  
6 by 14 inches in size. On a nominating petition, the words  
7 "nominating petition" shall be printed in 24-point boldface  
8 type. "We, the undersigned," et cetera shall be printed in  
9 8-point type. "Warning" and language in the warning shall be  
10 printed in 12-point boldface type. The balance of the petition  
11 shall be printed in 8-point type. The name, address, and party  
12 affiliation of the candidate and the office for which petitions  
13 are signed shall be printed in type not larger than 24-point.  
14 The petition shall be in the following form:

15                                   NOMINATING PETITION  
16                                   (PARTISAN)

17       We, the undersigned, registered and qualified voters of the  
18 city or township of ....., in the county of .....  
19       (strike 1)

20 and state of Michigan, nominate,  
21 ..... ,  
22                                   (NAME OF CANDIDATE)  
23

24 ..... ,  
25       (Street Address or Rural Route)    ~~-(Post Office)~~ (ZIP CODE)

26 as a candidate of the ..... party for the office of  
27 .....

28 ..... ,  
29                                   (District, if any)

1 to be voted for at the primary election to be held on the  
2 ..... day of ..... , ~~19~~ 20... .

3 WARNING

4 A person who knowingly signs more petitions for the same  
5 office than there are persons to be elected to the office or  
6 signs a name other than his or her own is violating the provi-  
7 sions of the Michigan election law.

8 \_\_\_\_\_

9

10	Printed	Street Address			
11	Name and	or	<del>Post</del>		
12			<del>Office</del>	ZIP	
13			CODE	Date of Signing	
14	Signature	Rural Route		Mo.	Day Year

15 \_\_\_\_\_

16 1. \_\_\_\_\_

17 2. \_\_\_\_\_

18 3. \_\_\_\_\_

19 4. \_\_\_\_\_

20

21 numbered lines as above

CERTIFICATE OF CIRCULATOR

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The undersigned circulator of the above petition asserts that he or she is qualified to circulate this petition and that each signature on the petition was signed in his or her presence; and that, to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing a qualified registered elector of the city or township listed in the heading of the petition, and the elector was qualified to sign the petition.

Circulator--Do not sign or date certificate until after circulating petition.

\_\_\_\_\_  
(Printed Name and Signature of Circulator) (Date)

\_\_\_\_\_  
(City or Township Where Registered)  
[or, for petitions under section 482,  
"(City or Township Where Qualified to be Registered)"]

\_\_\_\_\_  
Complete Residence Address (Street and Number or Rural Route)

\_\_\_\_\_  
~~(Post Office)~~ (ZIP CODE)

1           Warning-A circulator knowingly making a false statement in  
2 the above certificate, a person not a circulator who signs as a  
3 circulator, or a person who signs a name other than his or her  
4 own as circulator is guilty of a misdemeanor.

5           (2) The petition shall be in a form providing a space for  
6 the circulator and each elector who signs the petition to print  
7 his or her name. The secretary of state shall prescribe the  
8 location of the space for the printed name. The failure of the  
9 circulator or an elector who signs the petition to print his or  
10 her name or to print his or her name in the location prescribed  
11 by the secretary of state does not affect the validity of the  
12 signature of the circulator or the elector who signs the  
13 petition. A printed name located in the space prescribed for  
14 printed names does not constitute the signature of the circulator  
15 or elector.

16           (3) At the time of circulation, the circulator of a petition  
17 shall be a registered elector of this state. At the time of exe-  
18 cuting the certificate of circulator, the circulator shall be  
19 registered in the city or township indicated in the certificate  
20 of circulator on the petition. However, the circulator of a  
21 petition under section 482 need only be qualified to be a regis-  
22 tered elector of this state at the time of circulation and at the  
23 time of executing the certificate of circulator.

24           (4) The circulator of a petition shall sign and date the  
25 certificate of circulator before the petition is filed. A circu-  
26 lator shall not obtain electors' signatures after the circulator  
27 has signed and dated the certificate of circulator. A filing

1 official shall not count electors' signatures that were obtained  
2 after the date the circulator signed the certificate or that are  
3 contained in a petition that the circulator did not sign and  
4 date.

5 (5) Except as provided in section 544d, a petition sheet  
6 shall not be circulated in more than 1 city or township and each  
7 signer of a petition sheet shall be a registered elector of the  
8 city or township indicated in the heading of the petition sheet.  
9 The invalidity of 1 or more signatures on a petition does not  
10 affect the validity of the remainder of the signatures on the  
11 petition.

12 (6) An individual shall not sign more nominating petitions  
13 for the same office than there are persons to be elected to the  
14 office. An individual who violates this subsection is guilty of  
15 a misdemeanor.

16 (7) An individual shall not do any of the following:

17 (a) Sign a petition with a name other than his or her own.

18 (b) Make a false statement in a certificate on a petition.

19 (c) If not a circulator, sign a petition as a circulator.

20 (d) Sign a name as circulator other than his or her own.

21 (8) An individual who violates subsection (7) is guilty of a  
22 misdemeanor punishable by a fine of not more than \$500.00 or  
23 imprisonment for not more than 93 days, or both.

24 (9) If after a canvass and a hearing on a petition under  
25 section 476 or 552 the board of state canvassers determines that  
26 an individual has knowingly and intentionally failed to comply

1 with subsection (7), the board of state canvassers may impose 1  
2 or more of the following sanctions:

3 (a) Disqualify ~~any~~ obviously fraudulent signatures on a  
4 petition form on which the violation of subsection (7) occurred,  
5 without checking the signatures against local registration  
6 records.

7 (b) Disqualify from the ballot a candidate who committed,  
8 aided or abetted, or knowingly allowed the violation of subsec-  
9 tion (7) on a petition to nominate that candidate.

10 (10) If an individual violates subsection (7) and the  
11 affected petition sheet is filed, each of the following who knew  
12 of the violation of subsection (7) before the filing of the  
13 affected petition sheet and who failed to report the violation to  
14 the secretary of state, the filing official, if different, the  
15 attorney general, a law enforcement officer, or the county prose-  
16 cuting attorney is guilty of a misdemeanor, punishable by a fine  
17 of not more than \$500.00 or imprisonment for not more than 1  
18 year, or both:

19 (a) The circulator of the petition, if different than the  
20 individual who violated subsection (7).

21 (b) If the petition is a nominating petition, the candidate  
22 whose nomination is sought.

23 (c) If the petition is a petition for a ballot question or  
24 recall, the organization or other person sponsoring the petition  
25 drive.

26 (11) If after a canvass and a hearing on a petition under  
27 section 476 or 552 the board of state canvassers determines that

1 an individual has violated subsection (10), the board of state  
2 canvassers may impose 1 or more of the following sanctions:

3 (a) Impose on the organization or other person sponsoring  
4 the petition drive an administrative fine of not more than  
5 \$5,000.00.

6 (b) Charge the organization or other person sponsoring the  
7 petition drive for the costs of canvassing ~~any~~ A petition form  
8 on which a violation of subsection (7) occurred.

9 (c) Disqualify an organization or other person described in  
10 subdivision (a) from collecting signatures on a petition for a  
11 period of not more than 4 years.

12 (d) Disqualify ~~any~~ obviously fraudulent signatures on a  
13 petition form on which a violation of subsection (7) occurred  
14 without checking the signatures against local registration  
15 records.

16 (e) Disqualify from the ballot a candidate who committed,  
17 aided or abetted, or knowingly allowed a violation of subsection  
18 (7) on a petition to nominate that candidate.

19 (12) If an individual refuses to comply with a subpoena of  
20 the board of state canvassers in an investigation of an alleged  
21 violation of subsection (7) or (10), the board may hold the can-  
22 vass of the petitions in abeyance until the individual complies.

23 (13) A person who aids or abets another in an act that is  
24 prohibited by this section is guilty of that act.

25 (14) The provisions of this section except as otherwise  
26 expressly provided apply to all petitions circulated under  
27 authority of the election law.



1           Sec. 552. (1) The county or city clerk, after the last day  
2 specified in this act for receiving and filing nominating peti-  
3 tions, shall immediately certify to the proper board or boards of  
4 election commissioners in the city, county, district, or state  
5 the name and ~~post office~~ address of each party candidate whose  
6 petitions meet the requirements of this act, together with the  
7 name of the political party and the office for which he or she is  
8 a candidate.

9           (2) If the county clerk receives a sworn complaint, in writ-  
10 ing, questioning the registration or genuineness of the signature  
11 of the circulator or of a person signing a petition filed with  
12 the county clerk for an office, the county clerk shall commence  
13 an investigation. The county clerk shall cause the petition that  
14 he or she considers necessary to be forwarded to the proper city  
15 clerk or township clerk to compare the signatures appearing on  
16 the petition with the signatures appearing on the registration  
17 record, or in some other proper manner determine whether the sig-  
18 natures appearing on the petition are valid and genuine. If the  
19 request has been made by the county clerk, the city clerk or  
20 township clerk shall complete the investigation and report his or  
21 her findings to the county clerk within 7 days after the  
22 request. The investigation shall include the validity of the  
23 signatures and the genuineness of a petition as is specified in  
24 the sworn complaint and may include any other doubtful signatures  
25 or petitions filed on behalf of the candidate against whose peti-  
26 tions the sworn complaint is directed, as the county clerk  
27 considers necessary. A complaint respecting the validity and

1 genuineness of signatures on a petition shall not be acted upon  
2 unless the complaint sets forth the specific signatures claimed  
3 to be invalid and the specific petition for which the complaint  
4 questions the validity and genuineness of the signature or regis-  
5 tration of the circulator, and unless the complaint is received  
6 by the county clerk within 7 days after the deadline for the  
7 filing of the nominating petitions.

8       (3) In addition to the duty specified in subsection (2) for  
9 the examination of petitions, the county clerk, on his or her own  
10 initiative, on receipt of the nominating petitions, may examine  
11 the petitions, and if after examination the county clerk is in  
12 doubt as to the validity of the registration or genuineness of  
13 the signature of the circulator or persons signing or purported  
14 to have signed the petitions, the county clerk shall commence an  
15 investigation. Subject to subsection (13), the county clerk  
16 shall cause the petitions in question to be forwarded to the  
17 proper city clerk or township clerk to compare the signatures  
18 appearing on the petitions with the signatures appearing on the  
19 registration records, or in some other proper manner to determine  
20 whether the signatures appearing on the petitions are valid and  
21 genuine.

22       (4) The clerk of a political subdivision shall cooperate  
23 fully with the county clerk in a request made to the clerk by the  
24 county clerk in determining the validity of doubtful signatures  
25 by checking the signatures against registration records in an  
26 expeditious and proper manner.

1 (5) At least 2 business days before the board of state  
2 canvassers meets to make a final determination on challenges to  
3 and sufficiency of a petition, the county clerk shall make public  
4 its staff report concerning disposition of challenges filed  
5 against the petition. Beginning with the receipt of any document  
6 from local election officials pursuant to subsection (2) or (3),  
7 the county clerk shall make that document available to petition-  
8 ers and challengers on a daily basis.

9 (6) Upon the completion of the investigation or examination,  
10 the county clerk shall immediately make an official declaration  
11 of the sufficiency or insufficiency of nominating petitions for  
12 which a sworn complaint has been received or of the sufficiency  
13 or insufficiency of nominating petitions that the county clerk  
14 has examined or investigated on his or her own initiative. A  
15 person feeling aggrieved by a determination made by the county  
16 clerk may have the determination reviewed by the secretary of  
17 state, by filing a written request with the secretary of state  
18 within 3 days after the official declaration of the county clerk,  
19 unless the third day falls on a Saturday, Sunday, or legal holi-  
20 day, in which case the request may be filed not later than 4  
21 p.m. on the next day that is not a Saturday, Sunday, or legal  
22 holiday. Alternatively, the aggrieved person may have the deter-  
23 mination of the county clerk reviewed by filing a mandamus, cer-  
24 tiorari, or other appropriate remedy in the circuit court. A  
25 person who filed a nominating petition and feels aggrieved by the  
26 determination of the secretary of state may then have that

1 determination reviewed by mandamus, certiorari, or other  
2 appropriate remedy in the circuit court.

3       (7) A city clerk with whom nominating petitions are filed  
4 may examine the petitions and investigate the validity and genu-  
5 ineness of signatures appearing on the petitions. Subject to  
6 subsection (13), the city clerk may check the signatures against  
7 registration records. The city clerk shall make a determination  
8 as to the sufficiency or insufficiency of the petitions upon the  
9 completion of the examination or investigation, and shall make an  
10 official declaration of the findings. A party feeling aggrieved  
11 by the determination has the same rights of review as in case of  
12 a determination by the county clerk.

13       (8) Upon the filing of nominating petitions with the secre-  
14 tary of state, the secretary of state shall notify the board of  
15 state canvassers within 5 days after the last day for the filing  
16 of the petitions. The notification shall be by first-class  
17 mail. Upon the receipt of the nominating petitions, the board of  
18 state canvassers shall canvass the petitions to ascertain if the  
19 petitions have been signed by the requisite number of qualified  
20 and registered electors. Subject to subsection (13), for the  
21 purpose of determining the validity of the signatures, the board  
22 of state canvassers may cause a doubtful signature to be checked  
23 against the registration records by the clerk of a political sub-  
24 division in which the petitions were circulated. If the board of  
25 state canvassers receives a sworn complaint, in writing, ques-  
26 tioning the registration of or the genuineness of the signature  
27 of the circulator or of a person signing a nominating petition

1 filed with the secretary of state, the board of state canvassers  
2 shall commence an investigation. Subject to subsection (13), the  
3 board of state canvassers shall cause the petition to be for-  
4 warded to the proper city clerk or township clerk to compare the  
5 signatures appearing on the petition with the signatures appear-  
6 ing on the registration record, or in some other manner determine  
7 whether the signatures appearing on the petition are valid and  
8 genuine. A complaint respecting the validity and genuineness of  
9 signatures on a petition shall not be acted upon unless the com-  
10 plaint sets forth the specific signatures claimed to be invalid  
11 and the specific petition for which the complaint questions the  
12 validity and genuineness of the signature or the registration of  
13 the circulator, and unless the complaint is received by the board  
14 of state canvassers within 7 days after the deadline for the  
15 filing of the nominating petitions. The clerk of a political  
16 subdivision shall cooperate fully with the board of state can-  
17 vassers in a request made to the clerk by the board of state can-  
18 vassers in determining the validity of doubtful signatures by  
19 rechecking the signatures against registration records in an  
20 expeditious and proper manner.

21 (9) The board of state canvassers may hold a hearing upon a  
22 complaint filed or for a purpose considered necessary by the  
23 board of state canvassers to conduct an investigation of the  
24 petitions. In conducting a hearing, the board of state canvass-  
25 ers may issue subpoenas and administer oaths. The board of state  
26 canvassers may also adjourn periodically awaiting receipt of  
27 returns from investigations that are being made or for other

1 necessary purposes, but shall complete the canvass not less than  
2 9 weeks before the primary election at which candidates are to be  
3 nominated.

4       (10) At least 2 business days before the board of state can-  
5 vassers meets to make a final determination on challenges to and  
6 sufficiency of a petition, the board shall make public its staff  
7 report concerning disposition of challenges filed against the  
8 petition. Beginning with the receipt of any document from local  
9 election officials pursuant to subsection (8), the board of state  
10 canvassers shall make that document available to candidates and  
11 challengers on a daily basis.

12       (11) An official declaration of the sufficiency or insuffi-  
13 ciency of a nominating petition shall be made by the board of  
14 state canvassers not less than 60 days before the primary elec-  
15 tion at which candidates are to be nominated. At the time of  
16 filing a nominating petition with the secretary of state, the  
17 person filing the petition may request a notice of the approval  
18 or rejection of the petition. If such a request is made at the  
19 time of filing of the petition, the secretary of state, immedi-  
20 ately upon the determination of approval or rejection, shall  
21 transmit by registered mail to the person making the request an  
22 official notice of the sufficiency or insufficiency of the  
23 petitions.

24       (12) A person, having filed a nominating petition with the  
25 secretary of state, feeling aggrieved by a determination made by  
26 the board of state canvassers, may have the determination

1 reviewed by mandamus, certiorari, or other appropriate remedy in  
2 the supreme court.

3 (13) The qualified voter file may be used to determine the  
4 validity of petition signatures by verifying the registration of  
5 signers. If the qualified voter file indicates that, on the date  
6 the elector signed the petition, the elector was not registered  
7 to vote, there is a rebuttable presumption that the signature is  
8 invalid. If the qualified voter file indicates that, on the date  
9 the elector signed the petition, the elector was not registered  
10 to vote in the city or township designated on the petition, there  
11 is a rebuttable presumption that the signature is invalid.

12 (14) Not less than 60 days before the primary election at  
13 which candidates are to be nominated, the secretary of state  
14 shall certify to the proper boards of election commissioners in  
15 the various counties in the state, the name and ~~post office~~  
16 address of each partisan or nonpartisan candidate whose petitions  
17 have been filed with the secretary of state and meet the require-  
18 ments of this act, together with the name of the political party,  
19 if any, and the office for which he or she is a candidate.

20 Sec. 590f. (1) Except as provided in subsections (2) and  
21 (3), sections 544c, 545, 552, 553, 555, 556, 557, and 558 are  
22 applicable to a qualifying petition, a person filing a qualifying  
23 petition, and an officer receiving a qualifying petition.

24 (2) The board of state canvassers shall canvass a qualifying  
25 petition filed with the secretary of state and shall make an  
26 official declaration of the sufficiency or insufficiency of the  
27 qualifying petition at least 60 days before the election. A

1 hearing under this subsection by the board of state canvassers  
2 shall be held as provided in section 552.

3 (3) A filing officer who receives a qualifying petition from  
4 a candidate who has met the requirements of this act shall cer-  
5 tify to the proper board or boards of election commissioners the  
6 candidate's name, ~~post office~~ address, and office sought. If  
7 the election for the office is held at the general November elec-  
8 tion, the filing officer shall make the certification not later  
9 than 60 days before the general November election.

10 Sec. 590h. (1) A qualifying petition for a candidate with-  
11 out political party affiliation shall be the same size and  
12 printed in the same type sizes as required in section 544c. The  
13 petition shall be in the following form:

14 QUALIFYING PETITION  
15 (CANDIDATE WITHOUT PARTY AFFILIATION)

16 We, the undersigned, registered and qualified electors of the  
17 city or township of ....., in the county of .....,  
18 (strike 1)

19 and state of Michigan, nominate .....,  
20 (Name of Candidate)

21 ..... ,  
22 (Street Address or R.R.) ~~(Post Office)~~ (ZIP CODE)

23 as a candidate without party affiliation for the office of  
24 ..... in  
25 (Title of Office and District)

26 order that the name of the candidate be placed without party  
27 affiliation on the ballot for the election to be held on  
28 the ..... day of ..... , ~~19~~ 20.....

29 WARNING



1           Whoever knowingly signs more petitions for the same office  
2 than there are persons to be elected to the office or signs a  
3 name other than his or her own is violating the Michigan election  
4 law.

5           (2) The balance of the qualifying petition form shall be  
6 substantially as set forth in section 544c. A qualifying peti-  
7 tion for a candidate without party affiliation shall not contain  
8 a reference to a political party.

9           (3) A person shall not knowingly sign more petitions for the  
10 same office than there are persons to be elected to the office or  
11 sign a name other than his or her own on the petition.

12          Sec. 759. (1) At any time during the 75 days before a pri-  
13 mary or special primary, but not later than 2 p.m. of the  
14 Saturday immediately before the primary or special primary, an  
15 elector who qualifies to vote as an absent voter, as defined in  
16 section 758, may apply for an absent voter ballot. The elector  
17 shall apply in person or by mail with the clerk of the township,  
18 city, or village in which the elector is registered. An applica-  
19 tion received before a primary or special primary may be for  
20 either that primary only, or for that primary and the election  
21 that follows.

22          (2) Except as otherwise provided in subsection (1), at any  
23 time during the 75 days before an election, but not later than 2  
24 p.m. of the Saturday before the election, an elector who quali-  
25 fies to vote as an absent voter, as defined in section 758, may  
26 apply for an absent voter ballot. The elector shall apply in

1 person or by mail with the clerk of the township, city, or  
2 village in which the voter is registered.

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

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

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

9 (c) On a federal postcard application.

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

23 (5) The clerk of the city, township, or village shall have  
24 absent voter ballot application forms available in the office of  
25 the clerk at all times and shall furnish an absent voter ballot  
26 application form to anyone upon a verbal or written request. The

1 absent voter ballot application shall be in substantially the  
2 following form:

3 "Application for absent voter ballot for:

4

5  The primary or special primary election to be held  
6 on ..... , ~~19~~ 20... .

7  The election to be held on ..... , ~~19~~ 20... .

8 (Check applicable election or elections)

9 I, ..... , a qualified and registered elector of  
10 the ..... precinct of the township of ..... or village  
11 of ..... or of the ..... ward of the city  
12 of ..... , in the county of ..... and state of  
13 Michigan, apply for an official ballot, or ballots, to be voted  
14 by me at the election or elections as requested in this  
15 application.

16 The statutory grounds on which I base my request are:

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

20  I am physically unable to attend the polls without the  
21 assistance of another.

22  I cannot attend the polls because of the tenets of my  
23 religion.

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



CERTIFICATE OF AUTHORIZED REGISTERED  
ELECTOR RETURNING ABSENT VOTER  
BALLOT APPLICATION

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

13 \_\_\_\_\_  
14 (Date) (Signature)"

15 (6) The following instructions for an applicant for an  
16 absent voter ballot shall be included with each application fur-  
17 nished an applicant:  
18

19 INSTRUCTIONS FOR APPLICANTS FOR ABSENT VOTER BALLOTS

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

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

26 (a) Place the application in an envelope addressed to the  
27 appropriate clerk and place the necessary postage upon the return  
28 envelope and deposit it in the United States mail or with another

1 public postal service, express mail service, parcel post service,  
2 or common carrier.

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

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

11 (d) In the event an applicant cannot return the application  
12 in any of the above methods, the applicant may select any regis-  
13 tered elector to return the application. The person returning  
14 the application must sign and return the certificate at the  
15 bottom of the application.

16 (7) A person who prints and distributes absent voter ballot  
17 applications shall print on the application the warning, certifi-  
18 cate of authorized registered elector returning absent voter  
19 ballot application, and instructions required by this section.

20 (8) A person who makes a false statement in an absent voter  
21 ballot application is guilty of a misdemeanor. A person who  
22 forges a signature on an absent voter ballot application is  
23 guilty of a felony. A person who is not authorized in this act  
24 and who both distributes absent voter ballot applications to  
25 absent voters and returns those absent voter ballot applications  
26 to a clerk or assistant of the clerk is guilty of a misdemeanor.