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ABSENTEE BALLOT REQUIREMENTS

House Bill 4057
Sponsor: Rep. Philip LaJoy
Committee: Local Government and
Urban Policy

Complete to 2-13-03

A SUMMARY OF HOUSE BILL 4057 AS INTRODUCED 1-28-03

House Bill 4057 would amend the Michigan Election Law to issue upon a voter's request, an absent voter ballot without requiring justification.

Currently under the law, "absent voter" means a qualified and registered elector who meets one or more of the following requirements:

- on account of physical disability, cannot without another's assistance attend the polls on the day of the election;
- on account of the tenets of his or her religion, cannot attend the polls on the day of the election;
- cannot attend the polls on the day of the election in the precinct in which he or she resides because of being an election precinct inspector in another precinct;
- is 60 years of age or older;
- is absent or expects to be absent from the township or city in which he or she resides during the entire period that polls are open for voting on the day of an election; or,
- cannot attend the polls on election day because of being confined in jail awaiting arraignment or trial.

House Bill 4057 would eliminate all of these provisions, and specify instead that an "absent voter" means a qualified and registered elector who votes without attending the polls on the day of the election.

In addition, the bill would alter the section of the law that describes the application for absent voter ballot, so that the statutory grounds for the application would be eliminated, in order to align with the new definition of absent voter. The bill also would update that section of the law in order that the absent voter application form would make reference to years in the new century, beginning with the year 2000, and also require that an applicant's zip code appear on the form.

House Bill 4057 (2-13-03)

Finally, currently under the law, a registered elector can apply for an emergency absent voter ballot until 4 p.m. on Election Day if he has become physically disabled, or will be absent from the city or township because of sickness or death in the family. House Bill 4057 would eliminate these requirements, and specify instead that an emergency absentee ballot would be available to a registered elector until 4 p.m. on Election Day if “an event” had occurred at a time that made it impossible to apply for absent voter ballots by the statutory deadline (which is any time during the 75 days before an election, but not later than 2 p.m. of the Saturday before an election).

MCL 168.758, 168.759, and 168.759b

Analyst: J. Hunault

■This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.