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## OPTICAL SCAN MACHINES AND NOTICE BY MAIL OF SINGLE BALLOT ISSUE OR CANDIDATE

**House Bill 4626**  
**Sponsor: Rep. John Stakoe**  
**Committee: Local Government and  
Urban Policy**

**Complete to 9-4-03**

### **A SUMMARY OF HOUSE BILL 4626 AS INTRODUCED 5-6-03**

House Bill 4626 would amend the Michigan Election Law to add optical scan machines to the provisions governing the use of voting machines by absentee voters.

The bill specifies that a city or township using voting machines or optical scan machines could provide that an absent voter who appeared at the clerk's office at any time during the 13 days before a primary, general or special election, but not later than 4 p.m. of the day before the election, could vote on a voting machine or an optical scan machine. Further, in a city or township that permitted the use of a voting machine or an optical scan machine by absentee voters, at least one voting machine or optical scan machine would be required for the absent voters at the city or township hall. Currently these provisions apply only to absent voters who use voting machines.

The current law also requires that only one ballot format appear on a voting machine. House Bill 4626 would retain that provision; however, the bill specifies that in a city or township utilizing more than one ballot format for a primary, general, or special election, only the appropriate ballot format could appear on an optical scan machine for each absent voter. Under the bill, provisions of the law concerning the security and safe-keeping of voting machines would be extended to cover optical scan machines.

Finally, the bill would extend the notice provisions for upcoming elections that must be given to electors by city and township clerks. Currently under the law, city and township clerks must give notice of the time and place at which an election is to be held, the offices to be filled, and any proposals to be submitted to the voters. If the notice pertains to a special election for the purpose of voting on a proposal, then the proposal, as it will appear on the ballot, must be contained in the notice, and the form of that notice is specified in the law. The law also requires that the notice be published at least twice in a newspaper of general circulation in the city or township. A county clerk can enter into agreement with city and township clerks to jointly publish the notices; however, if certain offices or proposals are to be voted on in less than all of the precincts, then the jointly published notice must specify the townships or cities that will be voting on the appropriate offices or proposals. House Bill 4626 would retain all of these provisions. In addition to these requirements, the bill specifies that if only one proposal or office

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is on the ballot, the city or township clerk, or the secretary of a school board, would be required to give notice of the time and place of the election to the qualified electors of the city, township, or school district by first-class mail, not less than 14 days before the election.

MCL 168.653a and 168.769a

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Analyst: J. Hunault

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■ 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.