

HOUSE BILL No. 5482

(As amended, July 6, 2004)

February 5, 2004, Introduced by Rep. Ward and referred to the Committee on Local Government and Urban Policy.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
(MCL 168.1 to 168.992) by adding section 679a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 679a. (1) The legislative body of a city, township, or
2 village may, by resolution, provide that at an election at which
3 the ballots are counted and certified at the precinct, 1 or more
4 additional boards of election inspectors be appointed to serve as
5 receiving boards. For a precinct having receiving boards, the
6 board of election commissioners shall appoint a receiving board
7 consisting of 2 or more election inspectors, with <<an equal number
8 >> from each major political party, and shall
9 appoint an equal number << >> of election
10 inspectors from each major political party.

11 (2) Not less than 2 election inspectors in a precinct,

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1 representing each of the major political parties, shall deliver
2 to the receiving board for that precinct a sealed ballot
3 container containing the voted ballots, and, in a separate sealed
4 envelope, the poll book and statement of returns. The poll book
5 and statement of returns may be enclosed in a single sealed
6 envelope.

7 (3) The receiving board shall open the sealed envelope and
8 review the poll book and statement of returns to determine both
9 of the following:

10 (a) That the ballot container is properly sealed and the
11 seal number is properly recorded in the poll book and the
12 statement of returns. If the ballot container is not properly
13 sealed or there is a discrepancy with the seal number recorded in
14 the poll book or the statement of returns, the election
15 inspectors who delivered the ballot container and the receiving
16 board shall together take the necessary steps to correct the
17 discrepancy. The election inspectors and the receiving board
18 shall note the discrepancy and the corrective action in the
19 remarks section of the poll book and all shall sign the
20 notation.

21 (b) That the number of individuals voting recorded in the
22 poll book equals the number of ballots issued to electors, as
23 shown by the statement of returns. If the number of individuals
24 voting as shown by the poll book does not equal the number of
25 ballots counted as shown by the statement of returns, and if an
26 explanation of the discrepancy has not been noted in the poll
27 book, the receiving board shall ask the election inspectors about

1 the discrepancy, note the explanation in the poll book, and all
2 shall sign the notation.

3 (4) If the poll book or statement of returns has been
4 erroneously sealed in the ballot container, the election
5 inspectors may open the ballot container and remove the poll book
6 or statement of returns. The elections inspectors and receiving
7 board shall note the corrective action in the remarks section of
8 the poll book and all shall sign the notation before placing the
9 poll book or statement of returns in a separate sealed envelope.
10 If the statement of returns was sealed in the ballot container
11 and the poll book was sealed in an envelope, the poll book shall
12 be removed from the sealed envelope for the notation of
13 corrective action to be recorded before placing the poll book and
14 statement of returns in a sealed envelope. The receiving board
15 shall notify the clerk of the board of canvassers responsible for
16 canvassing all or a portion of the election of the corrective
17 action taken.

18 (5) When the receiving board has completed the review under
19 subsection (3), the receiving board shall place the poll book and
20 statement of returns in the appropriate envelope, sealed with a
21 red paper seal and initialed by the receiving board. If
22 permitted by the clerk of the board of canvassers, the poll books
23 and statement of returns from more than 1 precinct may be
24 included and delivered in a single envelope.