

# SENATE BILL No. 250

February 24, 2005, Introduced by Senators CHERRY, JACOBS, SCHAUER, BASHAM, PRUSI and BRATER and referred to the Committee on Government Operations.

A bill to amend 1954 PA 116, entitled  
"Michigan election law,"  
by amending sections 720 and 735 (MCL 168.720 and 168.735), section  
735 as amended by 2004 PA 92, and by adding section 720a.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 720. (1) On the day of ~~any~~ **AN** election, the polls shall  
2 ~~be opened~~ **OPEN** at 7 o'clock in the forenoon, **A.M.** and shall be  
3 continuously open until 8 o'clock in the afternoon and no longer.  
4 ~~Every~~ **P.M. EACH** qualified elector present and in line at the  
5 polls at the hour prescribed for the closing thereof **TIME** shall  
6 be allowed to vote.

7       (2) **FOR EARLY VOTING UNDER SECTION 720A, THE CLERK CONDUCTING**  
8 **THE ELECTION SHALL DESIGNATE THE HOURS AT WHICH THE POLLS WILL OPEN**

1 AND CLOSE. THE POLLS SHALL BE OPEN NOT LESS THAN 7 HOURS EACH  
2 WEEKDAY AND NOT LESS THAN 3 HOURS EACH SATURDAY DURING THE EARLY  
3 VOTING PERIOD IN SECTION 720A. BEFORE EARLY VOTING BEGINS, THE  
4 CLERK SHALL POST THE HOURS THAT THE POLLS WILL BE OPEN AT THE  
5 CLERK'S OFFICE. THE CLERK SHALL PROVIDE NOTICE TO THE ELECTORS  
6 THAT SUBSTANTIALLY COMPLIES WITH THE FORM IN SECTION 653A OF THE  
7 DATES AND HOURS THE EARLY VOTING POLLING PLACES WILL BE OPEN.

8 SEC. 720A. (1) EVERY CITY, TOWNSHIP, AND VILLAGE SHALL PROVIDE  
9 EARLY VOTING AT POLLING PLACES DESIGNATED BY THE CITY, TOWNSHIP, OR  
10 VILLAGE CLERK DURING THE PERIOD OF TIME SET FORTH IN THIS SECTION  
11 BEFORE A REGULAR OR SPECIAL ELECTION.

12 (2) EARLY VOTING SHALL BEGIN ON THE FIFTEENTH DAY BEFORE A  
13 REGULAR ELECTION AND END ON THE DAY BEFORE THE ELECTION. FOR  
14 PURPOSES OF A SPECIAL ELECTION HELD PURSUANT TO THIS ACT, EARLY  
15 VOTING SHALL BEGIN ON THE EIGHTH DAY BEFORE A SPECIAL ELECTION AND  
16 END ON THE DAY BEFORE THE ELECTION.

17 (3) THE SECRETARY OF STATE SHALL COOPERATE WITH EACH  
18 MUNICIPALITY CONDUCTING EARLY VOTING AND PROVIDE TECHNICAL  
19 ASSISTANCE TO EACH MUNICIPALITY THAT REQUESTS TECHNICAL ASSISTANCE.

20 (4) BEFORE BEING GIVEN A BALLOT, EACH ELECTOR USING EARLY  
21 VOTING SHALL PROVIDE IDENTIFICATION TO AN ELECTION OFFICIAL  
22 PURSUANT TO SECTION 523. IN ADDITION, EACH ELECTOR USING EARLY  
23 VOTING SHALL SUBMIT TO THE ELECTION OFFICIAL IN CHARGE OF THE  
24 PRECINCT AN EARLY VOTER CERTIFICATE IN SUBSTANTIALLY THE FOLLOWING  
25 FORM:

26 EARLY VOTER CERTIFICATE

1 I CERTIFY THAT MY NAME IS \_\_\_\_\_, MY ADDRESS IS  
2 \_\_\_\_\_, MY DATE OF BIRTH IS \_\_\_\_\_, AND  
3 I AM A QUALIFIED AND REGISTERED ELECTOR IN THIS ELECTION. I  
4 UNDERSTAND THAT IF I COMMIT OR ATTEMPT TO COMMIT FRAUD IN  
5 CONNECTION WITH VOTING, VOTE A FRAUDULENT BALLOT, OR VOTE MORE THAN  
6 ONCE IN AN ELECTION I COULD BE CONVICTED OF A FELONY PUNISHABLE BY  
7 IMPRISONMENT FOR NOT MORE THAN 4 YEARS OR A FINE OF NOT MORE THAN  
8 \$2,000.00, OR BOTH. I UNDERSTAND THAT MY FAILURE TO SIGN THIS  
9 CERTIFICATE INVALIDATES MY BALLOT.

10 \_\_\_\_\_  
11 (VOTER'S SIGNATURE) / (DATE)

12 (5) EXCEPT AS OTHERWISE PROVIDED, ALL OF THE FOLLOWING  
13 PROVISIONS OF THIS ACT APPLY TO EARLY VOTING:

14 (A) ELECTION INSPECTORS.

15 (B) CHALLENGES TO VOTERS.

16 (C) POLL BOOK AND POLL LIST.

17 (D) NOTICES, INSTRUCTIONS, AND PLACARDS.

18 (E) SECURITY OF A VOTING MACHINE OR OTHER VOTING SYSTEM.

19 (F) BALLOT SECURITY, BALLOT CONTAINERS, BALLOT COUNTING, AND  
20 BALLOT PRESERVATION.

21 (G) SPOILED BALLOTS.

22 (6) THE POLL BOOK AND POLL LIST FOR EACH PRECINCT SHALL BE  
23 MAINTAINED IN ACCORDANCE WITH SECTION 735.

24 (7) EARLY VOTING BALLOTS SHALL BE PROCESSED IN THE SAME MANNER  
25 AS BALLOTS CAST ON ELECTION DAY AND SHALL NOT BE COUNTED UNTIL THE

1 POLLS CLOSE ON ELECTION DAY.

2 (8) AS USED IN THIS SECTION, "MUNICIPALITY" MEANS A CITY,  
3 TOWNSHIP, OR VILLAGE.

4 Sec. 735. (1) At each primary and election, election  
5 inspectors shall keep 1 poll book and 1 poll list. An election  
6 inspector shall enter in the poll book, in the order in which  
7 electors are given ballots, the name of each elector who is given a  
8 ballot and immediately after the name, on the same line, shall  
9 enter the number of the ballot given to the elector. For an absent  
10 voter ballot, when an election inspector removes the ballot from  
11 the sealed absent voter envelope, the election inspector shall  
12 enter in the poll book the name of the absent voter and the number  
13 of the ballot.

14 (2) FOR EARLY VOTING UNDER SECTION 720A, THE POLL BOOK SHALL  
15 BE DIVIDED BY DATE AND SEPARATE RECORDS SHALL BE MAINTAINED FOR  
16 EACH DAY OF EARLY VOTING.

17 (3) ~~—(2)—~~ If an elector is issued a provisional ballot, an  
18 election inspector shall enter a proper designation in the poll  
19 book, including whether the provisional ballot was tabulated in the  
20 precinct or was secured for verification after the election.

21 (4) ~~—(3)—~~ At the completion of the precinct canvass, an  
22 election inspector shall record on the certificate provided in the  
23 poll book the number of each metal seal used to seal voting  
24 equipment and ballot containers. Each member of the board of  
25 election inspectors shall sign the certificate.