

HOUSE BILL No. 6477

September 18, 2008, Introduced by Reps. Dean, Tobocman, Jackson, Spade, Young, Valentine, Bauer, Polidori, Cheeks, Miller, Lemmons, Simpson, Robert Jones, Corriveau and Ebli and referred to the Committee on Ethics and Elections.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 727 (MCL 168.727), as amended by 2004 PA 92.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 727. (1) An election inspector shall challenge an
2 applicant applying for a ballot if the inspector knows or has good
3 reason to suspect that the applicant is not a qualified and
4 registered elector of the precinct, or if a challenge appears in
5 connection with the applicant's name in the registration book. A
6 registered elector of the precinct present in the polling place may
7 challenge the right of anyone attempting to vote if the elector
8 knows or has good reason to suspect that individual is not a
9 registered elector in that precinct. **EVIDENCE THAT A MORTGAGE OF AN**
10 **APPLICANT'S RESIDENTIAL PROPERTY IS IN FORECLOSURE IS NOT VALID**

1 **GROUND FOR A CHALLENGE WITHOUT ADDITIONAL SUPPORTING EVIDENCE**

2 **WHICH STANDING ON ITS OWN PROVES THAT THE APPLICANT DOES NOT MEET**

3 **THE RESIDENCE REQUIREMENTS AS SET FORTH IN SECTION 11.** An election

4 inspector or other qualified challenger may challenge the right of

5 an individual attempting to vote who has previously applied for an

6 absent voter ballot and who on election day is claiming to have

7 never received the absent voter ballot or to have lost or destroyed

8 the absent voter ballot.

9 (2) Upon a challenge being made under subsection (1), an
10 election inspector shall immediately do all of the following:

11 (a) Identify as provided in sections 745 and 746 a ballot
12 voted by the challenged individual, if any.

13 (b) Make a written report including all of the following
14 information:

15 (i) All election disparities or infractions complained of or
16 believed to have occurred.

17 (ii) The name of the individual making the challenge.

18 (iii) The time of the challenge.

19 (iv) The name, telephone number, and address of the challenged
20 individual.

21 (v) Other information considered appropriate by the election
22 inspector.

23 (c) Retain the written report created under subdivision (b)
24 and make it a part of the election record.

25 (d) Inform a challenged elector of his or her rights under
26 section 729.

27 (3) A challenger shall not make a challenge indiscriminately

1 and without good cause. A challenger shall not handle the poll
2 books while observing election procedures or the ballots during the
3 counting of the ballots. A challenger shall not interfere with or
4 unduly delay the work of the election inspectors. An individual who
5 challenges a qualified and registered elector of a voting precinct
6 for the purpose of annoying or delaying voters is guilty of a
7 misdemeanor.