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Senate Bill 278 (as introduced 3-24-21)  
Sponsor: Senator Michael D. MacDonald  
Committee: Elections

Date Completed: 5-5-21

### **CONTENT**

**The bill would amend the Michigan Election Law to do the following:**

- Require an individual authorized to collect absent voter ballots from an absent voter ballot drop box to immediately return collected ballots to clerk's office, or, if applicable, to an absent voter counting board on election day, unless that individual was collecting ballots from another drop box.**
- Require ballots collected from a drop box to be transported in an approved ballot container.**
- Require the city or township clerk to document each time absent voter ballots were collected from a drop box in that city or township and prescribe the information that would have to be included in the documentation.**

Section 761d of the Law requires absent voter ballot drop boxes to be clearly labeled, securely locked and designed to prevent the removal of ballots, and if located in an area that is not continuously staffed, to be secured to prevent the removal of the box from its location. Section 761d also prescribes additional requirements for an absent voter ballot drop box that is located outdoors. Currently, if a drop box was ordered or installed in a city or township before October 1, 2020, that drop box is exempt from the requirements of Section 761d. The bill, instead, a drop box ordered or installed after that date would be exempt from the requirements described above.

Only a city or township clerk, his or her deputy clerk, or a sworn member of his or her staff is authorized to collect absent voter ballots from an absent voter ballot drop box. Under the bill, when an authorized individual collected absentee ballots from a drop box, that individual would have to return the collected ballots to the city or township clerk's office, or, if applicable, to an absent voter counting board on election day immediately after collection, unless he or she were collecting ballots from other drop boxes in the city or township.

All absentee ballots collected from a drop box would have to be transported in a ballot container approved under Section 24j of the Law. (Under Section 24j, an approved ballot container must be made of metal, plastic, fiberglass, or other material, that provides resistance to tampering, and is capable of being sealed with a metal seal.)

The city or township clerk would have to document each time absent voter ballots were collected from a drop box in that city or township. The documentation would have to include all of the following:

- The date the ballots were collected from the drop box.

- The name of the individual who collected the ballots from the drop box.
- The location in the city or township of the drop box.

MCL 168.761d

Legislative Analyst: Dana Adams

**FISCAL IMPACT**

The bill would have no fiscal impact on State or local units of government.

Fiscal Analyst: Elizabeth Raczkowski

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.