A bill to amend 1954 PA 116, entitled "Michigan election law,"
by amending sections 668b and 795 (MCL 168.668b and 168.795),
section 668b as added by 2018 PA 614 and section 795 as amended by
2018 PA 127.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 668b. (1) Each city or township shall use the electronic
poll book software developed by the bureau of elections in each
election precinct in the city or township on election day to
process voters and generate election precinct reports.
(2) Except as otherwise provided in subsection (3), after 4
p.m. on the day before an election, each city or township clerk
shall download the electronic poll book software from the qualified
voter file software.

(3) In a city or township with more than 50 election precincts, the city or township clerk may begin downloading the electronic poll book software from the qualified voter file software after 2 p.m. on the Saturday before an election. If a city or township clerk downloads the electronic poll book software from the qualified voter file software before 4 p.m. on the day before an election as provided in this subsection, the city or township clerk must provide a supplemental absent voter list to each election precinct before the polls open on election day that captures any absent voter activity in the city or township between 2 p.m. on the Saturday before the election and 4 p.m. on the Monday before the election.

(4) In each election precinct or absent voter counting board on election day, the electronic poll book must not be connected to the internet after the polls open and until the results have been tabulated for that precinct and transmitted to the appropriate clerk.

Sec. 795. (1) An electronic voting system acquired or used under sections 794 to 799a must meet all of the following requirements:

(a) Provide for voting in secrecy, except in the case of voters who receive assistance as provided by this act.

(b) Utilize a paper ballot for tabulating purposes.

(c) Permit each elector to vote at an election for all persons and offices for whom and for which the elector is lawfully entitled to vote; to vote for as many persons for an office as the elector is entitled to vote for; and to vote for or against any question upon which the elector is entitled to
vote. Except as otherwise provided in this subdivision, the
electronic tabulating equipment must reject all choices recorded on
the elector's ballot for an office or a question if the number of
choices exceeds the number that the elector is entitled to vote for
on that office or question. Electronic tabulating equipment that
can detect that the choices recorded on an elector's ballot for an
office or a question exceeds the number that the elector is
entitled to vote for on that office or question must be located at
each polling place and programmed to reject a ballot containing
that type of an error. If a choice on a ballot is rejected as
provided in this subdivision, an elector must be given the
opportunity to have that ballot considered a spoiled ballot and to
vote another ballot.

(d) Permit an elector, at a presidential election, by a single
selection to vote for the candidates of a party for president,
vice-president, President, Vice President, and presidential
electors.

(e) Permit an elector in a primary election to vote for the
candidates in the party primary of the elector's choice. Except as
otherwise provided in this subdivision, the electronic tabulating
equipment must reject each ballot on which votes are cast for
candidates of more than 1 political party. Electronic tabulating
equipment that can detect that the elector has voted for candidates
of more than 1 political party must be located at each polling
place and programmed to reject a ballot containing that type of an
error. If a choice on a ballot is rejected as provided in this
subdivision, an elector must be given the opportunity to have that
ballot considered a spoiled ballot and to vote another ballot.

(f) Prevent an elector from voting for the same person
individual more than once for the same office.

(g) Reject a ballot on which no valid vote is cast. Electronic tabulating equipment must be programmed to reject a ballot on which no valid vote is cast.

(h) Be suitably designed for the purpose used; be durably constructed; and be designed to provide for safety, accuracy, and efficiency.

(i) Be designed to accommodate the needs of an elderly voter or an individual with 1 or more disabilities.

(j) Record correctly and count accurately each vote properly cast.

(k) Provide an audit trail.

(l) Provide an acceptable method for an elector to vote for an individual whose name does not appear on the ballot.

(m) Allow for accumulation of vote totals from the precincts in the jurisdiction. Subject to subdivision (o), the accumulation software must meet specifications prescribed by the secretary of state and must be certified by the secretary of state as meeting these specifications.

(n) Be compatible with or include at least 1 voting device that is accessible for an individual with disabilities to vote in a manner that provides the same opportunity for access and participation, including secrecy and independence, as provided for other voters. The voting device must include nonvisual accessibility for the blind and visually impaired.

(o) In each election precinct or absent voter counting board on election day, not be connected to the internet after the polls open and until the results have been tabulated for that precinct and only for the purpose of uploading those results to the
appropriate clerk.

(2) Electronic tabulating equipment that counts votes at the precinct before the close of the polls must provide a method for rendering the equipment inoperable if vote totals are revealed before the close of the polls. Electronic tabulating equipment that tabulates ballots, including absentee ballots, at a central location must be programmed to reject a ballot if the choices recorded on an elector's ballot for an office or a question exceed the number that the elector is entitled to vote for on that office or question, if no valid choices are recorded on an elector's ballot, or if, in a primary election, votes are recorded for candidates of more than 1 political party.

(3) Each jurisdiction in this state conducting an election shall equip each polling place with at least 1 accessible voting device as required under subsection (1)(n).