June 03, 2021, Introduced by Reps. Rendon, Borton, Markkanen, Reilly, Carra, Maddock, Wozniak, Griffin, Paquette and Eisen and referred to the Committee on Elections and Ethics.

A bill to amend 1954 PA 116, entitled "Michigan election law,"
by amending section 795 (MCL 168.795), as amended by 2018 PA 127.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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* individuals and offices for whom and for which the elector is lawfully entitled to vote; to vote for as many *persons* individuals 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 a
person—an individual whose name does not appear on the ballot.

(m) Allow for accumulation of vote totals from the precincts
in the jurisdiction. The 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) Be incapable of being connected to or operated on the internet.

(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).