

HOUSE BILL NO. 5516

November 03, 2021, Introduced by Reps. Whitsett, Manoogian, Garza, Koleszar, Puri, Breen, Kupa, Morse, Lasinski, Hope, Stone, Cynthia Johnson, Sabo, Steckloff, Haadsma, Scott, Cavanagh, Sowerby, Hood, Tate, Yancey and Anthony and referred to the Committee on Elections and Ethics.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 931 (MCL 168.931), as amended by 1996 PA 583.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 931. (1) A person who violates 1 or more of the following
2 subdivisions is guilty of a misdemeanor:

3 (a) A person shall not, either directly or indirectly, give,
4 lend, or promise valuable consideration ~~to~~ or for any person ~~as~~
5 an inducement to influence the manner of voting by a person

1 relative to a candidate or ballot question ~~or~~ or as a reward for
2 refraining from voting.

3 (b) A person shall not, either before, on, or after an
4 election, for the person's own benefit or on behalf of any other
5 person, receive, agree, or contract for valuable consideration for
6 1 or more of the following:

7 (i) Voting or agreeing to vote, or inducing or attempting to
8 induce another to vote, at an election.

9 (ii) Refraining or agreeing to refrain, or inducing or
10 attempting to induce another to refrain, from voting at an
11 election.

12 (iii) Doing anything prohibited by this act.

13 (iv) Both distributing absent voter ballot applications to
14 voters and receiving signed applications from voters for delivery
15 to the appropriate clerk or assistant of the clerk. This
16 subparagraph does not apply to an authorized election official.

17 (c) A person shall not solicit any valuable consideration from
18 a candidate for nomination for, or election to, an office described
19 in this act. This subdivision does not apply to requests for
20 contributions of money by or to an authorized representative of the
21 political party committee of the organization to which the
22 candidate belongs. This subdivision does not apply to a regular
23 business transaction between a candidate and any other person that
24 is not intended for, or connected with, the securing of votes or
25 the influencing of voters in connection with the nomination or
26 election.

27 (d) A person shall not, either directly or indirectly,
28 discharge or threaten to discharge an employee of the person for
29 the purpose of influencing the employee's vote at an election.

1 (e) A priest, pastor, curate, or other officer of a religious
 2 society shall not for the purpose of influencing a voter at an
 3 election, impose or threaten to impose upon the voter a penalty of
 4 excommunication, dismissal, or expulsion, ~~or~~ command or advise the
 5 voter ~~under~~ pain of religious disapproval.

6 ~~(f) A person shall not hire a motor vehicle or other~~
 7 ~~conveyance or cause the same to be done, for conveying voters,~~
 8 ~~other than voters physically unable to walk, to an election.~~

9 (f) ~~(g)~~ In a city, township, village, or school district that
 10 has a board of election commissioners authorized to appoint
 11 inspectors of election, an inspector of election, a clerk, or other
 12 election official who accepts an appointment as an inspector of
 13 election shall not fail to report at the polling place designated
 14 on election morning at the time specified by the board of election
 15 commissioners, unless excused as provided in this subdivision. A
 16 person who violates this subdivision is guilty of a misdemeanor ~~or~~
 17 punishable by a fine of not more than \$10.00 or imprisonment for
 18 not more than 10 days, or both. An inspector of election, clerk, or
 19 other election official who accepts an appointment as an inspector
 20 of election is excused for failing to report at the polling place
 21 on election day and is not subject to a fine or imprisonment under
 22 this subdivision if 1 or more of the following requirements are
 23 met:

24 (i) The inspector of election, clerk, or other election
 25 official notifies the board of election commissioners or other
 26 officers in charge of elections of his or her inability to serve at
 27 the time and place specified, 3 days or more before the election.

28 (ii) The inspector of election, clerk, or other election
 29 official is excused from duty by the board of election

1 commissioners or other officers in charge of elections for cause
2 shown.

3 **(g)** ~~(h)~~—A person shall not willfully fail to perform a duty
4 imposed upon that person by this act ~~7~~—or disobey a lawful
5 instruction or order of the secretary of state as chief state
6 election officer or of a board of county election commissioners,
7 board of city election commissioners, or board of inspectors of
8 election.

9 **(h)** ~~(i)~~—A delegate or member of a convention shall not solicit
10 a candidate for nomination before the convention for money, reward,
11 position, place, preferment, or other valuable consideration in
12 return for support by the delegate or member in the convention. A
13 candidate or other person shall not promise or give to a delegate
14 money, reward, position, place, preferment, or other valuable
15 consideration in return for support by or vote of the delegate in
16 the convention.

17 **(i)** ~~(j)~~—A person elected to the office of delegate to a
18 convention shall not accept or receive any money or other valuable
19 consideration for his or her vote as a delegate.

20 **(j)** ~~(k)~~—A person shall not, while the polls are open on an
21 election day, solicit votes in a polling place or within 100 feet
22 from an entrance to the building in which a polling place is
23 located.

24 **(k)** ~~(l)~~—A person shall not keep a room or building for the
25 purpose, in whole or in part, of recording or registering bets or
26 wagers, or of selling pools upon the result of a political
27 nomination, appointment, or election. A person shall not wager
28 property, money, or thing of value, or be the custodian of money,
29 property, or thing of value ~~7~~—staked, wagered, or pledged upon the

1 result of a political nomination, appointment, or election.

2 (l) ~~(m)~~—A person shall not participate in a meeting or a
3 portion of a meeting of more than 2 persons, other than the
4 person's immediate family, at which an absent voter ballot is
5 voted.

6 (m) ~~(n)~~—A person, other than an authorized election official,
7 shall not, either directly or indirectly, give, lend, or promise
8 any valuable consideration to or for a person to induce that person
9 to both distribute absent voter ballot applications to voters and
10 receive signed absent voter ballot applications from voters for
11 delivery to the appropriate clerk.

12 (2) A person who violates a provision of this act for which a
13 penalty is not otherwise specifically provided in this act ~~is~~
14 guilty of a misdemeanor.

15 (3) A person or a person's agent who knowingly makes,
16 publishes, disseminates, circulates, or places before the public,
17 or knowingly causes directly or indirectly to be made, published,
18 disseminated, circulated, or placed before the public, in this
19 state, either orally or in writing, an assertion, representation,
20 or statement of fact concerning a candidate for public office at an
21 election in this state, that is false, deceptive, scurrilous, or
22 malicious, without the true name of the author being subscribed to
23 the assertion, representation, or statement if written, or
24 announced if unwritten, is guilty of a misdemeanor.

25 (4) As used in this section, "valuable consideration"
26 includes, but is not limited to, money, property, a gift, a prize
27 or chance for a prize, a fee, a loan, an office, a position, an
28 appointment, or employment.