

SENATE BILL NO. 1139

September 07, 2022, Introduced by Senators HERTEL, MCCANN, BAYER, CHANG, BULLOCK, BRINKS, MCMORROW, ALEXANDER and GEISS and referred to the Committee on Elections.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 759b (MCL 168.759b).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 759b. **(1)** ~~Any~~ **Subject to section 758b, a** registered
2 elector may apply for **an** absent voter ~~ballots~~ **ballot** at any time
3 ~~prior to~~ **before** 4 p.m. on election day if ~~he shall have become the~~
4 **registered elector becomes** physically disabled, **was or is detained**
5 **in a jail, holding cell, holding center, or lockup as those terms**

are defined in section 62 of the corrections code of 1953, 1953 PA 232, MCL 791.262, or ~~shall be~~**is** absent from the city or township because of sickness or death in the family ~~which~~**that** has occurred at a time ~~which~~**that** has made it impossible to apply for **an** absent voter ~~ballots~~**ballot** by the statutory deadline. The application ~~shall~~**must** be called an emergency absent voter **ballot** application.

(2) ~~Emergency~~**An emergency** absent voter applications ~~ballot~~ **application** may be made by letter or on a form provided by the clerk. The application ~~shall~~**must** set forth that the ~~voter~~**elector** is qualified to vote in the election, stating the statutory reason for applying for an emergency absent voter ballot and that the reason for applying after the statutory deadline occurred at such a time to make it impossible to file an application for **an** absent voter ~~ballots~~**ballot** by the statutory deadline.

(3) Any ~~person~~**individual** intentionally making a false statement in ~~such~~**an emergency absent voter ballot** application is guilty of a felony. Any ~~person~~**individual** aiding or abetting any ~~person~~**individual** to make a false statement on ~~such~~**an emergency absent voter ballot** application is guilty of a felony.

(4) Upon receipt by the clerk of a valid application for an emergency absent voter ballot, the clerk may deliver the ~~ballots~~**ballot** to the applicant in person, through a deputy or an election assistant, or ~~he~~**the clerk** may deliver ~~them~~**the ballot** at ~~his~~**the clerk's** office to ~~a person~~**an individual** named by the applicant in the **emergency absent voter ballot** application. The ~~voter~~**elector** may return the ~~ballots~~**ballot** to the clerk in the sealed envelope provided ~~therefor~~ in any manner ~~he~~**the elector** sees fit. To be valid, ~~ballots~~**a ballot** must be returned to the clerk in time to be delivered to the polls ~~prior to~~**before** 8 p.m. on election day.