

**SUBSTITUTE FOR
HOUSE BILL NO. 6055**

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 305, 497, 523b, 662, 664, 668b, 720d, 720e,
720f, 720g, 720j, 759, 759a, 759e, 761d, 764c, 765a, 768, 798b,
805, 807, 813, and 829 (MCL 168.305, 168.497, 168.523b, 168.662,
168.664, 168.668b, 168.720d, 168.720e, 168.720f, 168.720g,
168.720j, 168.759, 168.759a, 168.759e, 168.761d, 168.764c,
168.765a, 168.768, 168.798b, 168.805, 168.807, 168.813, and
168.829), section 305 as amended by 2010 PA 334, section 497 as
amended by 2023 PA 184, sections 523b, 720d, 720e, 720f, and 720g
as added and sections 662, 668b, 765a, 768, 798b, and 805 as
amended by 2023 PA 81, section 720j as amended by 2023 PA 259,
section 759 as amended by 2023 PA 270, section 759a as amended by

2023 PA 193, section 759e as added by 2023 PA 86, section 761d as amended by 2023 PA 85, section 764c as amended by 2023 PA 84, and sections 813 and 829 as amended by 2018 PA 603, and by adding section 644k; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 305. (1) Within 30 days after the effective date of this
2 chapter, the school district election coordinating committee for
3 each school district shall hold an initial meeting. Within 14 days
4 after convening the initial meeting, the school district election
5 coordinating committee shall file a report with the secretary of
6 state that sets forth the arrangements that are agreed upon for the
7 conduct of the school district's elections. Each school district
8 election coordinating committee member shall sign the report and
9 retain a copy.

10 (2) After filing its initial report under subsection (1) and
11 until December 31, 2012, a school district election coordinating
12 committee shall meet at 2-year intervals to review and, if
13 necessary, alter the election arrangements set forth in its
14 previous report. Beginning January 1, 2013, a school district
15 election coordinating committee shall meet at 4-year intervals or
16 earlier if determined necessary by the chairperson of the school
17 district election coordinating committee to review and, if
18 necessary, alter the election arrangements set forth in its
19 previous report. After each review, a school district election
20 coordinating committee shall either notify the secretary of state
21 in writing that its previous report is not being altered or file
22 with the secretary of state a report with the alterations. Until
23 December 31, 2012, election arrangements made by the clerks of the
24 jurisdictions participating in the school district election

1 coordinating committee meeting are binding on the participating
2 jurisdictions for at least 2 years after the report is filed, and
3 each jurisdiction continues to be bound until an altered report is
4 filed. Beginning January 1, 2013, election arrangements made by the
5 clerks of the jurisdictions participating in the school district
6 election coordinating committee meeting are binding on the
7 participating jurisdictions until an altered report is filed.

8 (3) The arrangements agreed upon by a school district election
9 coordinating committee for the conduct of the school district's
10 elections ~~shall~~**must** accomplish at least both of the following:

11 (a) If a school district election is held on the same day as
12 an election of a jurisdiction that overlaps with the school
13 district, an elector wishing to vote in both elections shall not be
14 required to vote at 2 different locations.

15 (b) If, before the filing of an initial report or of the
16 notice or altered report after its review, a city or township clerk
17 notifies the school district election coordinating committee that
18 the city or township clerk, in consultation with the city council
19 or township board, as applicable, has decided to participate in the
20 conduct of the school district's elections, the school district
21 election coordinating committee shall include that city or township
22 clerk in its initial or an altered report as the ~~person~~**individual**
23 conducting the school district's elections in the clerk's city or
24 township.

25 (4) Notwithstanding the other provisions of this chapter, if a
26 city or township is holding an election for elective office or on a
27 ballot question at the same time that a school district located in
28 whole or part in the city or township is holding an election, the
29 city or township clerk shall also conduct the school district

1 election within ~~his or her~~ **the clerk's** jurisdiction. If a city or
2 township clerk is conducting a school election under this
3 subsection, the clerk shall use the same precincts that are used
4 for state and federal elections as the precincts for the school
5 district election. If these precincts change the polling place
6 location for school district electors, the clerk shall notify those
7 school district electors of the location of the different polling
8 place. A city or township clerk with the consent of the school
9 district election coordinator may use the school election precincts
10 and polling places. A city or township clerk conducting an election
11 under this subsection may consolidate election precincts in the
12 manner provided in section 659.

13 **(5) If a school district is holding an election and that**
14 **school district is located in whole or in part in a municipality**
15 **that conducts early voting as a single municipality under section**
16 **720e, as a party to a municipal agreement under section 720f, or as**
17 **a party to a county agreement under section 720g, the school**
18 **district election coordinating committee shall designate the clerk**
19 **who is responsible for the school district election, and that clerk**
20 **may be designated in the existing school district election**
21 **coordinating committee report as the clerk responsible for the**
22 **school district election.**

23 Sec. 497. (1) An individual who is not registered to vote but
24 possesses the qualifications of an elector as provided in section
25 492 may apply for registration to the clerk of the county,
26 township, or city in which the individual resides in person, during
27 the clerk's regular business hours, or by mail or online until the
28 fifteenth day before an election.

29 (2) An individual who is not registered to vote but possesses

1 the qualifications of an elector as provided in section 492, ~~or~~ an
2 individual who is not registered to vote in the city or township in
3 which the individual is registering to vote, **or an individual who**
4 **is updating the individual's voter registration** may apply for
5 registration in person at the city or township clerk's office of
6 the city or township in which the individual resides from the
7 fourteenth day before an election and continuing through the day of
8 the election. An individual who applies to register to vote under
9 this subsection must provide to the city or township clerk proof of
10 residency in that city or township. For purposes of this
11 subsection, "proof of residency" includes, subject to subsection
12 (3), any of the following:

13 (a) An operator's or chauffeur's license issued under the
14 Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or an
15 enhanced driver license issued under the enhanced driver license
16 and enhanced official state personal identification card act, 2008
17 PA 23, MCL 28.301 to 28.308.

18 (b) An official state personal identification card issued
19 under 1972 PA 222, MCL 28.291 to 28.300, or an enhanced official
20 state personal identification card issued under the enhanced driver
21 license and enhanced official state personal identification card
22 act, 2008 PA 23, MCL 28.301 to 28.308.

23 (3) If an applicant for voter registration under subsection
24 (2) does not have proof of residency as that term is defined in
25 subsection (2), the applicant may provide as the applicant's proof
26 of residency any other form of identification for election purposes
27 as that term is defined in section 2 and 1 of the following
28 documents that contains the applicant's name and current residence
29 address:

- 1 (a) A current utility bill.
- 2 (b) A current bank statement.
- 3 (c) A current paycheck, government check, or other government
- 4 document.

5 (4) If an applicant for voter registration under subsection
6 (2) does not have identification for election purposes, the
7 applicant may register to vote if the applicant signs an affidavit
8 indicating that the applicant does not have identification for
9 election purposes and the applicant provides 1 of the following
10 documents that contains the applicant's name and current residence
11 address:

- 12 (a) A current utility bill.
- 13 (b) A current bank statement.
- 14 (c) A current paycheck, government check, or other government
- 15 document.

16 (5) Immediately after approving a voter registration
17 application, the city or township clerk shall provide to the
18 individual registering to vote a voter registration receipt that is
19 in a form as approved by the secretary of state.

20 (6) Except as otherwise provided in sections 500a to 500e and
21 509v, an application for registration must not be executed at a
22 place other than the office of the county, township, or city clerk
23 or a public place or places designated by the clerk or deputy
24 registrar for receiving registrations, but the clerk or deputy
25 registrar may receive an application wherever the clerk or deputy
26 registrar may be. If a county, township, or city clerk does not
27 regularly keep the clerk's office open daily during certain hours,
28 the clerk is not required to be at the clerk's office for the
29 purpose of receiving applications for registration on a particular

1 day nor during specific hours of a day, except as provided in
2 section 498. If an individual registers to vote with the secretary
3 of state during the 14 days before the day of an election by mail,
4 online, or by automatic voter registration, as described in section
5 493a, the individual must be given a notice on a form developed by
6 the secretary of state informing the individual that the individual
7 is not eligible to vote in the next election unless the individual
8 applies in person at the individual's city or township clerk's
9 office as provided in subsection (2). Except as provided in
10 sections 500a to 500e, the provisions of this section relating to
11 registration apply.

12 Sec. 523b. (1) If a city or township has processed 500 or more
13 election day voter registrations in either or both of the previous
14 2 general November elections, the board of election commissioners
15 of that city or township may establish election day vote centers to
16 tabulate ballots issued to electors who register to vote or update
17 voter registration on election day. No later than 90 days before an
18 election, the board of election commissioners of a city or township
19 that establishes an election day vote center under this subsection
20 must inform the county clerk of the county in which that city or
21 township is located that an election day vote center will be
22 established in that city or township. No later than the fourth day
23 before election day, the city or township clerk of a city or
24 township that establishes an election day vote center shall post
25 notice of the establishment and location of that election day vote
26 center **in a conspicuous place in the clerk's office, and** on the
27 website of the city or township, if available. ~~, and in the clerk's~~
28 ~~office.~~

29 (2) An election day vote center operates as a polling place

1 and must have at least 3 election inspectors appointed under
2 section 674 and be located in the same building where the city or
3 township clerk provides election day registration, which includes a
4 satellite office of that city or township clerk. A political party,
5 or an incorporated **nonprofit** organization or organized committee of
6 interested citizens as described under sections 730 and 731, may
7 have 1 challenger for every 8 election inspectors assigned to an
8 election day vote center.

9 (3) Only an elector who registers to vote or updates the
10 elector's voter registration in the city or township on election
11 day is eligible to cast a ballot at an election day vote center
12 that is located in the same building in which the elector registers
13 to vote or updates the elector's voter registration. The registered
14 elector must present to an election inspector at the election day
15 vote center the voter registration receipt issued to that elector
16 under section 497(5) by the city or township clerk on election day,
17 and must comply with all of the other requirements for an elector
18 under section 523. An election inspector in an election day vote
19 center shall do all of the following:

20 (a) Allow an elector to cast a ballot in the same manner as an
21 elector whose name is listed on the voter registration list in an
22 election day precinct.

23 (b) Enter the elector's name in the poll book approved by the
24 secretary of state for use in an election day vote center.

25 (c) Issue a ballot to the elector who shall mark the ballot
26 and deposit the ballot in the tabulator.

27 (4) A city or township clerk shall configure an election day
28 vote center with at least 1 tabulator and a corresponding poll book
29 that lists the electors issued a ballot to be cast on that

1 tabulator. The collected voter registration receipts under
2 subsection (3) serve as 1 of the required poll lists, and the list
3 of electors issued a ballot in the poll book serves as the second
4 required poll list.

5 (5) The county clerk shall program the tabulators to be used
6 in an election day vote center so that the results will be included
7 in the unofficial and official election accumulation reports that
8 are part of the election day precinct results. The number of
9 tabulators and poll books must conform to the manner in which the
10 county clerk programs tabulators for use in an election day vote
11 center.

12 (6) An elector who is in line at a city or township clerk's
13 office, including a satellite office of that city or township
14 clerk, by 8 p.m. on election day to register to vote or update a
15 voter registration must be allowed to complete the voter
16 registration transaction and be allowed to cast a ballot
17 immediately after that transaction at that city or township
18 election day vote center. The election inspectors at an election
19 day vote center must allow an elector who was issued a voter
20 registration receipt at the city or township clerk's office on
21 election day and who is in line at that election day vote center by
22 8 p.m. on election day to cast a ballot, including after 11:59 p.m.
23 on election day if necessary.

24 (7) The election inspectors at an election day vote center
25 must follow the same process required at an election day polling
26 place after the last elector in line casts a ballot.

27 **Sec. 644k. (1) An individual shall not photograph, or audio or**
28 **video record, within a polling place, early voting site, or**
29 **election day vote center. A county, city, or township clerk, or an**

1 assistant of that clerk, shall expel an individual from the polling
2 place, early voting site, or election day vote center if that
3 individual violates this subsection. This subsection does not apply
4 to any of the following:

5 (a) An individual who photographs, or audio or video records,
6 posted election results.

7 (b) A county, city, or township clerk, or an employee,
8 assistant, or consultant of that clerk, if the photographing, or
9 audio or video recording, is done in the performance of that
10 individual's official duties.

11 (c) If authorized by an individual in charge of a polling
12 place, early voting site, or election day vote center, the news
13 media that take wide-angled photographs or video from a distance
14 that does not disclose the face of any marked ballot.

15 (2) Except as otherwise provided in subsection (3), an
16 individual shall not photograph or video record a ballot or any
17 other election records, other than posted election results, in a
18 polling place, early voting site, or election day vote center. An
19 individual who violates this subsection is guilty of a misdemeanor.

20 (3) Subsection (2) does not apply to an individual who takes a
21 photograph of the individual's own ballot while in a voting booth.

22 Sec. 662. (1) The legislative body in each municipality shall
23 provide a suitable polling place for each precinct located in the
24 municipality for use on election day and shall provide a suitable
25 early voting site for each precinct in the municipality for each
26 election at which the municipality conducts early voting under
27 section 720e. If at any election a municipality conducts early
28 voting jointly with 1 or more other municipalities located in the
29 same county, early voting sites for that election must be provided

1 in accordance with section 720f. If at any election a county clerk
2 conducts early voting for 1 or more municipalities located in the
3 county, the board of county election commissioners of that county
4 shall provide 1 or more early voting sites for that election as
5 provided under section 720g. A publicly owned or controlled
6 building, including, but not limited to, a municipal building or
7 school building, must be used as a polling place unless it is not
8 possible or convenient to use a publicly owned or controlled
9 building as a polling place.

10 (2) The legislative body of a city or township, or a board of
11 county election commissioners as provided under section 720g, shall
12 not designate as a polling place or early voting site a building
13 that is owned or leased by an elected official, an individual who
14 is a candidate, or a person that is regulated under the Michigan
15 campaign finance act, 1976 PA 388, MCL 169.201 to 169.282. For
16 purposes of the previous sentence, "leased" means that the entire
17 building, and not just a portion of the building, is leased by an
18 elected official, an individual who is a candidate, or a person
19 that is regulated under the Michigan campaign finance act, 1976 PA
20 388, MCL 169.201 to 169.282. In addition, a building must not be
21 designated as a polling place or early voting site if a portion of
22 that building is leased by an elected official, an individual who
23 is a candidate, or a person that is regulated under the Michigan
24 campaign finance act, 1976 PA 388, MCL 169.201 to 169.282, and the
25 portion of that building leased by an elected official, an
26 individual who is a candidate, or a person that is regulated under
27 the Michigan campaign finance act, 1976 PA 388, MCL 169.201 to
28 169.282, is located within 100 feet from the entrance of the
29 polling place or early voting site located inside that building.

1 (3) Except as otherwise provided in section 4(1)(m) of article
2 II of the state constitution of 1963 for early voting, the
3 legislative body in each city or township may establish a central
4 polling place or central polling places for 6 precincts or less if
5 it is possible and convenient for the electors to vote at a central
6 polling place or at central polling places. The legislative body in
7 each city or township may abolish other polling places not required
8 as a result of the establishment of a central polling place or
9 central polling places.

10 (4) A township board may provide polling places or early
11 voting sites located within the limits of a city that has been
12 incorporated from territory formerly a part of the township, and
13 the electors of the township may cast their ballots at those
14 polling places or early voting sites. If 2 contiguous townships
15 utilize a combined township hall or other publicly owned or
16 controlled building within 1 of the township's boundaries and
17 outside of the other township's boundaries, and there is not
18 another publicly owned or controlled building available or suitable
19 for a polling place or early voting site within the other township,
20 then each township board may provide a polling place or early
21 voting site in that publicly owned building for 1 or more election
22 precinct.

23 (5) A city or township, or a county as provided under section
24 720g, shall not use as a polling place, early voting site, or
25 central polling place a building that does not meet the
26 requirements of this section. For early voting under sections 720a
27 to 720j, if a city or township cannot secure a building to be used
28 as a polling place or early voting site that meets the requirements
29 of this section, that city or township must enter into a municipal

1 agreement under section 720f or a county agreement under section
2 720g.

3 (6) The legislative body of a city or township, or a board of
4 county election commissioners as provided under section 720g, shall
5 not establish, move, or abolish a polling place, early voting site,
6 or central polling place less than 60 days before an election
7 unless necessary because a polling place, early voting site, or
8 central polling place has been damaged, destroyed, or rendered
9 inaccessible or unusable as a polling place, early voting site, or
10 central polling place.

11 (7) The legislative body of a city or township, or a board of
12 county election commissioners as provided under section 720g, shall
13 ensure that a polling place, early voting site, or central polling
14 place established under this section is accessible and complies
15 with the voting accessibility for the elderly and handicapped act
16 and the help America vote act of 2002.

17 (8) After a polling place or early voting site is approved
18 under this section, the appropriate clerk, as provided under
19 subsections (9) and (10), must provide a notice specifying the
20 location of the polling place or early voting site to each
21 registered elector entitled to vote at that polling place or early
22 voting site. The notice requirement under this subsection applies
23 to permanent and temporary changes to polling places and early
24 voting sites, except that notice is not required if an early voting
25 site is established in addition to 1 or more early voting sites
26 that remain in effect for which notice was previously provided to
27 each elector. The notice required under this subsection must be
28 provided as follows:

29 (a) No later than 45 days before an election for a polling

1 place or early voting site established or changed by the sixtieth
2 day before an election.

3 (b) For temporary changes made to a polling place or early
4 voting site under subsection (6), no later than 21 days before an
5 election for a polling place and no later than 21 days before the
6 first day of early voting for an early voting site. In addition to
7 the notice required to each registered elector under this
8 subdivision, the appropriate clerk must post a sign indicating the
9 new polling place location or early voting site at the location of
10 the former polling place location or early voting site.

11 (9) After a polling place is approved under this section, the
12 city or township clerk of the city or township approving the
13 polling place must provide the notice required under subsection (8)
14 by either of the following methods:

15 (a) Updating and sending the voter identification card issued
16 under section 499.

17 (b) Sending a separate notice by mail or other method designed
18 to provide actual notice to the registered elector.

19 (10) After an early voting site is approved under this
20 section, the appropriate clerk must provide the notice required
21 under subsection (8) by sending a separate notice by mail or other
22 method designed to provide actual notice to the registered elector,
23 and must not provide the notice by updating the voter
24 identification card issued under section 499. In addition to
25 identifying the location of the early voting site, the separate
26 notice sent under this subsection must provide the hours of
27 operation of the early voting site for each day early voting is
28 offered. The notice under this subsection must be provided as
29 follows:

1 (a) For early voting conducted under section 720e, by the
2 clerk of the municipality approving the early voting site.

3 (b) For early voting conducted under section 720f, by the
4 clerk of each municipality that is a party to the municipal
5 agreement, or as otherwise provided by the municipal agreement.

6 (c) For early voting conducted under section 720g, by the
7 clerk of the county where the early voting site is located or by
8 the clerk of each municipality that is a party to the county
9 agreement.

10 **(11) In addition to the requirements under subsection (10),**
11 **after an early voting site is approved under this section, and not**
12 **less than 50 days before the date of an election at which that**
13 **early voting site will be used, the clerk of each municipality**
14 **shall do both of the following:**

15 (a) **Notify the bureau of elections regarding the days, hours,**
16 **and location of that early voting site.**

17 (b) **Post in a conspicuous place in the clerk's office, and on**
18 **the municipality's website, if available, the days, hours, and**
19 **location of that early voting site.**

20 **(12) ~~(11)~~—For temporary changes made under subsection (6) to a**
21 **polling place within 20 days before an election or to an early**
22 **voting site within 20 days before the start of early voting, the**
23 **appropriate clerk must provide notice in all of the following ways:**

24 (a) **By posting a sign indicating the new polling place**
25 **location or early voting site at the location of the former polling**
26 **place location or early voting site.**

27 (b) **By posting the new polling place location or early voting**
28 **site on the website of the municipality or county, as applicable.**

29 (c) **By posting the new polling place location or early voting**

1 site on the department of state's website.

2 (13) ~~(12)~~ As used in this section:

3 (a) "Accessible" means the removal or modification of
4 policies, practices, and procedures that deny an individual with a
5 disability the opportunity to vote, including the removal of
6 physical barriers as identified in section 261(b) of the help
7 America vote act of 2002, 52 USC 21021, so as to ensure individuals
8 with disabilities the opportunity to participate in elections in
9 this state.

10 (b) "Candidate" means that term as defined in section 3 of the
11 Michigan campaign finance act, 1976 PA 388, MCL 169.203.

12 (c) "Early voting site" means that term as described in
13 section 4(1)(m) of article II of the state constitution of 1963.

14 Sec. 664. On the inside of ~~said the~~ railing, the ~~said~~ officers
15 shall cause 1 or more booths or temporary rooms to be erected. ~~At~~
16 ~~least 1 such booth shall~~ **A sufficient number of booths, as**
17 **determined by the clerk, must** be provided at each polling place.
18 ~~and not less than 1 for each 100 persons entitled to vote thereat,~~
19 ~~as shown by the registration book of the precinct. Each such booth~~
20 ~~shall~~ **must** be built with walls ~~not less than 6 feet high and in~~
21 such manner that the ~~person~~ **individual** preparing ~~his~~ **a** ballot ~~shall~~
22 ~~be~~ **is** concealed from all other ~~persons.~~ **individuals**. In each booth
23 there ~~shall~~ **must** be provided a shelf of sufficient size with **a**
24 smooth surface on which ballots may be placed to be marked.

25 Sec. 668b. (1) Each city or township shall use the electronic
26 poll book software developed, acquired, or approved by the bureau
27 of elections in each election precinct in the city or township on
28 election day to process voters and generate election precinct
29 reports.

1 (2) Except as otherwise provided in subsection (3), **and**
 2 **subject to subsection (4)**, after 4 p.m. on the day before an
 3 election, each city or township clerk shall download the electronic
 4 poll book software from the qualified voter file software.

5 (3) ~~In~~**Subject to subsection (4)**, in a city or township with
 6 more than 50 election precincts, the city or township clerk may
 7 begin downloading the electronic poll book software from the
 8 qualified voter file software after 2 p.m. on the Saturday before
 9 an election. ~~If~~**Subject to subsection (4)**, if a city or township
 10 clerk downloads the electronic poll book software from the
 11 qualified voter file software before 4 p.m. on the day before an
 12 election as provided in this subsection, the city or township clerk
 13 must provide a supplemental absent voter list to each election
 14 precinct before the polls open on election day that captures any
 15 absent voter activity in the city or township between 2 p.m. on the
 16 Saturday before the election and 4 p.m. on the Monday before the
 17 election.

18 (4) **If the electronic poll book software as described in**
 19 **subsection (1) has live connectivity to the qualified voter file**
 20 **software at a polling place or early voting site, the electronic**
 21 **poll book software with live connectivity must be used to process**
 22 **voters and to generate election precinct reports, and the**
 23 **electronic poll book software downloaded as required by subsection**
 24 **(2) or (3), or a paper copy of the downloaded electronic poll book**
 25 **software, serves as a backup.**

26 Sec. 720d. (1) Each municipality shall administer early voting
 27 under 1 of the following provisions:

28 (a) Conduct early voting as a single municipality separate
 29 from any other municipality as provided under section 720e.

1 (b) Enter into a municipal agreement and jointly conduct early
2 voting with 1 or more other municipalities located in the same
3 county as provided under section 720f.

4 (c) Enter into a county agreement and authorize the county
5 clerk of the county in which that municipality is located to
6 conduct early voting for 1 or more municipalities located in that
7 county, with the assistance of, and in consultation with, the clerk
8 of each municipality that is a party to the county agreement as
9 provided under section 720g.

10 (2) Subject to subsection (4), no later than 155 days before
11 the first regularly scheduled statewide or federal election in an
12 even numbered year, the clerk of each county shall notify the clerk
13 of each municipality in that county regarding whether the county
14 clerk intends to conduct early voting through a county agreement.
15 No later than 150 days before the first regularly scheduled
16 statewide or federal election in an even numbered year, the clerk
17 of each municipality shall notify the county clerk of the county in
18 which that municipality is located regarding whether the
19 municipality intends to enter into a municipal agreement or a
20 county agreement, or whether the municipality intends to conduct
21 early voting as a single municipality separate from any other
22 municipality.

23 (3) Subject to subsection (4), no later than 125 days before
24 the first regularly scheduled statewide or federal election to be
25 held in an even numbered year, the municipal clerks entering into a
26 municipal agreement, and the municipal clerks and county clerk of
27 each county entering into a county agreement, must finalize and
28 sign those agreements. No later than 90 days before a special
29 statewide or federal election, the municipal clerks entering into a

1 municipal agreement, and the municipal clerks and county clerk of
2 each county entering into a county agreement, must finalize and
3 sign those agreements.

4 (4) Notwithstanding subsections (2) and (3), a municipality
5 that conducts early voting as a single municipality under section
6 720e for a presidential primary election may, no later than April
7 15 of the year in which that presidential primary election is held,
8 enter into a municipal agreement under section 720f or a county
9 agreement under section 720g for the remaining statewide and
10 federal elections to be held in that year and the following year,
11 and for any other elections included in the municipal agreement or
12 county agreement. The municipal agreement or county agreement
13 entered into under this subsection may be a new agreement, or an
14 amendment to an existing agreement that was in effect for the
15 presidential primary election if all of the parties to the
16 agreement agree to the amendment.

17 (5) **Notwithstanding subsections (2) and (3), a municipality**
18 **that was a party to a municipal agreement under section 720f or a**
19 **county agreement under section 720g for the presidential primary**
20 **election may, no later than April 15 of the year in which the**
21 **presidential primary election is held, withdraw from that agreement**
22 **and enter into a different municipal agreement under section 720f**
23 **or county agreement under section 720g for the remaining statewide**
24 **and federal elections to be held in that year and the following**
25 **year, and for any other elections included in the municipal**
26 **agreement or county agreement. A municipal agreement or county**
27 **agreement entered into under this subsection may be a new**
28 **agreement, or an amendment to an existing agreement that was in**
29 **effect for the presidential primary election if all of the parties**

1 **to that agreement agree to the amendment.**

2 Sec. 720e. (1) The clerk of a municipality that does not enter
3 into a municipal agreement or county agreement for conducting early
4 voting is responsible for administering early voting in that
5 municipality.

6 (2) Each early voting site for a municipality described in
7 subsection (1) must be designated in the same manner as polling
8 places are designated in section 662. Each elector registered in
9 the municipality ~~may engage in early voting at any~~ **must be served**
10 **by 1 or more** early voting ~~site~~ **sites** in that municipality.

11 (3) The board of election commissioners of a municipality
12 described in subsection (1) shall, in accordance with section 674,
13 appoint election inspectors for each early voting site in that
14 municipality.

15 (4) For each federal and statewide election, each municipality
16 described in subsection (1) must have 1 or more early voting sites.
17 In addition, the clerk of the municipality described in subsection
18 (1) may set additional hours for early voting on any of the
19 required 9 consecutive days of early voting as described in section
20 720b.

21 (5) The clerk of a municipality described in subsection (1)
22 may also offer early voting on additional days beyond the required
23 9 consecutive days as described in section 720b. The clerk of the
24 municipality may set the hours for those additional days of early
25 voting without regard to the hours on the required 9 consecutive
26 days of early voting described in section 720b. Additional days of
27 early voting as described in this subsection must take place on or
28 after the twenty-ninth day before an election.

29 (6) The legislative body of a municipality described in

1 subsection (1) may adopt a resolution to conduct early voting in an
2 election held in that municipality that is not a statewide or
3 federal election, and early voting for that election must be
4 conducted under the requirements of this section, except that the
5 required 9 consecutive days of early voting beginning on the second
6 Saturday before the election and ending on the Sunday before the
7 election, and the required minimum of 8 hours of early voting each
8 day, do not apply.

9 (7) If a municipality has 250 or more precincts, each ballot
10 form that contains identical offices and names may be considered a
11 separate precinct for purposes of early voting.

12 Sec. 720f. (1) The secretary of state shall prescribe the
13 provisions that must be included in a municipal agreement. The
14 provisions must include, at a minimum, all of the following:

15 (a) The name of each municipality that is a party to the
16 agreement.

17 (b) The number of precincts in each participating
18 municipality.

19 (c) The name of the coordinator who will organize and monitor
20 the administrative requirements of early voting for the
21 participating municipalities.

22 (d) The process for approving early voting sites, in
23 accordance with section 662, by 1 or more legislative bodies of the
24 participating municipalities.

25 (e) The board of election commissioners of the participating
26 municipalities that will appoint, pursuant to section 674, the
27 election inspectors for each early voting site.

28 (f) The process for approving early voting hours for the
29 required 9 consecutive days of early voting, and the process for

1 approving any additional days and hours of early voting.

2 (g) The communication strategy for informing electors of the
3 opportunity for early voting, and for publicizing each early voting
4 site, along with the dates and hours of operation of each early
5 voting site.

6 (h) The process to ensure that the secretary of state has the
7 information necessary to include the location, along with the dates
8 and hours of operation, of each early voting site on the department
9 of state's website.

10 (i) The process for developing the early voting budget and
11 cost sharing procedures.

12 (j) The process for determining the number of tabulators and
13 early voting poll books that are necessary at each early voting
14 site and the name of each municipality that will provide those
15 tabulators and early voting poll books.

16 (k) The name of the board of election commissioners that will
17 conduct testing of the electronic voting equipment.

18 (l) The name of the clerk who ~~shall download~~ **is responsible for**
19 **ensuring** the early voting poll book **is available**.

20 (m) The supervision and staffing of each early voting site on
21 each day of early voting.

22 (n) Information on how a receiving board or group of election
23 inspectors will be appointed to canvass the early vote returns on
24 election day and report early voting results to the county clerk.

25 (o) The process for a participating municipality to withdraw
26 from the agreement.

27 (2) The clerks of the municipalities that are participating in
28 a municipal agreement shall appoint a coordinator to organize and
29 monitor the administrative requirements of early voting. The

1 coordinator must be a clerk, or a member of the clerk's staff, of a
2 municipality that is a party to the agreement. The coordinator
3 shall provide oversight to ensure sufficient resources are
4 available and are timely dispatched to each early voting site. The
5 coordinator shall develop the early voting plan and the early
6 voting budget for each election.

7 (3) The clerks of the municipalities that are participating in
8 a municipal agreement shall designate a participating municipal
9 clerk to ~~download~~ **be responsible for ensuring** the early voting poll
10 book **is available**.

11 (4) In accordance with section 662, the coordinator shall
12 submit each early voting site to the legislative body of the
13 municipality or municipalities designated by the municipal
14 agreement for approval. **Each early voting site submitted for**
15 **approval may serve all electors covered by the municipal agreement,**
16 **the electors in specific municipalities that are covered by an**
17 **early voting site, the electors of part of 1 municipality, or any**
18 **combination of these options, as long as each elector in each of**
19 **the municipalities that are a party to the agreement is served by 1**
20 **or more early voting sites.**

21 (5) A participating municipal clerk shall recruit election
22 inspectors at the request of the coordinator, or shall provide the
23 coordinator with the list of election inspectors for that clerk's
24 municipality. The board of election commissioners of a municipality
25 recruiting the election inspectors, or of any other municipality
26 that is a party to the agreement, shall, in accordance with section
27 674, appoint election inspectors for early voting.

28 (6) The clerks of the municipalities that are participating in
29 a municipal agreement shall appoint a municipal clerk to act as

1 supervisor for each day of early voting. The supervisor shall
2 operate in the same manner as a municipal clerk does for an
3 election day polling place. A supervisor may delegate the
4 supervisor's duties to a member of the supervisor's staff.

5 (7) For each federal and statewide election, ~~there must be 1~~
6 ~~or more early voting sites that are open to all the registered~~
7 ~~electors of each municipality that is a party to the municipal~~
8 ~~agreement.~~ **each elector in each of the municipalities that are a**
9 **party to the municipal agreement must be served by 1 or more early**
10 **voting sites.**

11 (8) The clerks of the municipalities that are participating in
12 a municipal agreement may also agree to jointly offer early voting
13 on additional days beyond the required 9 consecutive days as
14 described in section 720b. The clerks may set the hours for those
15 additional days of early voting without regard to the required
16 hours for early voting on the 9 consecutive days of early voting
17 described in section 720b. Additional days of early voting as
18 described in this subsection must take place on or after the
19 twenty-ninth day before an election.

20 (9) The legislative body of a municipality that is a party to
21 a municipal agreement may adopt a resolution to conduct early
22 voting in an election to be held in the municipality that is not a
23 statewide or federal election. If a municipality adopts a
24 resolution as provided in this subsection, the clerk of that
25 municipality shall conduct early voting for that election as
26 provided under section 720e.

27 (10) The legislative body of each municipality that is a party
28 to a municipal agreement may enter into an agreement to jointly
29 conduct early voting in an election that involves more than 1 of

1 the municipalities in the municipal agreement and that is not a
2 statewide or federal election. Early voting in those elections must
3 be conducted under the requirements of this section, except that
4 the required minimum of 9 consecutive days of early voting
5 beginning on the second Saturday before the election and ending on
6 the Sunday before the election, and the required minimum of 8 hours
7 of early voting each day, do not apply.

8 (11) A municipal agreement covers all statewide and federal
9 elections, and any additional elections included in the municipal
10 agreement, for at least the entire election year in which a general
11 November election is held and the year following that general
12 November election. Subject to this subsection, a municipal
13 agreement may provide that the agreement has no fixed termination
14 date. Subject to this subsection, a party to a municipal agreement
15 may withdraw from the agreement by providing at least 30 days'
16 written notice to the other parties to the agreement. A party to a
17 municipal agreement may not withdraw from the municipal agreement
18 during the period beginning 150 days before the first statewide
19 general November election in an even numbered year and ending on
20 the completion of the county canvass for that statewide general
21 November election in that even numbered year. If any municipal
22 agreement covers any election in addition to the statewide and
23 federal elections, a party to that municipal agreement may not
24 withdraw from the municipal agreement during the period beginning
25 150 days before the election covered under the municipal agreement
26 and ending on the completion of the county canvass for that
27 election. If a municipality withdraws from a municipal agreement,
28 the municipality must conduct early voting as provided under
29 section 720e.

1 (12) No later than 60 days before an election that is covered
2 by a municipal agreement, the parties to the municipal agreement
3 may amend the name of the coordinator, the name of the clerk
4 responsible for the early voting poll book, the funding structure,
5 or, if it is included in the agreement, the days, hours, and
6 locations for early voting. An amendment under this subsection must
7 be submitted as an addendum to the original agreement, must be
8 signed by each municipal clerk who is a party to the agreement, and
9 must be submitted to the applicable county clerk and to the
10 secretary of state.

11 Sec. 720g. (1) The secretary of state shall prescribe the
12 provisions that must be included in a county agreement between 1 or
13 more municipalities located in the same county and the county clerk
14 of that county authorizing the county clerk to conduct early voting
15 for each municipality that is a party to the agreement, with
16 assistance from, and in consultation with, the clerk of each
17 municipality that is a party to the agreement. The provisions must
18 include, but not be limited to, all of the following:

19 (a) The name of the county and the name of each municipality
20 involved in the agreement.

21 (b) The number of precincts in each participating
22 municipality.

23 (c) The name of the coordinator who will organize and monitor
24 the administrative requirements of early voting.

25 (d) The process for determining the number of early voting
26 sites needed, and the process for determining the location of each
27 early voting site.

28 (e) The process for approving the early voting hours for the
29 required 9 consecutive days of early voting, and the process for

1 approving any additional days and hours of early voting.

2 (f) The communication strategy for informing electors of the
3 opportunity for early voting, and for publicizing each early voting
4 site, along with the dates and hours of operation of each early
5 voting site, and which city or township is served by each early
6 voting site.

7 (g) The process to ensure that the secretary of state has the
8 information necessary to include the location, along with the dates
9 and hours of operation, of each early voting site on the department
10 of state's website.

11 (h) The process for developing the early voting budget and
12 cost sharing and chargeback procedures.

13 (i) The process for determining the number of tabulators and
14 early voting poll books that are necessary in each early voting
15 site and the name of the county or municipality that will provide
16 those tabulators and early voting poll books.

17 (j) The name of the board of election commissioners that will
18 conduct testing of the electronic voting equipment.

19 (k) The name of the clerk, either the county clerk or a
20 designated municipal clerk, who ~~shall download~~ **is responsible for**
21 **ensuring** the early voting poll book **is available**.

22 (l) The supervision and staffing of each early voting site on
23 each day of early voting.

24 (m) Information on how a receiving board or a group of
25 election inspectors will be appointed to canvass the early vote
26 returns on election day and report early voting results to the
27 county clerk.

28 (n) The process for a participating municipality or county
29 clerk to withdraw from the agreement.

1 (2) The county clerk shall appoint a coordinator to organize
2 and monitor the administrative requirements of early voting. The
3 coordinator may be the county clerk or a member of the county
4 clerk's staff, or a municipal clerk, or a member of the municipal
5 clerk's staff, that is party to the agreement. The coordinator
6 shall provide oversight to ensure sufficient resources are
7 available and are timely dispatched to each early voting site. The
8 coordinator shall develop the early voting plan, in consultation
9 with the clerks of participating municipalities to the county
10 agreement.

11 (3) The county clerk shall designate which clerk, either the
12 county clerk or a designated municipal clerk, ~~shall download is~~
13 **responsible for ensuring** the early voting poll book **is available**.

14 (4) On request of the county clerk, a clerk of a participating
15 municipality shall make available, to the extent possible,
16 tabulators, early voting poll books, and ballot containers for
17 conducting early voting.

18 (5) In accordance with section 662, the county clerk, after
19 consulting the municipal clerks, shall submit each early voting
20 site location to the board of county election commissioners for
21 approval. Each early voting site submitted for approval may serve
22 all electors covered by the county agreement, the electors in
23 specific municipalities that are covered by an early voting site,
24 the electors of 1 municipality, **the electors of part of 1**
25 **municipality**, or any combination of these options, as long as each
26 elector in the county is served by 1 or more early voting sites.

27 (6) A municipal clerk shall recruit election inspectors at the
28 request of the county clerk, or shall provide the county clerk with
29 the list of election inspectors for the clerk's municipality. The

1 board of county election commissioners shall, in accordance with
2 section 674, appoint election inspectors for early voting.

3 (7) The county clerk may appoint a participating municipal
4 clerk or a member of the county clerk's staff to act as a
5 supervisor for each day of early voting. The county clerk may
6 appoint a different participating municipal clerk or a member of
7 the county clerk's staff to act as a supervisor for different days
8 of early voting. The supervisor shall operate in the same manner as
9 a municipal clerk does for an election day polling place. A
10 supervisor may delegate the supervisor's duties to a member of the
11 supervisor's staff.

12 (8) For each federal and statewide election, ~~there must be 1~~
13 ~~or more early voting sites that are open to all the registered~~
14 ~~electors of each municipality that is a party to the county~~
15 ~~agreement.~~ **each elector in each of the municipalities that are a**
16 **party to the county agreement must be served by 1 or more early**
17 **voting sites.**

18 (9) The county clerk may also offer early voting on additional
19 days beyond the required 9 consecutive days as described in section
20 720b. The county clerk may set the hours for those additional days
21 of early voting without regard to the required hours for early
22 voting on the 9 consecutive days of early voting described in
23 section 720b. Additional days of early voting as described in this
24 subsection must take place on or after the twenty-ninth day before
25 an election.

26 (10) The legislative body of a municipality that is party to a
27 county agreement may adopt a resolution to conduct early voting in
28 an election to be held in the municipality that is not a statewide
29 or federal election. If a municipality adopts a resolution as

1 provided in this subsection, the clerk of that municipality may
2 conduct early voting for that election as provided under section
3 720e.

4 (11) A county clerk and the legislative body of 1 or more
5 municipalities may enter into an agreement for the county clerk to
6 conduct early voting in an election that is not a statewide or
7 federal election. This section does not preclude a county clerk and
8 a municipality from entering into an agreement for the county clerk
9 to conduct early voting for an election in the municipality that is
10 not a statewide or federal election. Early voting in those
11 elections must be conducted under the requirements of this section,
12 except that the required minimum of 9 consecutive days of early
13 voting beginning on the second Saturday before the election and
14 ending on the Sunday before the election, and the required minimum
15 of 8 hours of early voting each day, do not apply.

16 (12) A county agreement covers all statewide and federal
17 elections, and any additional elections included in the county
18 agreement, for at least the entire year in which a general November
19 election is held and the year following that general November
20 election. Subject to this subsection, a county agreement may
21 provide that the agreement has no fixed termination date. Subject
22 to this subsection, a party to a county agreement may withdraw from
23 the county agreement by providing at least 30 days' written notice
24 to the other parties to the agreement. A party to a county
25 agreement may not withdraw from the county agreement during the
26 period beginning ~~150~~**180** days before the first statewide general
27 November election in an even numbered year and ending on the
28 completion of the county canvass for that statewide general
29 November election in that even numbered year. If any county

1 agreement covers any election in addition to the statewide and
2 federal elections, a party to that county agreement may not
3 withdraw from the county agreement during the period beginning 150
4 days before the election covered under the county agreement and
5 ending on the completion of the county canvass for that election.
6 **If a municipality withdraws from a county agreement, that**
7 **municipality must conduct early voting as provided under section**
8 **720e.**

9 (13) **If a county withdraws from a county agreement, the county**
10 **agreement is terminated. Each municipality that was a party to the**
11 **terminated county agreement must, within 14 days after the county**
12 **agreement is terminated, do 1 of the following:**

13 (a) **Enter into a municipal agreement and jointly conduct early**
14 **voting with 1 or more other municipalities located in the same**
15 **county as provided under section 720f.**

16 (b) **Conduct early voting as provided under section 720e.**

17 (14) **No later than 60 days before an election that is covered**
18 **by a county agreement, the parties to the county agreement may**
19 **amend the name of the coordinator, the name of the clerk**
20 **responsible for the early voting poll book, the funding structure,**
21 **or, if it is included in the agreement, the days, hours, and**
22 **locations for early voting. An amendment under this subsection must**
23 **be submitted as an addendum to the original agreement, must be**
24 **signed by the county clerk and each municipal clerk who is a party**
25 **to the agreement, and must be submitted to the secretary of state.**

26 Sec. 720j. (1) **At each early voting site, ballots must be cast**
27 **using electronic tabulating equipment authorized to be used on**
28 **election day or specifically authorized for early voting in the**
29 **county where the early voting site is located.**

1 (2) The clerk of the county where an early voting site is
2 located shall prepare and provide to each municipal clerk or early
3 voting site coordinator, as appropriate, both of the following:

4 (a) Programming for the electronic voting equipment to be used
5 at the early voting site no later than 45 days before election day.

6 (b) Ballots to be used to test the electronic voting equipment
7 no later than 45 days before election day. The appropriate board of
8 election commissioners shall complete the preliminary and public
9 logic and accuracy testing no later than 5 days before the start of
10 early voting in accordance with the requirements under section 798.

11 (3) Tabulators and early voting poll books used at each early
12 voting site must be configured in 1 of the ways set forth in this
13 section. However, the secretary of state may approve an alternate
14 configuration of tabulators and early voting poll books as long as
15 the alternate configuration produces an accurate poll list of the
16 voters who cast ballots and balances the number of voters casting a
17 ballot at the early voting site with the number of ballots cast. A
18 municipal clerk, or the coordinator of a municipal agreement, shall
19 select a configuration set or sets under subsection (4) or (5), as
20 applicable, and inform the county clerk of the selection no later
21 than 90 days before an election. Under a county agreement, the
22 county clerk, after consulting with the participating municipal
23 clerks, shall select the configuration set or sets under subsection
24 (6) no later than 90 days before an election. Subsections (4), (5),
25 and (6) describe the configuration sets that are options for early
26 voting sites, with each configuration set having at least 1
27 tabulator and an early voting poll book containing a list of
28 registered electors corresponding to the precincts programmed on
29 the tabulator. A county clerk shall program the tabulators to

1 adhere to the configuration set or sets selected for each early
2 voting site. Each early voting site must have the number of
3 tabulators and early voting poll books as required by the selected
4 configuration set or sets.

5 (4) If a municipal clerk is conducting early voting as a
6 municipality under section 720e, the municipal clerk shall provide
7 for each early voting site either of the following configuration
8 sets:

9 (a) A single configuration set programmed to tabulate ballots
10 for all of the precincts in the municipality.

11 (b) Multiple configuration sets, with each configuration set
12 programmed to tabulate ballots for a unique set of precincts in the
13 municipality. Each precinct in the municipality must appear on only
14 1 configuration set at an early voting site.

15 (5) If municipalities are parties to a municipal agreement,
16 the municipal agreement must provide for each early voting site to
17 have either of the following configuration sets:

18 (a) A single configuration set programmed to tabulate ballots
19 for all of the precincts of each municipality covered by the
20 municipal agreement.

21 (b) Multiple configuration sets, with each tabulator
22 programmed to tabulate ballots for 1 or more municipalities covered
23 by the municipal agreement. Each precinct in each of the
24 municipalities must appear on only 1 configuration set in an early
25 voting site.

26 (6) If 1 or more municipalities are parties to a county
27 agreement, the county agreement must provide for each early voting
28 site to have either of the following configuration sets:

29 (a) For an early voting site covering the entire county, in

1 the same manner as an early voting site of a municipality
2 conducting early voting as a municipality under section 720e.

3 (b) For an early voting site covering less than the entire
4 county, in the same manner as an early voting site for
5 municipalities that are parties to a municipal agreement under
6 section 720f.

7 (7) The early voting poll book must be updated before early
8 voting starts each day to reflect new registered electors, absent
9 voter ballots received, and ballots cast at early voting sites
10 since the last update.

11 (8) After the close of the first day of early voting, the
12 board of election inspectors shall do all of the following at each
13 early voting site:

14 (a) Verify that the number of ballots tabulated equals the **sum**
15 **of the** number of electors identified in the early voting poll book
16 as having been issued ballots at the early voting site that day **and**
17 **the number of absent voter ballots brought to the early voting site**
18 **to be tabulated as early voting ballots that day,** and note the
19 reason for any discrepancy in the poll book.

20 (b) Remove the voted ballots from the tabulator bin and seal
21 the ballots, along with any spoiled ballots, and the early voting
22 poll book in a ballot container in the same manner as ballots are
23 sealed on election day and in accordance with section 806a.

24 (c) Record the seal number on the ballot container certificate
25 in accordance with section 806a.

26 (d) Record the seal number in the poll book.

27 (e) Print a poll list from the early voting poll book of the
28 electors who voted at the early voting site that day and add it to
29 the paper poll book.

1 (f) Report the number on the public counter on the tabulator
2 at the end of the day and at the beginning of the day in the poll
3 book.

4 (g) Secure each tabulator used at the early voting site in a
5 locked room.

6 (h) Lock the room in which the early voting site is located.

7 (9) After the close of each subsequent day of early voting
8 after the first day of early voting, the board of election
9 inspectors shall follow the same procedure as provided in
10 subsection (8), except that on subsequent days the board of
11 election inspectors may either place the current day's ballots in
12 an unused ballot container and seal the ballots in the same manner
13 as ballots are sealed on election day or may add the current day's
14 ballots to a ballot container that was used for the previous day of
15 early voting. If the board of election inspectors elects to add the
16 current day's ballots to a ballot container that was used for the
17 previous day of early voting, the seal on the previous day's ballot
18 container must be removed, the current day's ballots and the seal
19 removed by the election inspectors must be added to the ballot
20 container, the ballot container must be resealed, and the new seal
21 number must be recorded on the ballot container certificate and in
22 the poll book. If a ballot container becomes too full to add
23 additional ballots, the election inspectors must use 1 or more
24 additional ballot containers and label the ballot container
25 certificates sequentially.

26 (10) During the required early voting period, the municipal
27 clerk or the early voting site supervisor, as appropriate, shall
28 take all necessary steps to secure the electronic voting equipment,
29 ballot containers, blank ballots, and other election materials

1 after the close of early voting each day until the opening of early
 2 voting on the following day, in accordance with guidance provided
 3 by the secretary of state. After the last day of early voting, the
 4 municipal clerk or the early voting site supervisor, as
 5 appropriate, shall deliver the electronic voting equipment, each
 6 ballot container, the blank ballots, and other election materials
 7 to the clerk who will oversee the closing of the election after the
 8 polls close on election day. No later than the Friday before
 9 election day, each municipal clerk shall post **either in a**
 10 **conspicuous place in the clerk's office or** on the municipality's
 11 website, **or post both in the clerk's office and on the**
 12 **municipality's website**, the location where the precinct canvass of
 13 early votes for that municipality will take place, ~~and the time the~~
 14 ~~precinct canvass will begin.~~ **if the location of the canvass is**
 15 **different from the location of the early voting site.**

16 (11) After the polls close on election day, the precinct
 17 election inspectors shall do all of the following:

18 (a) Canvass the vote as provided in sections 801 to 810.

19 (b) Generate the totals or summary tape and make results
 20 available to those present.

21 (c) Complete the statements of results, the ballot summary,
 22 and the certificate of election inspectors.

23 (d) If a ballot container is opened during the canvass, reseal
 24 the ballot container and record the seal number on the ballot
 25 container certificate and in the poll book.

26 (e) Use the write-in report produced by the tabulator or the
 27 write-in votes indicated on ballots to tally the early voting
 28 write-in votes.

29 (12) The county clerk shall report early voting results as a

1 separate category distinct from categories required under section
2 ~~765a(1)~~**798b(1)** and shall add these results to the total results
3 for each precinct, except for a municipality with 250 or more
4 precincts that chooses to use a ballot form that contains identical
5 offices and names as the precincts for early voting.

6 (13) If, during the county canvass of the votes, it is
7 necessary to retabulate ballots from a precinct, and any ballots
8 from that precinct are sealed in 1 or more ballot containers from
9 an early voting site that contain ballots from multiple precincts,
10 each necessary ballot container must be opened and the ballots
11 sorted by precinct so that the ballots needing to be retabulated
12 can be identified and segregated. The sorting must be done at the
13 canvass. Similarly, if there is a recount of a precinct and any
14 ballots from that precinct are sealed in 1 or more ballot
15 containers from an early voting site that contain ballots from
16 multiple precincts, each ballot container must be opened and the
17 ballots sorted by precinct as described in this subsection so that
18 the ballots subject to the recount can be identified and
19 segregated.

20 **(14) If a municipality crosses county lines and the**
21 **municipality is part of a county agreement under section 720g, the**
22 **county that provided early voting for that municipality shall**
23 **conduct the canvass, certify that county's portion of the canvass,**
24 **and transmit the results of the municipality's canvass to the**
25 **county that did not provide early voting. The county that did not**
26 **provide early voting shall certify its portion of the canvassed**
27 **results for the municipality.**

28 (15) ~~(14)~~—Early voting results must not be generated or
29 reported until after 8 p.m. on election day. An individual shall

1 not intentionally disclose an election result from an early voting
2 site before 8 p.m. on election day. An individual who violates this
3 subsection is guilty of a felony.

4 Sec. 759. (1) A registered elector may apply for an absent
5 voter ballot in any of the following ways:

6 (a) By a written request signed by the elector.

7 (b) On an absent voter ballot application form as provided for
8 in this section.

9 (c) On a federal postcard application.

10 (d) Using an online absent voter ballot application as
11 provided by the secretary of state.

12 (2) A registered elector may submit an absent voter ballot
13 application in any of the following ways:

14 (a) By mail or email to the clerk of the city or township in
15 which the elector resides.

16 (b) By using the online absent voter ballot application as
17 provided by the secretary of state.

18 (c) Until 4 p.m. on the day before election day, in person to
19 the clerk of the city or township in which the elector resides.

20 (d) On election day, in person until 8 p.m. to the clerk of
21 the city or township in which the elector resides, but only if the
22 elector is registering to vote or updating the elector's voter
23 registration address. An elector who submits an absent voter ballot
24 application under this subdivision must complete the elector's
25 absent voter ballot in the city or township clerk's office.

26 (3) An elector must sign the absent voter ballot application.
27 The digital image of an elector's signature from a Michigan driver
28 license or official Michigan personal identification card record,
29 or an electronic image of an elector's physical signature, is an

1 acceptable signature for the absent voter ballot application. An
2 absent voter ballot application that is submitted and missing a
3 signature is subject to the requirements of sections 761 and 766a.

4 (4) An absent voter ballot application ~~submitted before a~~
5 ~~primary election may be for either that primary election only, or~~
6 ~~for that primary election and for each election that follows the~~
7 ~~primary election in that year. An absent voter ballot application~~
8 ~~submitted before a presidential primary election may be for that~~
9 ~~presidential primary election only, or for that presidential~~
10 ~~primary election and for each election that follows the~~
11 ~~presidential primary election~~ **any election, certain elections, or**
12 **all elections** in that **calendar** year.

13 (5) A registered elector has the right to have an absent voter
14 ballot sent to that elector before each election by submitting a
15 single, signed absent voter ballot application that covers all
16 future elections. **If the absent voter ballot application described**
17 **in this subsection is created by the secretary of state or a city**
18 **or township clerk, that absent voter ballot application must be in**
19 **substantially the same form as the absent voter ballot application**
20 **provided in subsection (7).**

21 (6) An individual may submit a voter registration application
22 and an absent voter ballot application at the same time.
23 Immediately after the voter registration application for that
24 individual is approved, the clerk must verify the absent voter
25 ballot application and issue an absent voter ballot to that
26 individual as provided under section 761. An individual who submits
27 a voter registration application and an absent voter ballot
28 application at the same time and in person on the day of an
29 election must vote the absent voter ballot at the city or township

1 clerk's office.

2 (7) The clerk of a city or township shall have absent voter
3 ballot application forms available in the clerk's office at all
4 times. The clerk of a city or township shall provide an absent
5 voter ballot application form to an individual on a verbal or
6 written request and provide the application to the individual in
7 person, electronically, or by United States mail, postage prepaid
8 with a postage prepaid return envelope, as requested by the
9 individual. In addition, the secretary of state, or any county,
10 city, or township clerk, may provide an absent voter ballot
11 application to a registered elector in person, electronically, or
12 by United States mail, with prepaid return postage, without a
13 request from that registered elector. The absent voter ballot
14 application must be in substantially the following form:

15 "Application for absent voter ballot for:

16 [] The primary election to be held on _____
17 (Date).

18 [] The election to be held on _____ (Date).

19 [] All future elections. Automatically send me an absent
20 voter ballot for each election.

21 (Check applicable election or elections)

22 I, , am a United States
23 citizen and a registered elector of the township of or
24 of the city of , in the county
25 of and state of Michigan, and I
26 apply for an absent voter ballot to be voted by me at the election
27 or elections as requested in this application.

28 Send my absent voter ballot to me at the following address:

29

1 (Street No. or R.R. or Designated Address)
 2
 3 (Post Office) (State) (Zip Code)
 4 My registration address is
 5 (Street No. or R.R. or Participant
 6 Identification Number)
 7
 8 (Post Office) (State) (Zip Code)
 9 Telephone number:
 10 Email address:
 11 Date.....

12 I certify that I am a United States citizen and that
 13 the statements in this absent voter ballot application
 14 are true.

15
 16 (Signature)

17 WARNING

18 You must be a United States citizen to vote. If you are not a
 19 United States citizen, you will not be issued an absent voter
 20 ballot.

21 An individual making a false statement in this absent voter
 22 ballot application is guilty of a misdemeanor. It is a violation of
 23 Michigan election law for an individual other than those listed in
 24 the instructions to return, offer to return, agree to return, or
 25 solicit to return your absent voter ballot application to the
 26 clerk. An assistant authorized by the clerk who receives absent
 27 voter ballot applications at a location other than the clerk's
 28 office must have credentials signed by the clerk. Ask to see the
 29 individual's credentials before entrusting your application with an

1 individual claiming to have the clerk's authorization to return
2 your application.

3 Certificate of Authorized Registered
4 Elector Returning Absent Voter
5 Ballot Application

6 I certify that my name is and my address
7 is ; that I am delivering the absent voter
8 ballot application of at the applicant's
9 request; that I did not solicit or request to return the
10 application; that I have not made any markings on the application;
11 that I have not altered the application in any way; that I have not
12 influenced the applicant; and that I am aware that a false
13 statement in this certificate is a violation of Michigan election
14 law.

15 _____
16 (Date) (Signature)"

17 (8) The following instructions for an applicant for an absent
18 voter ballot must be included with each application furnished an
19 applicant:

20 INSTRUCTIONS FOR APPLICANTS FOR ABSENT VOTER BALLOTS

21 Step 1. After completely filling out the application, sign and
22 date the application in the place designated. Your signature must
23 appear on the application or you may not receive an absent voter
24 ballot.

25 Step 2. Deliver the application by 1 of the following methods:

26 (a) Place the application in the postage prepaid return
27 envelope provided by the clerk and addressed to the clerk, or place
28 the application in another envelope that is addressed to the
29 appropriate clerk and place the necessary postage on that return

1 envelope, and deposit the return envelope in the United States mail
2 or with another postal service, express mail service, parcel post
3 service, or common carrier.

4 (b) Deliver the application personally to the clerk's office,
5 to the clerk, or to an authorized assistant of the clerk.

6 (c) In either (a) or (b), a member of the immediate family of
7 the voter including a father-in-law, mother-in-law, brother-in-law,
8 sister-in-law, son-in-law, daughter-in-law, grandparent, or
9 grandchild or an individual residing in the elector's household may
10 mail or deliver the application to the clerk for the applicant.

11 (d) If an applicant cannot return the application in any of
12 the above methods, the applicant may select any registered elector
13 to return the application. The individual returning the application
14 must sign and return the certificate at the bottom of the
15 application.

16 (e) If the applicant applies using the online absent voter
17 ballot application as provided by the secretary of state, send the
18 application electronically through the qualified voter file to the
19 appropriate city or township clerk for processing.

20 (9) For a presidential primary election, the secretary of
21 state shall revise the absent voter ballot application form
22 described in subsection (7) to require that a presidential primary
23 elector indicate a political party ballot selection when requesting
24 an absent voter ballot and provide a separate form for a
25 presidential primary elector who has previously applied for an
26 absent voter ballot to indicate or change a political party ballot
27 selection.

28 (10) An elector may request delivery of the elector's absent
29 voter ballot to an address that is not the elector's registration

1 address. In addition, an elector may request delivery of the
2 elector's absent voter ballot to a post office box if the post
3 office box is where the absent voter normally receives personal
4 mail, and the elector does not receive mail at the elector's
5 registration address.

6 (11) An individual shall not be in possession of a signed
7 absent voter ballot application except for the applicant, a member
8 of the applicant's immediate family, an individual residing in the
9 applicant's household, an individual whose job normally includes
10 the handling of mail, but only during the course of the
11 individual's employment, a registered elector requested by the
12 applicant to return the application, or a clerk, assistant of the
13 clerk, or other authorized election official. A registered elector
14 who is requested by the applicant to return the applicant's absent
15 voter ballot application shall sign the certificate on the absent
16 voter ballot application.

17 (12) An individual who prints and distributes absent voter
18 ballot applications shall print on the application the warning,
19 certificate of authorized registered elector returning absent voter
20 ballot application, and instructions required by this section.

21 (13) An individual who makes a false statement in an absent
22 voter ballot application is guilty of a misdemeanor. An individual
23 who forges a signature on an absent voter ballot application is
24 guilty of a felony. An individual who is not authorized in this act
25 and who both distributes absent voter ballot applications to absent
26 voters and returns those absent voter ballot applications to a
27 clerk or assistant of the clerk is guilty of a misdemeanor.

28 (14) The absent voter ballot application of an elector who is
29 a program participant, as that term is defined in section 3 of the

1 address confidentiality program act, 2020 PA 301, MCL 780.853, is
2 confidential and not subject to disclosure under the freedom of
3 information act, 1976 PA 442, MCL 15.231 to 15.246.

4 (15) The secretary of state shall provide and maintain an
5 online absent voter ballot application that allows a qualified and
6 registered elector to request an absent voter ballot for an
7 election occurring in that elector's city or township. The online
8 absent voter ballot application must be in substantially the same
9 form as the absent voter ballot application provided under
10 subsection (7).

11 (16) The online absent voter ballot application provided and
12 maintained by the secretary of state under subsection (15) must
13 provide an opportunity for an elector to use the elector's stored
14 digital signature on file with the secretary of state on the online
15 absent voter ballot application. In order to allow an elector to
16 use the elector's stored digital signature, the online absent voter
17 ballot application must verify the elector's identity and
18 registration status by requesting the elector's name, complete
19 driver license or state personal identification card number, full
20 date of birth, last 4 digits of the elector's Social Security
21 number, and eye color. A registered elector whose stored digital
22 signature is on file with the secretary of state must sign the
23 online absent voter ballot application with that stored digital
24 signature. A registered elector without a stored digital signature
25 on file with the secretary of state may provide a manual digital
26 signature by uploading a photograph of the registered elector's
27 physical handwritten signature to the online absent voter ballot
28 application. A completed online absent voter ballot application,
29 including digital signature, must be sent electronically through

1 the qualified voter file to the appropriate city or township clerk
2 for processing. An online absent voter ballot application signed
3 using a stored digital signature or manual digital signature must
4 be processed and treated identically as an absent voter ballot
5 application signed with a physical handwritten signature. As used
6 in this subsection:

7 (a) "Manual digital signature" means a digitally captured
8 image of an elector's handwritten signature.

9 (b) "Stored digital signature" means the image of a registered
10 elector's signature captured by the department of state and
11 maintained in the department of state's motor vehicle database.

12 Sec. 759a. (1) An absent uniformed services voter or an
13 overseas voter who is not registered, but possessed the
14 qualifications of an elector under section 492, may apply for
15 registration by using the federal postcard application. The
16 department of state, bureau of elections, is responsible for
17 disseminating information on the procedures for registering and
18 voting to an absent uniformed services voter and an overseas voter.

19 (2) Upon the request of an absent uniformed services voter or
20 an overseas voter, the clerk of a county, city, or township shall
21 electronically transmit a blank voter registration application or
22 blank absent voter ballot application to the voter. The clerk of a
23 county, city, or township shall accept a completed voter
24 registration application or completed absent voter ballot
25 application electronically transmitted by an absent uniformed
26 services voter or overseas voter. A voter registration application
27 or absent voter ballot application submitted by an absent uniformed
28 services voter or overseas voter must contain the signature of the
29 voter.

1 (3) A spouse or dependent of an overseas voter who is a
2 citizen of the United States, is accompanying that overseas voter,
3 and is not a qualified and registered elector anywhere else in the
4 United States, may apply for an absent voter ballot even though the
5 spouse or dependent is not a qualified elector of a city or
6 township of this state.

7 (4) An absent uniformed services voter or an overseas voter,
8 whether or not registered to vote, may apply for an absent voter
9 ballot. Upon receipt of an application for an absent voter ballot
10 under this section that complies with this act, a county, city, or
11 township clerk shall forward to the applicant the absent voter
12 ballots requested, the forms necessary for registration, and
13 instructions for completing the forms. If the ballots are not yet
14 available at the time of receipt of the application, the clerk
15 shall immediately forward to the applicant the registration forms
16 and instructions, and forward the ballots as soon as they are
17 available. If a federal postcard application or an application from
18 the official United States Department of Defense website is filed,
19 the clerk shall accept the federal postcard application or the
20 application from the official United States Department of Defense
21 website as the registration application and shall not send any
22 additional registration forms to the applicant. Subject to
23 subsection ~~(18)~~, **(20)**, if the ballots and registration forms are
24 received before the close of the polls on election day and if the
25 registration complies with the requirements of this act, the absent
26 voter ballots must be delivered to the proper election board to be
27 tabulated. If the registration does not comply with the
28 requirements of this act, the clerk shall retain the absent voter
29 ballots until the expiration of the time that the voted ballots

1 must be kept and shall then destroy the ballots without opening the
2 envelope. The clerk may retain registration forms completed under
3 this section in a separate file. The address in this state shown on
4 a registration form is the residence of the registrant.

5 (5) Not later than 45 days before an election, a county, city,
6 or township clerk shall electronically transmit or mail as
7 appropriate an absent voter ballot to each absent uniformed
8 services voter or overseas voter who applied for an absent voter
9 ballot 45 days or more before the election.

10 (6) Upon the request of an absent uniformed services voter or
11 overseas voter, the clerk of a county, city, or township shall
12 electronically transmit an absent voter ballot to the voter. Except
13 as otherwise provided in this subsection, the voter shall print the
14 absent voter ballot and return the voted ballot by mail to the
15 appropriate clerk. Subject to subsection ~~(17)~~, **(19)**, beginning
16 September 1, 2025, a member of a uniformed service on active duty,
17 by reason of being on active duty, or a member of the merchant
18 marine, by reason of service in the merchant marine, who is absent
19 from the United States and does not expect to return to the
20 residence where the member is otherwise qualified to vote before an
21 election may electronically return a voted ballot to the
22 appropriate city or township clerk to be counted under the rules
23 promulgated by the secretary of state as set forth in subsection
24 ~~(17)~~. **(19)**.

25 (7) The secretary of state shall prescribe electronic absent
26 voter ballot formats and electronic absent voter ballot
27 transmission methods. Each county, city, or township clerk shall
28 employ the prescribed electronic ballot formats to fulfill an
29 absent voter ballot request received from an absent uniformed

1 services voter or overseas voter who wishes to receive an absent
2 voter ballot through an electronic transmission. The secretary of
3 state shall establish procedures to implement the requirements in
4 this section and for the processing of a marked absent voter ballot
5 returned by an absent uniformed services voter or overseas voter
6 who obtained an absent voter ballot through an electronic
7 transmission.

8 (8) The secretary of state shall modify the printed statement
9 provided under section 761(4) and the absent voter ballot
10 instructions provided under section 764a as appropriate to
11 accommodate the procedures developed for electronically
12 transmitting an absent voter ballot to an absent uniformed services
13 voter or overseas voter. A statement must be included in the
14 certificate signed by the absent voter who obtained an absent voter
15 ballot through an electronic transmission that the secrecy of the
16 absent voter ballot may be compromised during the duplication
17 process. The absent voter ballot instructions provided to an absent
18 uniformed services voter or overseas voter must include the proper
19 procedures for returning the absent voter ballot to the appropriate
20 clerk.

21 (9) The size of a precinct must not be determined by
22 registration forms completed under this section.

23 (10) ~~An~~ **Subject to subsection (11),** an absent uniformed
24 services voter or an overseas voter who submits an absent voter
25 ballot application is eligible to vote as an absent voter in any
26 local, state, or federal election occurring in the calendar year in
27 which the election is held for that ballot requested if the absent
28 voter ballot application is received by the county, city, or
29 township clerk not later than 2 p.m. of the Saturday before the

1 election. A village clerk receiving an absent voter ballot
2 application from an absent uniformed services voter or overseas
3 voter shall transmit to the township clerk and the school district
4 election coordinators, where applicable, the necessary information
5 to enable the city or township clerk and school district election
6 coordinators to forward an absent voter ballot for each applicable
7 election in that calendar year to the absent voter. If the local
8 elections official rejects a voter registration application or
9 absent voter ballot application submitted by an absent uniformed
10 services voter or overseas voter, the election official shall
11 notify the voter of the rejection.

12 **(11) Upon receipt of an absent voter ballot application for**
13 **all future elections from an absent uniformed services voter or an**
14 **overseas voter, that voter's city or township clerk shall place the**
15 **voter on the permanent mail ballot voter list. Annually, the**
16 **secretary of state shall send a notice electronically or to the**
17 **voter's mailing address in accordance with the method of**
18 **transmission requested by the absent uniformed services voter or**
19 **overseas voter on the absent voter ballot application to confirm**
20 **that the voter is an absent uniformed services voter or overseas**
21 **voter. The voter remains an absent uniformed services voter or**
22 **overseas voter and remains on the permanent mail ballot voter list**
23 **if any of the following occur:**

24 (a) The voter responds to the notice, confirms the voter's
25 status as an absent uniformed services voter or overseas voter, and
26 makes no change to the voter's address or method of transmission.

27 (b) The voter responds to the notice, confirms the voter's
28 status as an absent uniformed services voter or overseas voter, and
29 changes the voter's address or method of transmission.

1 (c) The notice is not returned as undeliverable.

2 (12) A voter is no longer considered an absent uniformed
3 services voter or overseas voter and must be removed from the
4 permanent mail ballot voter list if any of the following occur:

5 (a) The voter responds to the notice described in subsection
6 (11) and states that the voter is no longer an absent uniformed
7 services voter or overseas voter.

8 (b) The notice described in subsection (11) is returned as
9 undeliverable.

10 (c) The city or township clerk otherwise determines that the
11 voter is no longer an absent uniformed services voter or overseas
12 voter.

13 (13) ~~(11)~~—An email address provided by an absent uniformed
14 services voter or overseas voter for the purposes of this section
15 is confidential and exempt from disclosure under the freedom of
16 information act, 1976 PA 442, MCL 15.231 to 15.246.

17 (14) ~~(12)~~—Under the uniformed and overseas citizens absentee
18 voting act, the state director of elections shall approve a ballot
19 form and registration procedures for absent uniformed services
20 voters and overseas voters.

21 (15) ~~(13)~~—An absent uniformed services voter or an overseas
22 voter may use the federal write-in absentee ballot, in accordance
23 with the provisions of the uniformed and overseas citizens absentee
24 voting act, at a regular election or special election to vote for a
25 local, state, or federal office or on a ballot question. Except as
26 otherwise provided in this subsection, an absent uniformed services
27 voter or an overseas voter who uses the federal write-in absentee
28 ballot shall return the voter's voted federal write-in absentee
29 ballot by mail to the appropriate clerk. Subject to subsection

1 ~~(17)~~, **(19)**, beginning September 1, 2025, a member of a uniformed
2 service on active duty, by reason of being on active duty, or a
3 member of the merchant marine, by reason of service in the merchant
4 marine, who is absent from the United States and does not expect to
5 return to the residence where the member is otherwise qualified to
6 vote before an election may electronically return a voted ballot to
7 the appropriate city or township clerk to be counted under the
8 rules promulgated by the secretary of state as set forth in
9 subsection ~~(17)~~. **(19)**. The state bureau of elections shall do both
10 of the following:

11 (a) Make the ballot format for each election available to
12 absent uniformed services voters and overseas voters by email or on
13 an internet website maintained by the department of state.

14 (b) Make the ballot information, including the offices, names
15 of candidates, and ballot proposals, for each election available to
16 absent uniformed services voters and overseas voters on an internet
17 website maintained by the department of state.

18 **(16)** ~~(14)~~—The clerk of a city or township shall submit to the
19 county clerk of the county in which that city or township is
20 located a written statement no later than 45 days before each
21 election indicating whether absent voter ballots were issued to
22 absent uniformed services voters or overseas voters in compliance
23 with this section and the uniformed and overseas citizens absentee
24 voting act. The city or township clerk shall provide to the county
25 clerk a written explanation describing remedial actions taken by
26 the city or township clerk if the city or township clerk fails to
27 comply with this section and the uniformed and overseas citizens
28 absentee voting act. Not later than 42 days before each election,
29 each county clerk shall submit to the state bureau of elections a

1 written report compiled from the written statements submitted by
2 the city and township clerks. The written report must identify the
3 cities and townships that complied with the 45-day deadline under
4 this subsection, the cities and townships that did not comply with
5 the 45-day deadline under this subsection, but provided a written
6 explanation, and those cities and townships that did not comply
7 with the 45-day deadline under this subsection and that did not
8 provide a written explanation. The state bureau of elections may
9 require the clerk of a city or township that did not comply with
10 the 45-day deadline under this subsection, but provided a written
11 explanation, to provide additional information. The state bureau of
12 elections shall require the clerk of a city or township that did
13 not comply with the 45-day deadline and that did not provide a
14 written explanation to file a written explanation, describing the
15 remedial actions taken by the city or township clerk, within 1
16 business day after the state bureau of elections notifies the clerk
17 of that city or township.

18 (17) ~~(15)~~—For a presidential primary election, the secretary
19 of state shall prescribe procedures for contacting an elector who
20 is an absent uniformed services voter or an overseas voter, as
21 described in this section, and who is eligible to receive an absent
22 voter ballot or who applies for an absent voter ballot for the
23 presidential primary election, offering the elector the opportunity
24 to select a political party ballot for the presidential primary
25 election.

26 (18) ~~(16)~~—The secretary of state shall order a city or
27 township clerk to extend the ballot receipt deadline for any absent
28 voter ballots under this section that were not transmitted to an
29 absent uniformed services voter or overseas voter in compliance

1 with subsection (5). The extension must equal the total number of
2 days beyond the deadline as provided in subsection (5) that the
3 city or township clerk transmitted the requested absent voter
4 ballots. These absent voter ballots received during the extension
5 time must be counted and tabulated for the final results of the
6 election provided that the absent voter ballots are executed and
7 sent by the close of the polls on election day. The election may be
8 formally certified before the end of the extension time if the
9 number of outstanding absent voter ballots under this subsection
10 will not alter the outcome of the election.

11 **(19)** ~~(17)~~—The secretary of state shall promulgate rules that
12 establish policies and procedures for the electronic return of
13 voted ballots by eligible members. In promulgating rules that
14 establish the policies and procedures for the electronic return of
15 voted ballots by eligible members, the secretary of state shall
16 require an eligible member to use a United States Department of
17 Defense verified electronic signature, as that term is defined in
18 section 18a, so that the identity of the eligible member can be
19 verified utilizing those policies and procedures. A member who is
20 unable or unwilling to provide a United States Department of
21 Defense verified electronic signature is not eligible to
22 electronically return a voted ballot. The secretary of state shall
23 take reasonable steps to ensure the integrity and secrecy of voted
24 ballots returned electronically. The secretary of state may develop
25 and maintain a secure web portal on the secretary of state's
26 website to facilitate the electronic return of voted ballots by
27 eligible members. Only the secretary of state or the secretary of
28 state's duly authorized agent, a city or township clerk, the
29 clerk's deputy clerk, or a sworn member of the clerk's staff is

1 authorized to access the secure web portal on the secretary of
2 state's website. No later than September 1, 2025, the secretary of
3 state shall promulgate rules pursuant to the administrative
4 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, to
5 implement this subsection. As used in this subsection, "eligible
6 member" means a member of a uniformed service on active duty or a
7 member of the merchant marine, as described in subsection (6) or
8 ~~(13)~~. **(15)**.

9 **(20)** ~~(18)~~—If the absent voter ballot return envelope
10 containing a marked absent voter ballot for an absent uniformed
11 services voter or overseas voter is postmarked on or before
12 election day and the absent voter ballot is received by mail by the
13 city or township clerk within 6 days after the election, the city
14 or township clerk shall consider that absent voter ballot timely
15 received. If the absent voter ballot return envelope containing a
16 marked absent voter ballot for an absent uniformed services voter
17 or overseas voter is received by mail by the city or township clerk
18 within 6 days after the election and the postmark on the absent
19 voter ballot return envelope is missing or unclear, the city or
20 township clerk shall deliver that absent voter ballot return
21 envelope to the clerk of the county in which the city or township
22 is located as provided in this subsection and that county clerk
23 shall determine whether that absent voter ballot was timely
24 received. Not later than the seventh day after election day, each
25 city or township clerk shall, without opening the absent voter
26 ballot return envelopes, deliver the absent voter ballots received
27 within 6 days after the election as provided under this subsection
28 to the clerk of the county in which the city or township is
29 located. If the postmark on the absent voter ballot return envelope

1 is missing or unclear, and if the county clerk determines that the
2 absent voter ballot return envelope or the voter certificate inside
3 the absent voter ballot return envelope is dated on or before
4 election day by the absent uniformed services voter or overseas
5 voter, the county clerk shall consider that absent voter ballot as
6 timely received. The absent voter ballots considered timely
7 received as provided under this subsection shall be tabulated by
8 the county clerk in a meeting of the board of county canvassers. As
9 used in this subsection, "postmark" means any type of mark applied
10 by the United States Postal Service or any delivery service to the
11 absent voter ballot return envelope, including, but not limited to,
12 a bar code or any tracking marks that indicate when a ballot was
13 mailed.

14 (21) ~~(19)~~ As used in this section:

15 (a) "Absent uniformed services voter" means any of the
16 following:

17 (i) A member of a uniformed service on active duty who, by
18 reason of being on active duty, is absent from the place of
19 residence where the member is otherwise qualified to vote.

20 (ii) A member of the merchant marine who, by reason of service
21 in the merchant marine, is absent from the place of residence where
22 the member is otherwise qualified to vote.

23 (iii) A spouse or dependent of a member referred to in
24 subparagraph (i) or (ii) who, by reason of the active duty or service
25 of the member, is absent from the place of residence where the
26 spouse or dependent is otherwise qualified to vote.

27 (b) "Member of the merchant marine" means an individual, other
28 than a member of a uniformed service or an individual employed,
29 enrolled, or maintained on the Great Lakes or the inland waterways,

1 who is either of the following:

2 (i) Employed as an officer or crew member of a vessel
3 documented under the laws of the United States, a vessel owned by
4 the United States, or a vessel of foreign-flag registry under
5 charter to or control of the United States.

6 (ii) Enrolled with the United States for employment or training
7 for employment, or maintained by the United States for emergency
8 relief service, as an officer or crew member of a vessel documented
9 under the laws of the United States, a vessel owned by the United
10 States, or a vessel of foreign-flag registry under charter to or
11 control of the United States.

12 (c) "Overseas voter" means any of the following:

13 (i) An absent uniformed services voter who, by reason of active
14 duty or service, is absent from the United States on the date of an
15 election.

16 (ii) An individual who resides outside of the United States and
17 is qualified to vote in the last place in which the individual was
18 domiciled before leaving the United States.

19 (iii) An individual who resides outside of the United States and
20 who, but for such residence outside of the United States, would be
21 qualified to vote in the last place in which the individual was
22 domiciled before leaving the United States.

23 (d) "Uniformed services" means the Army, Navy, Air Force,
24 Marine Corps, Space Force, or Coast Guard, the Commissioned Corps
25 of the Public Health Service, the Commissioned Corps of the
26 National Oceanic and Atmospheric Administration, a reserve
27 component of a uniformed service, or the Michigan National Guard as
28 that term is defined in section 105 of the Michigan military act,
29 1967 PA 150, MCL 32.505.

1 Sec. 759e. (1) Each city and township clerk shall determine
2 who that clerk's permanent mail ballot voters are and shall
3 maintain and track those permanent mail ballot voters through the
4 qualified voter file. Any registered elector may become a permanent
5 mail ballot voter. **An absent uniformed services voter or overseas**
6 **voter who submits an absent voter ballot application for all future**
7 **elections is a permanent mail ballot voter until that voter is**
8 **removed from the permanent mail ballot voter list as provided under**
9 **section 759a(12).** A permanent mail ballot voter must be issued an
10 absent voter ballot for every election. Each city and township
11 clerk shall also issue an absent voter ballot application to any
12 elector who requests an absent voter ballot application.

13 (2) Once an elector's absent voter ballot application for all
14 future elections has been verified, the elector becomes a permanent
15 mail ballot voter and the elector must be sent an absent voter
16 ballot before each election unless the application is rescinded.

17 (3) An absent voter ballot application for all future
18 elections can be rescinded only for any of the following reasons:

19 (a) The permanent mail ballot voter submits a signed request
20 to rescind the voter's application to receive an absent voter
21 ballot by mail for all future elections.

22 (b) The permanent mail ballot voter is no longer qualified to
23 vote in this state.

24 (c) The secretary of state or the appropriate city or township
25 clerk receives reliable information that the permanent mail ballot
26 voter has moved the voter's residence to another state, or has
27 moved the voter's residence within this state without updating the
28 voter's registration address.

29 (d) The permanent mail ballot voter does not vote for 6

1 consecutive years.

2 (4) The secretary of state or the appropriate city or township
3 clerk shall rescind the absent voter ballot application for all
4 future elections for a permanent mail ballot voter if the secretary
5 of state or the appropriate city or township clerk receives
6 reliable information that the permanent mail ballot voter meets 1
7 or more of the reasons described in subsection (3).

8 (5) If an absent voter ballot application for all future
9 elections is rescinded under subsection (3)(d), the city or
10 township clerk shall send the elector a notice informing the
11 elector that the elector's absent voter ballot application for all
12 future elections has been rescinded because the elector did not
13 vote for 6 consecutive years.

14 (6) A permanent mail ballot voter who changes the voter's
15 residence in this state and updates the voter's registration
16 address, or who has the voter's registration address updated,
17 continues to be a permanent mail ballot voter and the voter's
18 absent voter ballot must be sent to the voter's current
19 registration address until another address is designated by the
20 permanent mail ballot voter.

21 Sec. 761d. (1) Each city or township must have at least 1
22 absent voter ballot drop box that registered electors in the city
23 or township may use to return completed absent voter ballot
24 applications and voted absent voter ballots. If a city or township
25 has more than 15,000 registered electors, that city or township
26 must have at least 1 absent voter ballot drop box for every 15,000
27 registered electors in the city or township. In determining the
28 number of registered electors in a city or township under this
29 subsection, the city or township must use the number of registered

1 electors that are in the city or township 150 days before the date
2 of the election at which the absent voter ballot drop boxes are to
3 be used.

4 (2) The secretary of state shall facilitate the procurement
5 and distribution of absent voter ballot drop boxes that can be used
6 by a city or township to meet the requirements under subsection
7 (1). If the clerk of a city or township applies to the secretary of
8 state for 1 or more absent voter ballot drop boxes to meet the
9 requirements under subsection (1), the secretary of state shall
10 facilitate the procurement and distribution of the absent voter
11 ballot drop boxes at no cost to the clerk of that city or township.
12 The secretary of state bears the cost of delivery, installation,
13 repair, and video monitoring for each absent voter ballot drop box
14 provided under this subsection to ensure that each absent voter
15 ballot drop box meets the requirements of this section. The
16 secretary of state shall issue instructions regarding the
17 application process for city or township clerks to apply for absent
18 voter ballot drop boxes under this subsection and for the payment
19 or reimbursement of the associated costs specified in this
20 subsection. As used in this subsection, "video monitoring" does not
21 include video data storage.

22 (3) This section does not preclude a city or township from
23 having more than the minimum number of absent voter ballot drop
24 boxes required under subsection (1). Any additional absent voter
25 ballot drop boxes used by a city or township that are beyond the
26 number of absent voter ballot drop boxes required under subsection
27 (1) must conform to the requirements as provided in this section.

28 (4) The clerk of each city or township shall ensure that
29 absent voter ballot drop boxes are distributed equitably throughout

1 the city or township. In determining the location for an absent
 2 voter ballot drop box in the city or township, the clerk of the
 3 city or township must, at a minimum, consider all of the following:

- 4 (a) Population density and distribution.
- 5 (b) Proximity to public transportation and parking.
- 6 (c) Accessibility, including for electors with disabilities.
- 7 (d) Any other factors the clerk considers relevant.

8 (5) ~~Each~~ **No later than 75 days before an election, each city**
 9 **or township shall establish the absent voter ballot drop box**
 10 **locations in that city or township. In addition, no later than 75**
 11 **days before an election, each** city or township clerk shall ensure
 12 that the secretary of state has the information necessary to
 13 include on the department of state's website the location of each
 14 absent voter ballot drop box in that city or township to enable an
 15 elector to determine the location of each absent voter ballot drop
 16 box in that elector's city or township.

17 (6) An absent voter ballot drop box must meet all of the
 18 following requirements:

19 (a) Be clearly labeled as an absent voter ballot drop box that
 20 can be used to return completed absent voter ballot applications
 21 and voted absent voter ballots.

22 (b) Be securely locked, be affixed to the ground or to another
 23 stationary object, and be designed to prevent the removal of absent
 24 voter ballot applications and absent voter ballots when locked.

25 (c) Be accessible 24 hours each day during the 40 days before
 26 election day, and be accessible until 8 p.m. on election day.

27 (d) Be equipped with a slot or mailbox-style lever to allow
 28 absent voter ballot applications and absent voter ballot return
 29 envelopes to be placed in the absent voter ballot drop box, and all

1 other openings on the absent voter ballot drop box must be securely
2 locked.

3 (e) Be located in a publicly accessible, well-lit area with
4 good visibility.

5 (7) Except as otherwise provided in this subsection, for an
6 absent voter ballot drop box that was not ordered or installed in a
7 city or township before October 1, 2020, the city or township clerk
8 must use video monitoring of that absent voter ballot drop box
9 during the 75 days before each election and on election day to
10 ensure effective monitoring of that absent voter ballot drop box.
11 Beginning January 1, 2026, regardless of when an absent voter drop
12 box was ordered or installed, the city or township clerk must use
13 video monitoring of each absent voter drop box during the 75 days
14 before each election and on election day to ensure effective
15 monitoring of each absent voter ballot drop box in the city or
16 township.

17 (8) The city or township clerk must immediately report to
18 local law enforcement any vandalism involving the absent voter
19 ballot drop box or any suspicious activity occurring in the
20 immediate vicinity of the absent voter ballot drop box.

21 (9) Only a city or township clerk, the clerk's deputy clerk,
22 or a sworn member of the clerk's staff is authorized to collect
23 absent voter ballot applications and absent voter ballots from an
24 absent voter ballot drop box.

25 (10) Seventy-five days before each election and until election
26 day, an individual who is authorized under subsection (9) must
27 regularly inspect each absent voter ballot drop box used in that
28 city or township to confirm that the absent voter ballot drop box
29 complies with all of the requirements under this section.

1 (11) Beginning 35 days before each election and until election
2 day, an individual who is authorized under subsection (9) must
3 collect, on any day in which the city or township clerk's office is
4 open for business, the election materials deposited in an absent
5 voter ballot drop box located in the city or township.

6 (12) When an individual who is authorized under subsection (9)
7 collects absent voter ballot applications and absent voter ballot
8 return envelopes from an absent voter ballot drop box, that
9 individual must, unless traveling from 1 absent voter ballot drop
10 box to another absent voter ballot drop box, immediately return
11 those collected absent voter ballot applications and absent voter
12 ballot return envelopes to the city or township clerk's office.

13 (13) All absent voter ballot return envelopes collected from
14 an absent voter ballot drop box must be transported in a ballot
15 container approved under section 24j.

16 (14) Except for an absent voter ballot drop box that is
17 located on the grounds of a city or township clerk's office, or in
18 an official satellite office of the city or township clerk that is
19 staffed by employees of the city or township clerk, the city or
20 township clerk must document each time absent voter ballot
21 applications and absent voter ballot return envelopes are collected
22 from an absent voter ballot drop box in that city or township. The
23 documentation required under this subsection must be preserved and
24 maintained by the city or township clerk for not less than 22
25 months following the election for which the absent voter ballot
26 applications and absent voter ballot return envelopes were
27 collected and must include all of the following:

28 (a) The date the absent voter ballot applications and absent
29 voter ballot return envelopes were collected from the absent voter

1 ballot drop box.

2 (b) The name of the individual who collected the absent voter
3 ballot applications and absent voter ballot return envelopes from
4 the absent voter ballot drop box.

5 (c) The location in the city or township of the absent voter
6 ballot drop box.

7 Sec. 764c. (1) The secretary of state shall establish,
8 acquire, or approve an electronic tracking system that allows each
9 elector who applies to vote by absent voter ballot at an election
10 to track, on a website or mobile application, that elector's absent
11 voter ballot application and absent voter ballot.

12 (2) For each elector who votes by absent voter ballot at an
13 election, the electronic tracking system described in subsection
14 (1) must indicate all of the following:

15 (a) The date the elector's city or township clerk received the
16 elector's absent voter ballot application.

17 (b) If the elector's absent voter ballot application was
18 accepted, the date of the acceptance, and if the elector's absent
19 voter ballot application was rejected, all of the following:

20 (i) A brief statement of the reason for the rejection.

21 (ii) Instructions for curing the issue with the elector's
22 absent voter ballot application, along with the deadline for curing
23 the issue with the elector's absent voter ballot application.

24 (iii) If the issue with the elector's absent voter ballot
25 application is cured by the elector and the absent voter ballot
26 application is accepted by the elector's city or township clerk, an
27 update that the elector's absent voter ballot application was
28 accepted and the date of the acceptance.

29 (c) The date the elector's city or township clerk mailed or

1 delivered the absent voter ballot to the elector, or for an absent
2 uniformed services voter or overseas voter under section 759a, the
3 date the absent uniformed services voter's or overseas voter's city
4 or township clerk mailed or electronically transmitted the absent
5 voter ballot to the absent uniformed services voter or overseas
6 voter.

7 (d) If the elector's absent voter ballot was returned to the
8 city or township as undeliverable.

9 (e) The date the elector's city or township clerk received the
10 elector's absent voter ballot return envelope, or for an eligible
11 member, as that term is defined under section ~~759a(17)~~, **759a(19)**,
12 who returns the absent voter ballot electronically, the date the
13 eligible member's absent voter ballot is electronically received.

14 (f) If the elector's absent voter ballot return envelope was
15 accepted, the date of the acceptance, and if the elector's absent
16 voter ballot return envelope was rejected, all of the following:

17 (i) A brief statement of the reason for the rejection.

18 (ii) Instructions for curing the issue with the elector's
19 absent voter ballot return envelope, along with the deadline for
20 curing the issue with the elector's absent voter ballot return
21 envelope.

22 (iii) If the issue with the elector's absent voter ballot return
23 envelope is cured by the elector and the absent voter ballot return
24 envelope is accepted by the elector's city or township clerk, an
25 update that the elector's absent voter ballot return envelope was
26 accepted and the date of the acceptance, and a statement that the
27 elector's absent voter ballot is eligible to be tabulated.

28 (3) An elector must be permitted to opt in to receive
29 notifications from the electronic tracking system by email, text

1 message, or both email and text message. If an elector opts in
2 under this subsection, each time any of the events described in
3 subsection (2) occurs regarding that elector's absent voter ballot
4 application, absent voter ballot return envelope, or absent voter
5 ballot, the electronic tracking system must immediately notify that
6 elector of the event by email, text message, or both email and text
7 message, as requested by that elector.

8 (4) An email address or telephone number provided by an
9 elector in order to receive notifications from the electronic
10 tracking system must be used only by authorized individuals who
11 have access to the qualified voter file or by individuals
12 authorized by the secretary of state to maintain the electronic
13 tracking system, and is confidential and exempt from disclosure
14 under the freedom of information act, 1976 PA 442, MCL 15.231 to
15 15.246.

16 Sec. 765a. (1) Subject to section 764d, if a city or township
17 **clerk** decides to use absent voter counting boards, the board of
18 election commissioners of that city or township shall establish an
19 absent voter counting board for each election day precinct in that
20 city or township. The ballot form of an absent voter counting board
21 must correspond to the ballot form of the election day precinct for
22 which it is established. A city or township with 250 or more
23 precincts may establish at least 1 absent voter counting board for
24 each ballot form containing identical offices and candidate names,
25 and that is considered a separate precinct for purposes of this
26 section. After the polls close on election day, the county, city,
27 or township clerk responsible for producing the accumulation report
28 of the election results shall format the accumulation report as
29 required under section 798b.

1 (2) Subject to section 764d, the board of election
2 commissioners shall appoint the election inspectors to absent voter
3 counting boards not less than 21 days before the election at which
4 the absent voter counting boards are to be used. Sections 673a and
5 674 apply to the appointment of election inspectors to absent voter
6 counting boards under this section.

7 (3) If more than 1 absent voter counting board is to be used,
8 the city or township clerk shall determine the number of electronic
9 tabulators and the number of election inspectors to be used in each
10 of the absent voter counting boards and to which absent voter
11 counting board the absent voter ballots for each precinct are
12 assigned for counting.

13 (4) In a city or township that uses absent voter counting
14 boards under this section, the absent voter ballots must be counted
15 in the manner provided in this section and, except as otherwise
16 provided in section 764d, absent voter ballots must not be
17 delivered to the polling places. Subject to section 764d, the board
18 of election commissioners shall provide a place for each absent
19 voter counting board to count the absent voter ballots. Section 662
20 applies to the designation of the absent voter counting place or
21 places in which the absent voter ballots will be processed and
22 tabulated by election inspectors assigned to the absent voter
23 counting boards under this section, except the location may be in a
24 different jurisdiction if the county provides a tabulator for use
25 at a central absent voter counting board location in that county.
26 The places must be designated as absent voter counting places.
27 Except as otherwise provided in this section, laws relating to
28 election day precincts, including laws relating to the appointment
29 of election inspectors, apply to absent voter counting places. The

1 provisions of this section relating to tabulating absent voter
2 ballots by electronic voting systems apply. High-speed tabulators
3 and software to support those high-speed tabulators, as a component
4 of an electronic voting system approved by the board of state
5 canvassers for use in this state, may be used to tabulate absent
6 voter ballots in an absent voter counting board. There is no limit
7 on the number of absent voter counting boards that may be assigned
8 to 1 building.

9 (5) The clerk of a city or township that uses absent voter
10 counting boards shall supply each absent voter counting board with
11 supplies necessary to carry out the absent voter counting board's
12 duties under this act. The supplies must be furnished to the city
13 or township clerk in the same manner and by the same persons or
14 agencies as for election day precincts.

15 (6) Except as otherwise provided in this section, the absent
16 voter counting boards and combined absent voter counting boards
17 shall process the ballots and returns in ~~as nearly as possible the~~
18 ~~same~~ **a similar** manner as ballots are processed in election day
19 precincts. The poll book may be combined with the absent voter list
20 or record required by section 760, and the applications for absent
21 voter ballots may be used as the poll list. Subject to subsection
22 (11), the processing and tabulating of absent voter ballots must
23 commence at the time set by the board of election commissioners,
24 but no earlier than 7 a.m. on the day of the election.

25 (7) An election inspector, challenger, or any other individual
26 in attendance at an absent voter counting place or combined absent
27 voter counting place at any time after the processing of ballots
28 has begun shall take and sign the following oath that may be
29 administered by the clerk, a member of the clerk's staff, or the

1 chairperson or a member of the absent voter counting board or
2 combined absent voter counting board:

3 "I (name of individual taking oath) do solemnly swear (or
4 affirm) that I shall not communicate in any way information
5 relative to any ballots or the tabulation of votes that may come to
6 me while in this counting place until after the polls are closed.
7 Further, I shall not photograph, or audio or video record, within
8 the counting place, except for posted election results."

9 (8) The oaths administered under subsection (7) must be placed
10 in an envelope provided for the purpose and sealed with the red
11 state seal. Following the election, the oaths must be delivered to
12 the city or township clerk. Subject to this subsection, the clerk
13 of a city or township may allow the election inspectors appointed
14 to an absent voter counting board in that city or township to work
15 in shifts. A second or subsequent shift of election inspectors
16 appointed for an absent voter counting board may begin that shift
17 at the time provided by the city or township clerk. If the election
18 inspectors appointed to an absent voter counting board are
19 authorized to work in shifts, at no time shall the absent voter
20 ballots be left unattended during the transition from one shift to
21 the next shift, or at any other time during the day after ballots
22 are removed from the absent voter ballot return envelopes and
23 before the absent voter ballots are sealed in the ballot container.
24 At all times while absent voter ballots are being processed and
25 tabulated, at least 1 election inspector from each major political
26 party must be present at the absent voter counting place and the
27 policies and procedures adopted by the secretary of state regarding
28 the counting of absent voter ballots must be followed.

29 (9) An individual who causes the polls to be closed or who

1 discloses an election result before the polls can be legally closed
2 on election day or in any manner characterizes how any ballot being
3 counted has been marked is guilty of a felony.

4 (10) Tabulated absent voter ballots must be placed in an
5 approved ballot container, and the ballot container must be sealed
6 after all the ballots are tabulated in the manner provided by this
7 act for election day precincts. The seal numbers must be recorded
8 on the statement sheet, on the ballot container certificate, and in
9 the poll book or addendum to the poll book.

10 (11) The board of election commissioners of a city or township
11 with a population of at least 5,000, or a board of county election
12 commissioners as provided under section 764d, may authorize that
13 absent voter counting boards be established under subsection (1) to
14 process and tabulate absent voter ballots between the hours of 7
15 a.m. and 8 p.m. on any of the 8 days before election day, beginning
16 on the second Monday before election day and ending on the Monday
17 immediately before election day. The board of election
18 commissioners of any city or township, regardless of population
19 size, may authorize and establish an absent voter counting board to
20 process and tabulate absent voter ballots between the hours of 7
21 a.m. and 8 p.m. on the Monday immediately before election day.

22 (12) In order to participate in the processing and tabulation
23 of absent voter ballots before election day under subsection (11),
24 the clerk of a county, city, or township shall submit a written
25 notice to the secretary of state no later than 28 days before
26 election day stating the clerk's intent to participate in the
27 processing and tabulation of absent voter ballots before election
28 day. No later than 20 days before an election, the secretary of
29 state shall publish on the department of state's website a list of

1 those cities and townships that have notified the secretary of
2 state of an intent to process and tabulate absent voter ballots
3 before election day. No later than 18 days before an election, a
4 clerk who notified the secretary of state of the clerk's intent to
5 process and tabulate absent voter ballots before election day must
6 post **in a conspicuous place in the clerk's office, and** on the
7 website of the city or township, if available, ~~and in the clerk's~~
8 ~~office,~~ a notice providing the location of the absent voter
9 counting place, the dates and hours of operation of the absent
10 voter counting place, and the number of election inspectors who
11 will process and tabulate absent voter ballots at the absent voter
12 counting place. If the location, dates, hours, or number of
13 election inspectors changes, the clerk must publicly post a revised
14 notice as soon as possible, but no later than the eleventh day
15 before an election, **in a conspicuous place in the clerk's office,**
16 **and** on the website of the city or township, if available. ~~, and in~~
17 ~~the clerk's office.~~ A revised notice must include the updated
18 location, dates, hours, and number of election inspectors. If the
19 clerk changes the number of election inspectors on subsequent days
20 after processing and tabulating begins, the clerk shall post the
21 updated number of election inspectors **in a conspicuous place in the**
22 **clerk's office, and** on the website of the city or township, if
23 available, ~~and in the clerk's office,~~ no later than 10 a.m. on the
24 day before the changes occur. If a city or township clerk fails to
25 post a notice by 10 a.m. on the day before a change reducing the
26 number election inspectors occurs, the clerk shall allow the number
27 of challengers to remain at the same level even though the
28 reduction in the number of election inspectors may have reduced the
29 number of allowed challengers.

1 (13) For each day of processing and tabulation of absent voter
2 ballots before election day, a participating city or township clerk
3 shall deliver the absent voter ballots approved for tabulation to
4 an absent voter counting board. The instructions and procedures
5 adopted by the secretary of state regarding the processing and
6 tabulating of absent voter ballots before election day must be
7 followed. Absent voter ballots must be processed and tabulated in
8 the same manner and under the same requirements as absent voter
9 ballots are processed and tabulated on election day. Election
10 results must not be generated, printed, or reported before 8 p.m.
11 on election day.

12 (14) During the processing and tabulation of absent voter
13 ballots before election day, each political party, and each
14 incorporated **nonprofit** organization or organized committee of
15 interested citizens as described under sections 730 and 731, may
16 designate 1 challenger for every 8 election inspectors serving at
17 the absent voter counting place. If there are 7 or fewer election
18 inspectors serving at an absent voter counting place, each
19 political party, and each incorporated **nonprofit** organization or
20 organized committee of interested citizens as designated under
21 sections 730 and 731, may designate 1 challenger.

22 (15) During the processing and tabulation of absent voter
23 ballots before election day, the election inspectors shall secure
24 tabulated ballots in a sealed ballot container consistent with
25 subsection (10) at the end of each day. Tabulated ballots may be
26 added to a ballot container used on a previous day or may be placed
27 in an unused ballot container. The election inspectors shall
28 complete the poll book ballot summary at the conclusion of each day
29 to account for absent voter ballot return envelopes and absent

1 voter ballots processed and tabulated on that day. The poll book,
2 or an addendum to the poll book, must be signed and dated by 1
3 election inspector from each major political party who is present
4 at the location after tabulation is completed each day. The city or
5 township clerk shall post the number of absent voter ballots
6 tabulated each day **in a conspicuous place in the clerk's office,**
7 **and** on the website of that city or township, if available. ~~and in~~
8 ~~the clerk's office.~~

9 (16) A clerk shall not deliver any absent voter ballots
10 received on a day early voting is being conducted to an absent
11 voter counting board to be processed or tabulated until the
12 following day. An absent voter ballot may be processed and
13 tabulated only after receipt of the absent voter ballot appears on
14 the registration list or an addendum to the registration list in an
15 early voting site and the voter history of electors casting an
16 early voting ballot on the previous day is recorded in the
17 qualified voter file. An absent voter ballot must be canceled if
18 the absent voter cast a ballot at an early voting site.

19 (17) The secretary of state shall develop instructions
20 consistent with this act for the conduct of absent voter counting
21 boards or combined absent voter counting boards. The secretary of
22 state shall distribute the instructions developed under this
23 subsection to county, city, and township clerks 40 days or more
24 before a general election in which absent voter counting boards or
25 combined absent voter counting boards will be used. A county, city,
26 or township clerk shall make the instructions developed under this
27 subsection available to the public and shall make the instructions
28 available for inspection by challengers in attendance at an absent
29 voter counting board or combined absent voter counting board. The

1 instructions developed under this subsection are binding on the
2 operation of an absent voter counting board or combined absent
3 voter counting board used in an election conducted by a county,
4 city, or township.

5 (18) Except as otherwise provided in this subsection, an
6 individual shall not photograph, or audio or video record, within
7 an absent voter counting place. A county, city, or township clerk,
8 or an assistant of that clerk, shall expel an individual from the
9 absent voter counting place if that individual violates this
10 subsection. This subsection does not apply to any of the following:

11 (a) An individual who photographs, or audio or video records,
12 posted election results within an absent voter counting place.

13 (b) A county, city, or township clerk, or an employee,
14 assistant, or consultant of that clerk, if the photographing, or
15 audio or video recording, is done in the performance of that
16 individual's official duties.

17 (c) If authorized by an individual in charge of an absent
18 voter counting place, the news media that take wide-angled
19 photographs or video from a distance that does not disclose the
20 face of any marked ballot.

21 (19) An individual shall not photograph or video record a
22 ballot or any other election records, other than posted election
23 results, in an absent voter counting place. An individual who
24 violates this subsection is guilty of a misdemeanor.

25 Sec. 768. The board of election inspectors shall verify that
26 there is an elector's signature on the absent voter ballot return
27 envelope and that the statement on the absent voter ballot return
28 envelope that the ballot is approved for tabulation is complete. If
29 the elector's signature is missing or the statement that the absent

1 voter ballot is approved for tabulation is incomplete, the board of
 2 election inspectors must immediately contact the city or township
 3 clerk. If the elector's signature is present and the statement that
 4 the absent voter ballot is approved for tabulation is complete, the
 5 board of election inspectors shall open the absent voter ballot
 6 return envelope, take out the ballot, and, without unfolding the
 7 ballot, compare the ballot number on the ballot stub with the
 8 ballot number on the face of the absent voter ballot return
 9 envelope **or with the ballot number recorded for the elector in the**
 10 **qualified voter file.** If the ballot numbers match, the board of
 11 election inspectors shall detach the perforated numbered stub and
 12 prepare the ballot for tabulation, as directed by the secretary of
 13 state. Each ballot must be inserted into the tabulator. One of the
 14 election inspectors shall enter the elector in the poll book as
 15 having cast an absent voter ballot. **If the ballot numbers do not**
 16 **match or the ballot stub is missing from the ballot, and no**
 17 **explanation for the discrepancy or missing ballot stub is found,**
 18 **the ballot must be processed as a challenged ballot.**

19 Sec. 798b. (1) The county clerk ~~may~~**shall** conduct an
 20 unofficial count in order to provide early unofficial returns to
 21 the public. Upon completion of the count, the ~~official-unofficial~~
 22 **accumulated** returns ~~shall must~~ be ~~open to the public.~~ **posted in a**
 23 **conspicuous place in the county clerk's office, and on the website**
 24 **of that county, if available.** The ~~return~~**returns** of the electronic
 25 tabulating equipment, to which have been added the write-in and
 26 absentee votes if necessary, ~~shall~~ constitute, after being duly
 27 certified, the official return of each precinct or election
 28 district. If it becomes impracticable to count all or a part of the
 29 ballots with tabulating equipment, ~~the clerk may direct that they~~

1 ~~be counted manually, following as far as practicable the provisions~~
 2 ~~governing the counting of paper ballots. **the uncounted ballots must**~~
 3 ~~**be sealed in a ballot container that is approved under section 24j**~~
 4 ~~**and transported to the county to be counted at the canvass.**~~ An
 5 accumulation report of unofficial results using the tabulated votes
 6 available after 8 p.m. on election day must be compiled and
 7 published using a format that clearly indicates all of the
 8 following:

- 9 (a) The election day ~~precinct~~ results.
 10 (b) The ~~corresponding~~ absent voter ballot counting board
 11 results.
 12 (c) The ~~corresponding~~ early voting results.
 13 ~~(d) The sum of subdivisions (a), (b), and (c) for each~~
 14 ~~precinct and contest.~~

15 (2) For a city or township with 250 or more precincts using
 16 common ballot forms instead of the election day precinct format in
 17 the absent voter counting boards and early voting sites, the
 18 accumulation report will not report results from absent voter
 19 counting boards or early voting sites as corresponding to election
 20 day precincts. Accumulation reports in each city or township
 21 described in this subsection must report the results for each
 22 election day precinct and separately report the results of each
 23 absent voter counting board and the corresponding early voting
 24 results. Each common ballot form may constitute at least 1 separate
 25 absent voter counting board and early voting precinct.

26 **(3) The clerk of a city or township, or the clerk of the**
 27 **county in which the city or township is located, may choose to**
 28 **report the results using a format that clearly indicates the absent**
 29 **voter ballots processed and tabulated before election day.**

1 Sec. 805. After the polls close on election day, the precinct
2 board of election inspectors shall place the ballots in the ballot
3 container provided for ballots under section 669. The board of
4 election inspectors shall securely fasten and seal the ballot
5 container with an approved seal furnished with the election
6 ~~supplies.~~ **materials, and record the seal number on the ballot**
7 **container certificate and in the poll book or addendum to the poll**
8 **book.** The seal must be affixed to render it impossible to open the
9 ballot container without breaking the seal. The board of election
10 inspectors shall then deliver the ballot container to the township
11 or city clerk.

12 Sec. 807. Immediately after the canvass has been completed,
13 the result, stating the total number of votes received by each
14 ~~person voted for in said precinct~~ **candidate** for any office and the
15 number of votes for and the number of votes against any proposed
16 constitutional amendment or other submitted proposition, ~~shall~~ **must**
17 be made available to interested ~~persons~~ **individuals** who may be
18 present.

19 Sec. 813. (1) Within 6 days after an election, for each
20 provisional ballot that was placed in a provisional ballot return
21 envelope, the city or township clerk shall determine whether the
22 individual voting the provisional ballot was eligible to vote a
23 ballot and whether to tabulate the provisional ballot. In making
24 this determination, the city or township clerk shall not open the
25 provisional ballot return envelope. A provisional ballot must only
26 be tabulated if a valid voter registration record for the elector
27 is located or if the identity and residence of the elector is
28 established using identification for election purposes, along with
29 a current utility bill, bank statement, paycheck, government check,

1 or other government document to establish the voter's current
 2 residence address if the identification for election purposes used
 3 by the elector does not contain the voter's current residence
 4 address. Before the provisional ballot is tabulated, election
 5 officials shall process the ballot as a challenged ballot under
 6 sections 745 and 746.

7 (2) Within 7 days after an election, but sooner if
 8 practicable, the city or township clerk shall transmit the results
 9 of provisional ballots tabulated after the election to the board of
 10 county canvassers. The results must be transmitted in a form
 11 prescribed by the secretary of state.

12 (3) Within 7 days after an election, the city or township
 13 clerk shall transmit to the ~~county clerk~~ **secretary of state** a
 14 provisional ballot report for each precinct in the jurisdiction.
 15 The report must include for each precinct the number of provisional
 16 ballots issued **on election day, the number of provisional ballots**
 17 **issued at an early voting site**, the number of provisional ballots
 18 tabulated on election day, the number of provisional ballots
 19 forwarded to the clerk to be determined after the election, the
 20 number of provisional ballots tabulated by the clerk after election
 21 day, and any additional information concerning provisional ballots
 22 as required by the secretary of state.

23 (4) Within 7 days after an election, the city or township
 24 clerk shall transmit to the ~~county clerk~~ **secretary of state** an
 25 affidavit report that includes the number of affidavits signed by
 26 voters under section 523(2). ~~The affidavit report must be~~
 27 ~~transmitted to the county clerk in a form prescribed by the~~
 28 ~~secretary of state.~~

29 (5) Within 7 days after an election, the city or township

1 clerk shall ensure that the qualified voter file is current and
2 includes any individual who registered to vote under section 497(3)
3 and (4).

4 Sec. 829. ~~(1) The board of county canvassers shall include the~~
5 ~~results of the tabulated provisional ballots in the canvass of the~~
6 ~~election following procedures prescribed by the secretary of state~~
7 ~~designed to maintain the secrecy of the ballot.~~

8 ~~(2) Within 14 days after a primary or election, the county~~
9 ~~clerk shall transmit a county provisional ballot report to the~~
10 ~~secretary of state. The county provisional ballot report must be in~~
11 ~~a manner prescribed by the secretary of state. After the secretary~~
12 ~~of state receives a county provisional ballot report, the county~~
13 ~~provisional ballot report must be immediately available for public~~
14 ~~inspection.~~

15 ~~(3) Within 14 days after an election, the county clerk shall~~
16 ~~transmit a county affidavit report to the secretary of state. The~~
17 ~~county affidavit report must include the number of affidavits~~
18 ~~signed by voters under section 523(2). The county affidavit report~~
19 ~~must be transmitted in a form prescribed by the secretary of state.~~
20 ~~After the secretary of state receives the county affidavit report~~
21 ~~from the county clerk, the county affidavit report must immediately~~
22 ~~be available for public inspection.~~

23 ~~(4) Within 14 days after an election, the secretary of state~~
24 ~~shall transmit to the house and senate committees dealing with~~
25 ~~elections a voter registration application report that includes the~~
26 ~~number of voter registration applications executed by applicants~~
27 ~~under section 497(3) and (4).~~

28 Enacting section 1. Section 679 of the Michigan election law,
29 1954 PA 116, MCL 168.679, is repealed.