

HOUSE BILL NO. 4762

June 15, 2023, Introduced by Reps. Smit, Fox, DeSana and Friske and referred to the Committee on Elections.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 662 and 668b (MCL 168.662 and 168.668b), section 662 as amended by 2022 PA 219 and section 668b as added by 2018 PA 614, and by adding sections 720a, 720b, 720c, 720d, 720e, 720f, 720g, 720h, 720i, and 720j.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 662. (1) The legislative body in each city and township,
2 **or a board of county election commissioners as provided under**
3 **section 720g,** shall ~~designate and prescribe the place or places of~~

1 ~~holding an election for a city, village, or township election, and~~
 2 ~~shall provide a suitable polling place in or~~ **early voting site** for
 3 each precinct located in the city or township for use at each
 4 election. Except as otherwise provided in this section, ~~school~~
 5 ~~buildings, fire stations, police stations, and other publicly owned~~
 6 ~~or controlled buildings must be used as polling places.~~ **a publicly**
 7 **owned or controlled building, including, but not limited to, a**
 8 **municipal building or school building, must be used as a polling**
 9 **place or early voting site unless it is not possible or convenient**
 10 **to use a publicly owned or controlled building as a polling place**
 11 **or early voting site.**

12 (2) Subject to this subsection, if it is not possible or
 13 convenient to use a publicly owned or controlled building as a
 14 polling place as described in subsection (1), the legislative body
 15 of the city or township, **or a board of county election**
 16 **commissioners as provided under section 720g**, may use as a polling
 17 place a building owned or controlled by an organization that is
 18 exempt from federal income tax as provided by section 501(c), other
 19 than 501(c)(4), (5), or (6), of the internal revenue code of 1986,
 20 26 USC 501. The legislative body of a city or township, **or a board**
 21 **of county election commissioners as provided under section 720g**,
 22 shall not designate as a polling place **or early voting site** a
 23 building as described in this subsection that is owned **or leased** by
 24 a person that is a sponsor of a political committee or independent
 25 committee or that is owned by an individual who is a candidate.

26 (3) The legislative body of a city or township, **or a board of**
 27 **county election commissioners as provided under section 720g**, may
 28 establish a polling place at a for profit or nonprofit residence or
 29 facility in which 150 individuals or more aged 62 or older reside

1 or at an apartment building or complex in which 150 individuals or
2 more reside.

3 (4) Subject to this subsection, if a suitable polling place as
4 described in subsections (1), (2), and (3) is not reasonably
5 available for use or convenient to use, the legislative body of a
6 city or township, **or a board of county election commissioners as**
7 **provided under section 720g**, may establish a polling place at any
8 privately owned banquet or conference center or recreation
9 clubhouse. The legislative body of a city or township, **or a board**
10 **of county election commissioners as provided under section 720g**,
11 shall not designate as a polling place a building described in this
12 subsection that is owned by a person that is a sponsor of a
13 political committee or independent committee or that is owned by an
14 individual who is a candidate. Before a building that is not
15 publicly owned or controlled as described in this subsection is
16 designated as a polling place by a **county**, city, or township, the
17 clerk of the **county**, city, or township in which that building is
18 located must obtain a signed affidavit from the owner or manager of
19 the building that certifies that the owner of the building is not a
20 person that is a sponsor of a political committee or independent
21 committee or is not an individual who is a candidate.

22 (5) ~~The~~ **Except as otherwise provided in section 4(1)(m) of**
23 **article II of the state constitution of 1963 for early voting, the**
24 legislative body in each city or township may establish a central
25 polling place or **central polling** places for 6 precincts or less if
26 it is possible and convenient for the electors to vote at ~~the~~ **a**
27 central polling place **or at central polling places and if it will**
28 **not result in significantly increased travel times or delays for**
29 **electors in the voting process.** The legislative body in each city

1 or township may abolish other polling places not required as a
2 result of the establishment of a central polling place **or central**
3 **polling places.**

4 (6) A township board may provide polling places **or early**
5 **voting sites** located within the limits of a city that has been
6 incorporated from territory formerly a part of the township, and
7 the electors of the township may cast their ballots at those
8 polling places **or early voting sites.** If 2 contiguous townships
9 utilize a combined township hall or other publicly owned or
10 controlled building within 1 of the township's boundaries and
11 outside of the other township's boundaries, and there is not
12 another publicly owned or controlled building or a building owned
13 or controlled by an organization that is exempt from federal income
14 tax, as provided by section 501(c), other than 501(c)(4), (5), or
15 (6), of the internal revenue code of 1986, 26 USC 501, available or
16 suitable for a polling place **or early voting site** within the other
17 township, then each township board may provide a polling place **or**
18 **early voting site** in that publicly owned building for 1 or more
19 election precinct.

20 (7) A city or township, **or a county as provided under section**
21 **720g,** shall not use as a polling place, **early voting site, or**
22 **central polling place** a building that does not meet the
23 requirements of this section.

24 (8) The legislative body of a city or township, **or a board of**
25 **county election commissioners as provided under section 720g,** shall
26 not establish, move, or abolish a polling place, **early voting site,**
27 **or central polling place** less than 60 days before an election
28 unless necessary because a polling place, **early voting site, or**
29 **central polling place** has been damaged, destroyed, or rendered

1 inaccessible or unusable as a polling place, **early voting site, or**
 2 **central polling place.**

3 (9) The legislative body of a city or township, **or a board of**
 4 **county election commissioners as provided under section 720g,** shall
 5 ensure that a polling place, **early voting site, or central polling**
 6 **place** established under this section is accessible and complies
 7 with the voting accessibility for the elderly and handicapped act
 8 and the help America vote act of 2002.

9 (10) As used in this section:

10 (a) "Accessible" means the removal or modification of
 11 policies, practices, and procedures that deny an individual with a
 12 disability the opportunity to vote, including the removal of
 13 physical barriers as identified in section 261(b) of the help
 14 America vote act of 2002, 52 USC 21021, so as to ensure individuals
 15 with disabilities the opportunity to participate in elections in
 16 this state.

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

19 (c) **"Central polling place" means the place where an elector**
 20 **marks and casts the elector's ballot on election day.**

21 (d) **"Early voting site" means that term as described in**
 22 **section 4(1)(m) of article II of the state constitution of 1963.**

23 (e) ~~(e)~~—"Sponsor of a political committee or independent
 24 committee" means a person that is described as being a sponsor
 25 under section 24(3) of the Michigan campaign finance act, 1976 PA
 26 388, MCL 169.224, and includes a subsidiary of a corporation or a
 27 local of a labor organization, if the corporation or labor
 28 organization is considered a sponsor under section 24(3) of the
 29 Michigan campaign finance act, 1976 PA 388, MCL 169.224.

1 Sec. 668b. (1) ~~Each~~**Subject to subsection (4), each** city or
2 township shall use the electronic poll book software developed by
3 the bureau of elections in each election precinct in the city or
4 township on election day to process voters and generate election
5 precinct reports.

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

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

22 (4) **Beginning on the effective date of the amendatory act that**
23 **added this subsection, this section is subject to the early voting**
24 **provisions in sections 720a to 720j.**

25 **Sec. 720a. As used in sections 720b to 720j:**

26 (a) **"County agreement" means an agreement between 1 or more**
27 **municipalities located in the same county and the county clerk of**
28 **that county authorizing the county clerk of the county to conduct**
29 **early voting for each municipality that is a party to the**

1 agreement.

2 (b) "Early voting" means casting a ballot in person before
3 election day in the same manner as a ballot is cast on election
4 day, including depositing the ballot into a tabulator.

5 (c) "Early voting plan" means a document and any addenda to
6 the document outlining the manner in which early voting will be
7 provided.

8 (d) "Early voting site" means a location where early voting
9 occurs that meets both of the following requirements:

10 (i) Is open for at least the required 9 consecutive days of
11 early voting beginning on the second Saturday before a statewide or
12 federal election and ending on the Sunday before a statewide or
13 federal election.

14 (ii) Is open for at least 8 hours each day during the required
15 9 consecutive days of early voting.

16 (e) "Municipal" and "municipality" mean a city or township.

17 (f) "Municipal agreement" means an agreement between 2 or more
18 municipalities located in the same county to jointly conduct early
19 voting.

20 Sec. 720b. (1) A registered and qualified elector in this
21 state has the right to vote in person in each statewide and federal
22 election at an early voting site before election day. An elector at
23 an early voting site has the same rights and is subject to the same
24 requirements as an elector at a polling place on election day.

25 (2) Early voting must be provided in each statewide and
26 federal election for at least 9 consecutive days beginning on the
27 second Saturday before the statewide or federal election and ending
28 on the Sunday before the statewide or federal election, and must be
29 provided for at least 8 hours each day during the required 9

1 consecutive days of early voting.

2 Sec. 720c. (1) The secretary of state shall supervise the
3 implementation and conduct of early voting required under section
4 4(1)(m) of article II of the state constitution of 1963 to provide
5 each elector an opportunity to cast a ballot in person before each
6 statewide or federal election.

7 (2) For early voting required under section 4(1)(m) of article
8 II of the state constitution of 1963, the secretary of state shall
9 do all of the following:

10 (a) Issue instructions and procedures to county and municipal
11 election officials on the administration and conduct of early
12 voting.

13 (b) Advise and direct county and municipal election officials
14 on conducting early voting.

15 (c) Modify the qualified voter file technology and electronic
16 poll book technology, or develop, acquire, or approve new
17 technology, to efficiently and securely implement, administer, and
18 conduct early voting, including, but not limited to, providing for
19 daily updates to the electronic poll book. Notwithstanding section
20 668b, the secretary of state may upgrade the electronic poll book
21 or develop or acquire new technology to replace the electronic poll
22 book.

23 (d) Create a model municipal agreement template and model
24 county agreement template, and ensure that each template can be
25 completed online by a county or municipality no later than
26 September 1 of the year before the year in which a general November
27 election is to be held.

28 (e) Create model early voting plan templates for
29 municipalities to complete, and ensure that each template can be

1 electronically transmitted to the bureau of elections.

2 (f) Create model countywide early voting plan templates for
3 county clerks to complete, and ensure that each template can be
4 electronically transmitted to the bureau of elections.

5 (g) Review each countywide early voting plan and, if
6 necessary, review early voting plans submitted by municipalities
7 under section 720h.

8 (h) No later than September 1 of the year before the year in
9 which a general November election is to be held, evaluate the
10 current electronic voting systems in use in this state to determine
11 whether the tabulators of each electronic voting system may be
12 coded and used at an early voting site and also coded and used at
13 an election day precinct for the same election.

14 (i) Each electronic voting system, ballot processing machine,
15 including, but not limited to, a ballot tabulator, and any other
16 machine or system used to facilitate voting, the counting of
17 ballots and votes, and the adjudication of ballots, must be in
18 compliance with the help America vote act.

19 (3) The secretary of state shall provide resources to county
20 and municipal election officials that prevent an elector from
21 intentionally or inadvertently casting more than 1 ballot at an
22 election. The resources required may be technological, procedural,
23 or a combination of both technological and procedural, and must do
24 all of the following:

25 (a) When more than 1 early voting site is available, require
26 that an elector be assigned to only 1 early voting site, and create
27 a mechanism that alerts an election inspector at an early voting
28 site that an elector applying to vote at that early voting site has
29 previously cast a ballot at another early voting site.

1 (b) During each day of early voting, update the qualified
2 voter file record of each elector who cast a ballot at an early
3 voting site and update the electronic poll book with each elector
4 who has submitted an absent voter ballot.

5 (c) Void the absent voter ballot of any elector who has both
6 submitted an absent voter ballot and cast a ballot at an early
7 voting site, and require that elector to sign an affidavit
8 attesting that the elector surrenders the elector's absent voter
9 ballot.

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

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

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

17 (c) Enter into a county agreement and authorize the county
18 clerk of the county in which that municipality is located to
19 conduct early voting for 1 or more municipalities located in that
20 county.

21 (2) No later than September 1 of the year before the year in
22 which a general November election is to be held, the clerk of each
23 municipality shall notify the county clerk of the county in which
24 that municipality is located regarding whether the municipality
25 intends to enter into a municipal agreement or a county agreement.

26 Sec. 720e. (1) The clerk of a municipality that does not enter
27 into a municipal agreement or county agreement for conducting early
28 voting is responsible for administering early voting in that
29 municipality.

1 (2) Each early voting site for a municipality described in
2 subsection (1) must be designated in the same manner as polling
3 places are designated in section 662. An elector registered in the
4 municipality may engage in early voting at that elector's assigned
5 early voting site in that municipality.

6 (3) The board of election commissioners of a municipality
7 described in subsection (1) shall, in accordance with section 674,
8 appoint election inspectors for each early voting site in that
9 municipality at least 20 days and not more than 50 days before each
10 statewide and federal election.

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

17 (5) The clerk of a municipality described in subsection (1),
18 with the approval of the legislative body of that municipality, may
19 also offer early voting on additional days beyond the required 9
20 consecutive days as described in section 720b. The clerk of the
21 municipality may set the hours for those additional days of early
22 voting without regard to the hours on the required 9 consecutive
23 days of early voting described in section 720b. Additional days of
24 early voting as described in this subsection must take place on or
25 after the fortieth day before an election and before the second
26 Saturday before the election.

27 (6) Subject to section 720j(14), the legislative body of a
28 municipality described in subsection (1) may adopt a resolution to
29 conduct early voting in an election held in that municipality that

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

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

10 Sec. 720f. (1) The secretary of state shall promulgate rules
11 pursuant to the administrative procedures act of 1969, 1969 PA 306,
12 MCL 24.201 to 24.328, to prescribe the provisions that must be
13 included in a municipal agreement. The provisions must include, but
14 not be limited to, all of the following:

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

17 (b) The number of precincts, and the identity of those
18 precincts, in each participating municipality.

19 (c) The name of the county clerk of the county in which the
20 participating municipalities are located who will act as the
21 coordinator and organize and monitor the administrative
22 requirements of early voting for the participating municipalities.

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

26 (e) A requirement that the board of election commissioners of
27 each participating municipality will appoint, pursuant to section
28 674, the election inspectors for each early voting site at least 20
29 days and not more than 50 days before each statewide and federal

1 election. Each early voting site must have at least 1 election
2 inspector from each major political party for each day of early
3 voting, and each early voting site must have, at a minimum, 3
4 election inspectors present at all times during each day of early
5 voting. Each election inspector must be qualified as provided under
6 section 677.

7 (f) The early voting hours, the early voting sites, and the
8 precincts assigned to each early voting site for the required 9
9 consecutive days of early voting, and the process for approving any
10 additional days and hours of early voting.

11 (g) Identification of who is responsible for providing the
12 notice of election for early voting that includes the days and
13 hours that early voting will be available.

14 (h) The number of tabulators and electronic poll books that
15 are necessary at each early voting site and the name of each
16 municipality that will provide those tabulators and electronic poll
17 books.

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

20 (j) The name of the clerk who shall, in accordance with
21 section 668b, download the electronic poll book software from the
22 qualified voter file software.

23 (k) The supervision and staffing of each early voting site on
24 each day of early voting.

25 (l) The process for securing equipment and ballots at the
26 conclusion of each day of early voting.

27 (m) The location where the electronic voting equipment and
28 election materials from each early voting site will be transported
29 and how the electronic voting equipment and election materials will

1 be retained and secured after the close of early voting on the
2 Sunday before election day.

3 (n) Information on how each participating municipality must
4 appoint a receiving board or election inspectors to canvass the
5 early vote returns on election day and report early voting results
6 to the county clerk.

7 (o) The process for a participating municipality to withdraw
8 from the agreement.

9 (2) The county clerk of the county in which the participating
10 municipalities are located shall provide oversight to ensure
11 sufficient resources are available and are timely dispatched to
12 each early voting site. The county clerk, as coordinator, shall
13 develop the early voting plan and the early voting budget for each
14 election.

15 (3) The clerks of the municipalities that are participating in
16 a municipal agreement shall designate a participating municipal
17 clerk to, in accordance with section 668b, download the electronic
18 poll book software from the qualified voter file software.

19 (4) In accordance with section 662, the county clerk, as
20 coordinator, shall submit each early voting site to the legislative
21 body of each municipality designated by the municipal agreement for
22 approval.

23 (5) Each participating municipal clerk shall recruit election
24 inspectors, and the board of election commissioners of each
25 participating municipality shall, in accordance with section 674,
26 appoint election inspectors for early voting. Each early voting
27 site must have at least 1 election inspector from each major
28 political party for each day of early voting, and each early voting
29 site must have, at a minimum, 3 election inspectors present at all

1 times during each day of early voting. Each election inspector must
2 be qualified as provided under section 677.

3 (6) The county clerk, as coordinator, shall appoint a
4 municipal clerk from 1 of the participating municipalities to act
5 as supervisor for each day of early voting. The supervisor shall
6 operate in the same manner as a municipal clerk does for an
7 election day polling place. A supervisor may delegate the
8 supervisor's duties to a member of the supervisor's staff.

9 (7) For each federal and statewide election, there must be 1
10 or more early voting sites that are open to all the registered
11 electors of each municipality that is a party to the municipal
12 agreement.

13 (8) The clerks of the municipalities that are participating in
14 a municipal agreement may also offer early voting on additional
15 days beyond the required 9 consecutive days as described in section
16 720b. The board of election commissioners of each participating
17 municipality may set the hours for those additional days of early
18 voting without regard to the required hours for early voting on the
19 9 consecutive days of early voting described in section 720b.
20 Additional days of early voting as described in this subsection
21 must take place on or after the fortieth day before an election and
22 before the second Saturday before the election.

23 (9) Subject to section 720j(14), the legislative body of a
24 municipality that is a party to a municipal agreement may adopt a
25 resolution to conduct early voting in an election to be held in the
26 municipality that is not a statewide or federal election. If a
27 municipality adopts a resolution as provided in this subsection,
28 the clerk of that municipality shall conduct early voting for that
29 election as provided under section 720e.

1 (10) Subject to section 720j(14), the legislative body of each
2 municipality that is a party to a municipal agreement may enter
3 into an agreement to jointly conduct early voting in an election
4 that involves more than 1 of the municipalities in the municipal
5 agreement and that is not a statewide or federal election. Early
6 voting in those elections must be conducted under the requirements
7 of this section, except that the required minimum of 9 consecutive
8 days of early voting beginning on the second Saturday before the
9 election and ending on the Sunday before the election, and the
10 required minimum of 8 hours of early voting each day, do not apply.

11 (11) A municipal agreement covers all statewide and federal
12 elections, and any additional elections that the legislative bodies
13 of the municipalities jointly agree to include, for an entire
14 election year in which a general November election is held and the
15 year following that general November election. A municipal
16 agreement automatically terminates at the end of the year following
17 an election year in which a general November election is held, but
18 the municipalities may choose to renew the municipal agreement. A
19 municipality may withdraw from a municipal agreement no later than
20 90 days before a statewide primary in an even numbered year or
21 after the canvass is completed for a general November election. If
22 a municipality withdraws from a municipal agreement, the
23 municipality must conduct early voting as provided under section
24 720e.

25 Sec. 720g. (1) The secretary of state shall promulgate rules
26 pursuant to the administrative procedures act of 1969, 1969 PA 306,
27 MCL 24.201 to 24.328, to prescribe the provisions that must be
28 included in a county agreement between 1 or more municipalities
29 located in the same county and the county clerk of that county

1 authorizing the county clerk to conduct early voting for each
2 municipality that is a party to the agreement. The provisions must
3 include, but not be limited to, all of the following:

4 (a) The name of the county, the name of the county clerk, the
5 name of each municipality, and the name of the clerk of each
6 municipality, that are involved in the agreement.

7 (b) The number of precincts in each participating
8 municipality.

9 (c) A requirement that the county clerk serve as the
10 coordinator who will organize and monitor the administrative
11 requirements of early voting.

12 (d) A requirement that an early voting site must not be
13 located more than 6 miles from the boundary line of a participating
14 municipality.

15 (e) The early voting hours, the early voting sites, and the
16 precincts assigned to each early voting site for the required 9
17 consecutive days of early voting, and the process for approving any
18 additional days and hours of early voting.

19 (f) A requirement that the county clerk provide the notice of
20 election for early voting that includes the days and hours that
21 early voting will be available.

22 (g) The process for determining the number of tabulators and
23 electronic poll books that are necessary in each early voting site
24 and the name of the county or municipality that will provide those
25 tabulators and electronic poll books.

26 (h) The name of the board of election commissioners that will
27 conduct testing of the electronic voting equipment.

28 (i) The name of the clerk who shall, in accordance with
29 section 668b, download the electronic poll book software from the

1 qualified voter file software.

2 (j) The supervision and staffing of each early voting site on
3 each day of early voting.

4 (k) The process for securing equipment and ballots at the
5 conclusion of each day of early voting.

6 (l) The location where the electronic voting equipment and
7 election materials from each early voting site will be transported
8 and how the electronic voting equipment and election materials will
9 be retained and secured after the close of early voting on the
10 Sunday before election day.

11 (m) Information on how each participating municipality must
12 appoint a receiving board or election inspectors to canvass the
13 early vote returns on election day and report early voting results
14 to the county clerk.

15 (n) The process for a participating municipality to withdraw
16 from the agreement.

17 (2) The county clerk shall organize and monitor the
18 administrative requirements of early voting. The county clerk shall
19 provide oversight to ensure sufficient resources are available and
20 are timely dispatched to each early voting site. The county clerk
21 shall develop the early voting plan.

22 (3) The county clerk shall designate which clerk, either the
23 county clerk or a designated municipal clerk, shall, in accordance
24 with section 668b, download the electronic poll book software from
25 the qualified voter file software.

26 (4) Upon request of the county clerk, a clerk of a
27 participating municipality may make available, to the extent
28 possible, tabulators, electronic poll books, and ballot containers
29 for conducting early voting.

1 (5) In accordance with section 662, the county clerk shall
2 submit each early voting site location to the board of county
3 election commissioners for approval. Each early voting site
4 submitted for approval may serve all electors covered by the county
5 agreement, the electors in specific municipalities that are covered
6 by an early voting site, the electors of 1 municipality, or any
7 combination of those options, as long as each elector in the county
8 is served by 1 or more early voting sites.

9 (6) A municipal clerk shall recruit election inspectors at the
10 request of the county clerk, or shall provide the county clerk with
11 the list of election inspectors for the clerk's municipality. The
12 board of county election commissioners shall, in accordance with
13 section 674, appoint election inspectors for early voting. Each
14 early voting site must have at least 1 election inspector from each
15 major political party for each day of early voting, and each early
16 voting site must have, at a minimum, 3 election inspectors present
17 at all times during each day of early voting. Each election
18 inspector must be qualified as provided under section 677.

19 (7) The county clerk shall appoint a participating municipal
20 clerk to act as a supervisor for each day of early voting. The
21 county clerk may appoint a different participating municipal clerk
22 to act as a supervisor for different days of early voting. The
23 supervisor shall operate in the same manner as a municipal clerk
24 does for an election day polling place. A supervisor may delegate
25 the supervisor's duties to a member of the supervisor's staff. If a
26 municipal clerk, or a member of the municipal clerk's staff, is not
27 available to act as a supervisor, the county clerk may act as
28 supervisor. If the county clerk acts as supervisor, the county
29 clerk may delegate the supervisor's duties to a member of the

1 county clerk's staff.

2 (8) For each federal and statewide election, there must be 1
3 or more early voting sites that are open to all the registered
4 electors of each municipality that is a party to the county
5 agreement.

6 (9) Subject to section 720j(14), the legislative body of a
7 municipality that is party to a county agreement may adopt a
8 resolution to conduct early voting in an election to be held in the
9 municipality that is not a statewide or federal election. If a
10 municipality adopts a resolution as provided in this subsection,
11 the clerk of that municipality may conduct early voting for that
12 election as provided under section 720e.

13 (10) Subject to section 720j(14), a county clerk and the
14 legislative body of 1 or more municipalities may enter into an
15 agreement for the county clerk to conduct early voting in an
16 election that is not a statewide or federal election. This section
17 does not preclude a county clerk and a municipality from entering
18 into an agreement for the county clerk to conduct early voting for
19 an election in the municipality that is not a statewide or federal
20 election. Early voting in those elections must be conducted under
21 the requirements of this section, except that the required minimum
22 of 9 consecutive days of early voting beginning on the second
23 Saturday before the election and ending on the Sunday before the
24 election, and the required minimum of 8 hours of early voting each
25 day, do not apply.

26 (11) A county agreement covers all statewide and federal
27 elections, and any additional elections that the county board of
28 commissioners and the legislative bodies of the municipalities may
29 jointly enter into an agreement to include, for the entire year in

1 which a general November election is held and the year following
2 that general November election. A county agreement automatically
3 terminates at the end of the year following an election year in
4 which a general November election is held, but the parties to the
5 county agreement may choose to renew the county agreement. A
6 municipality may withdraw from a county agreement no later than 90
7 days before a statewide primary in an even numbered year or after
8 the canvass is completed for a general November election. A county
9 clerk may not withdraw from a county agreement. However, the county
10 clerk may choose not to renew a county agreement following the
11 termination of that agreement.

12 Sec. 720h. (1) Subject to this subsection, a municipality must
13 file an early voting plan with the county clerk of the county in
14 which that municipality is located no later than February 15 of the
15 year in which a general November election is held, except that in a
16 year when a presidential primary election is held, the municipality
17 must file the early voting plan with the county clerk no later than
18 December 1 of the year preceding the presidential primary election.
19 Before filing an early voting plan with the county clerk, a
20 municipality must have that early voting plan approved by the
21 appropriate board of election commissioners.

22 (2) An early voting plan must provide sufficient details
23 describing the processes created to conduct early voting. Each
24 early voting plan must include, but not be limited to, all of the
25 following:

26 (a) Whether the plan covers a municipality described in
27 section 720e, a municipal agreement described in section 720f, or a
28 county agreement described in section 720g.

29 (b) The name of each municipal clerk, and, if applicable, the

1 name of the county clerk, executing the early voting plan.

2 (c) The number of precincts and registered electors in the
3 municipality under section 720e, the municipal agreement under
4 section 720f, or the county agreement under section 720g, as
5 applicable.

6 (d) The number of early voting sites, the location of each
7 early voting site, if available, and the municipality or
8 municipalities the early voting sites serve.

9 (e) The name and contact information of the county clerk, as
10 coordinator, for a municipal agreement, or the name and contact
11 information of the county clerk for a county agreement, if
12 applicable.

13 (f) Any additional early voting days that will be offered
14 before the required 9 consecutive days of early voting as provided
15 in section 720b, along with the hours the early voting will be open
16 on those additional early voting days.

17 (g) The communication strategy informing electors of the
18 opportunity for early voting.

19 (h) A notification to the secretary of state to ensure that
20 the secretary of state has the information necessary to include the
21 location, along with the dates and hours of operation, of each
22 early voting site on the Michigan voter information center portion
23 of the department of state's website.

24 (i) A copy of a municipal agreement or a county agreement, if
25 applicable.

26 (3) Each county clerk shall review each early voting plan to
27 verify that the early voting plan contains all the required
28 information. Each municipality in a county shall submit accurate
29 and complete information in the early voting plan, and shall

1 promptly respond to a request for information from the county
2 clerk.

3 (4) Each county clerk shall compile a countywide early voting
4 plan that incorporates the data from each early voting plan in that
5 county covering a municipality described under section 720e, a
6 municipal agreement described under section 720f, and a county
7 agreement described under section 720g. The county clerk shall
8 certify that each municipality in the county is covered by 1 or
9 more early voting sites. Subject to this subsection, the county
10 clerk shall submit a countywide early voting plan to the secretary
11 of state no later than March 1 of each year in which a general
12 November election is held, except that in a year when a
13 presidential primary election is held, the county clerk must file
14 the countywide early voting plan with the secretary of state no
15 later than December 15 of the year preceding the presidential
16 primary election. Before submitting a countywide early voting plan
17 to the secretary of state, the county clerk must have the
18 countywide early voting plan approved by the board of county
19 election commissioners of that county.

20 Sec. 720i. (1) An early voting site is subject to the same
21 requirements as a polling place except that an early voting site
22 may do either or both of the following:

23 (a) Serve electors from more than 6 precincts.

24 (b) Serve electors from more than 1 municipality located in a
25 county.

26 (2) An early voting site is not subject to the limit on the
27 number of electors assigned to a precinct as provided in section
28 661.

29 (3) The location of each early voting site must be finalized

1 no later than 60 days before election day.

2 (4) On each day of early voting, each registered elector in
3 line at the early voting site at the hour prescribed for the
4 closing of the early voting site must be allowed to vote.

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

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

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

14 (b) Test ballots to be used to test the electronic voting
15 equipment no later than 15 days before the start of early voting.
16 The appropriate board of election commissioners shall complete the
17 preliminary and public logic and accuracy testing no later than 5
18 days before the start of early voting in accordance with the
19 requirements under section 798.

20 (3) If a municipal clerk is conducting early voting as a
21 municipality under section 720e, the municipal clerk shall provide
22 for each early voting site either of the following:

23 (a) A single tabulator programmed to tabulate ballots for all
24 of the precincts in the municipality.

25 (b) Multiple tabulators, with each tabulator programmed to
26 tabulate ballots for a unique set of precincts in the municipality.
27 Each precinct in the municipality must appear on only 1 tabulator
28 at an early voting site, and each tabulator must correspond with 1
29 electronic poll book containing a list of registered electors in

1 each precinct programmed on that tabulator.

2 (4) If municipalities are parties to a municipal agreement,
3 the municipal agreement must provide for either of the following:

4 (a) A single tabulator programmed to tabulate ballots for all
5 of the precincts of each municipality covered by the municipal
6 agreement.

7 (b) Multiple tabulators, with each tabulator programmed to
8 tabulate ballots for 1 or more municipalities covered by the
9 municipal agreement. Each precinct in each of the municipalities
10 covered by the municipal agreement must appear on only 1 tabulator
11 in an early voting site, and each tabulator must correspond with 1
12 electronic poll book containing a list of registered electors in
13 each precinct programmed on that tabulator.

14 (5) If 1 or more municipalities are parties to a county
15 agreement, the county agreement must provide for a tabulator and
16 electronic poll book at each early voting site as follows:

17 (a) For an early voting site covering the entire county, in
18 the same manner as an early voting site of a municipality
19 conducting early voting as a municipality under section 720e.

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

24 (6) The electronic poll book must be updated before early
25 voting starts each day to reflect new registered electors, absent
26 voter ballots issued and received, and ballots cast at early voting
27 sites since the last update.

28 (7) After the close of the first day of early voting, the
29 board of election inspectors shall do all of the following at each

1 early voting site:

2 (a) Verify that the number of ballots tabulated equals the
3 number of electors identified in the electronic poll book as having
4 been issued ballots at the early voting site that day, and note the
5 reason for any discrepancy in the poll book.

6 (b) Remove the voted ballots from the tabulator bin and seal
7 the ballots, along with any spoiled ballots, in an approved ballot
8 container in the same manner as ballots are sealed on election day
9 and in accordance with section 806a.

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

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

13 (e) Print a poll list from the electronic poll book of the
14 electors who voted at the early voting site that day and add it to
15 the paper poll book.

16 (f) Report the number on the public counter on the tabulator
17 at the end of the day and at the beginning of the day.

18 (8) After the close of each subsequent day of early voting
19 after the first day of early voting, the board of election
20 inspectors shall follow the same procedure as provided in
21 subsection (7), except that on subsequent days a hand count of the
22 current day's ballots must be conducted and recorded, the seal on
23 the ballot container must be removed, the current day's ballots
24 must be added to the ballot container and bundled or separated by
25 day, the ballot container must be resealed, the new seal number
26 must be recorded on the ballot container certificate and in the
27 electronic poll book, and the ballot container certificate must be
28 signed by the election inspectors. If a ballot container becomes
29 too full to add additional ballots, the election inspectors must

1 use 1 or more additional ballot containers and label the ballot
2 container certificates sequentially.

3 (9) During the required early voting period, the municipal
4 clerk or the early voting site supervisor, as appropriate, shall
5 take all necessary steps to secure the electronic voting equipment,
6 ballot containers, blank ballots, and other election materials
7 after the close of early voting each day until the opening of early
8 voting on the following day, in accordance with guidance provided
9 by the secretary of state. After the last day of early voting, the
10 municipal clerk or the early voting site supervisor, as
11 appropriate, shall deliver the electronic voting equipment, each
12 ballot container, the blank ballots, and other election materials
13 to the clerk who will perform the closing of the election after the
14 polls close on election day.

15 (10) After the polls close on election day, the receiving
16 board shall do all of the following:

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

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

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

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

25 (11) The county clerk shall report early voting results as a
26 separate category distinct from categories required under section
27 765a(1) and shall add these results to the total results for each
28 precinct, except for a municipality with 250 or more precincts that
29 chooses to use a ballot form that contains identical offices and

1 names as the precincts for early voting.

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

16 (13) Early voting results must not be generated or reported
17 until after 8 p.m. on election day. An individual shall not
18 intentionally disclose an election result from an early voting site
19 before 8 p.m. on election day. An individual who violates this
20 subsection is guilty of a felony.

21 (14) A county or municipality must not be reimbursed by this
22 state for any costs or expenses associated with providing or
23 conducting early voting at an election that is not a federal or
24 statewide election.

25 (15) A county or municipality must not offer or conduct voter
26 registration at any early voting site.