



STATE OF MICHIGAN
 JOCELYN BENSON, SECRETARY OF STATE
 DEPARTMENT OF STATE
 LANSING

September 2, 2021

**DEADLINE ESTABLISHED FOR PUBLIC COMMENTS
 REGARDING PETITION SUMMARY**

**STATEWIDE BALLOT PROPOSAL SPONSORED BY
 SECURE MI VOTE**

Under Michigan election law, the sponsor of an initiative, referendum, or constitutional amendment petition may request approval of the summary of the purpose of the petition prior to placing the petition in circulation. MCL 168.482b(1). If a petition sponsor avails itself of this process, a summary of the proposal’s purpose must be prepared by the Director of Elections and presented to the Board of State Canvassers (Board) for approval or rejection. MCL 168.482b(2). The deadline for the Board to approve or reject the content of the petition summary is the 30th day following the sponsor’s submission. MCL 168.482b(1).

If the Board approves a petition summary as prepared by the Director of Elections, the sponsor must print the approved summary in 12-point type in the heading of the petition, and the Board will be barred from considering a subsequent challenge alleging that the summary is misleading or deceptive. MCL 168.482(3), 168.482b(1), (3). Further, if the Board subsequently determines that the petition contains enough valid signatures to merit certification, the Director of Elections and Board are authorized to draft and approve ballot wording that differs from the petition summary. Opinion of the Attorney General No. 7310 (May 22, 2019).

The “summary of the purpose of the proposed amendment or question” prepared by the Director of Elections may be up to 100 words in length and must consist of a true and impartial statement in language that does not create prejudice for or against the proposal. MCL 168.482b(2). The summary also must inform signers of the subject matter of the petition but need not be legally precise, and use words having a common, everyday meaning to the public. *Id.*

SECURE MI VOTE submitted a request for approval of the petition summary. A copy of the full text of the proposed initiated law is provided with this announcement. **The Director of Elections is inviting public comments regarding the summary of the purpose of this proposed initiative petition, including submissions of suggested language, as follows:**

<i>Deadline for submission of suggested petition summary and/or explanatory materials to staff:</i>	September 9, 2021, 5:00 p.m.
<i>Date of Board of State Canvassers meeting at which the summary will be considered:</i>	To be announced
<i>Deadline for Board of State Canvassers to approve or reject the summary of the content of the petitions:</i>	October 1, 2021

Submissions may be made via email (MDOS-Canvassers@Michigan.gov), U.S. Mail (P.O. Box 20126, Lansing, Michigan 48901), or hand delivery (address provided below). **Submissions must be received in this office by the date and time specified to be considered.**

INITIATION OF LEGISLATION

An initiation of legislation to protect the right to vote and increase confidence in the conduct of elections by requiring photo identification before casting a ballot, to increase participation by providing free photo identification to anyone needing it to vote, and to protect election integrity by prohibiting special interest funding of elections, by amending Michigan Election Code sections 495, 523, 759, 759a, 759b, 761, 761b, 764b, and 813 (MCL 168.495, MCL 168.523, MCL 168.759, MCL 168.759a, MCL 168.759b, MCL 168.761, MCL 168.761b, MCL 168.764b, and MCL 168.813), and adding sections 523b (MCL 168.523b) 760a (MCL 168.760a) and 946 ((MCL 168.946).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 495. The registration application must contain all of the following:

- (a) The name of the elector.
- (b) The residence address of the elector, including the street and number or rural route and box number and the apartment number, if any.
- (c) The city or township and county of residence of the elector.
- (d) The date of birth of the elector.
- (e) The driver license or state personal identification card number of the elector, if available.
- (f) THE LAST FOUR DIGITS OF THE ELECTOR'S SOCIAL SECURITY NUMBER.
- (g) (G) A statement that the elector is a citizen of the United States.
- (h) (H) A statement that the elector is at the time of completing the affidavit, or will be on the date of the next election, not less than 18 years of age.
- (i) (I) A statement that the elector has or will have lived in this state not less than 30 days before the next election.
- (j) (J) A statement that the elector has or will have established his or her residence in the township or city in which the elector is applying for registration not less than 30 days before the next election.
- (k) (K) A statement that the elector is or will be a qualified elector of the township or city on the date of the next election.
- (l) (L) A space in which the elector shall state the place of the elector's last registration, if any.
- (m) (M) A statement that the registration is not effective until processed by the clerk of the city or township in which the applicant resides.
- (n) (N) A statement that the applicant, if qualified, may vote at an election occurring on or after the date of completing the application.
- (o) (O) A statement authorizing the cancellation of registration at the elector's last place of registration.
- (p) (P) A space for the elector to sign and certify to the truth of the statements on the application.

Sec. 523. (1) ~~Except as otherwise provided in subsection (2), at each election, before being given a ballot, each registered elector offering to vote must identify himself or herself by presenting identification for election purposes, and by executing an application, on a form prescribed by the secretary of state, in the presence of an election official that includes~~ BEFORE PROVIDING A BALLOT TO ANY PERSON OFFERING TO VOTE, THE CLERK OF A CITY OR TOWNSHIP AND THOSE ELECTION OFFICIALS ACTING UNDER THEIR DIRECTION SHALL ASK THE PERSON FOR HIS OR HER FULL NAME AND CURRENT RESIDENCE ADDRESS. THE PERSON OFFERING TO VOTE SHALL, IN THE PRESENCE OF AN ELECTION OFFICIAL, SIGN AN APPLICATION, POLL BOOK, OR FORM PRESCRIBED BY THE SECRETARY OF STATE THAT AFFIRMS all of the following:

- (a) The name of the elector INDIVIDUAL;
- (b) The elector's INDIVIDUAL'S address of residence;
- (c) The elector's INDIVIDUAL'S date of birth;
- (d) ~~An affirmative statement by the elector that is included in the signature statement indicating~~ A STATEMENT AFFIRMING THAT THIS INFORMATION IS CORRECT AND THAT THE INDIVIDUAL ~~that he or she~~ is a citizen of the United States AND IS CURRENTLY A MICHIGAN RESIDENT RESIDING AT THE ADDRESS STATED IN THE QUALIFIED VOTER FILE; AND
- (e) The elector's INDIVIDUAL'S signature or mark.

(2) If an elector's signature contained in the qualified voter file is available in the polling place, the election official shall compare the signature upon the application with the digitized signature provided by the qualified voter file. If an elector's signature is not contained in the qualified voter file, the election official shall process the application in the same manner as applications are processed when a voter registration list is used in the polling place. If voter registration lists are used in the precinct, the election inspector shall determine if the name on the application to vote appears on the voter registration list. If the name appears on the voter registration list, the elector shall provide further identification or other information stated upon the voter registration list. If the signature or an item of information does not correspond, the vote of the person must be challenged, and the same procedure must be followed as provided in this act for the challenging of an elector. ~~If the elector does not have identification for election purposes as required under this section, the individual shall sign an affidavit to that effect before an election inspector and be allowed to vote as otherwise provided in this act. However, an elector being allowed to vote without identification for election purposes as required under this section is subject to challenge as provided in section 727.~~

(3) THE ELECTION OFFICIAL SHALL ASK ANY INDIVIDUAL SEEKING TO CAST A BALLOT TO PRESENT ONE OF THE FOLLOWING FORMS OF IDENTIFICATION:

- (A) AN OPERATOR'S OR CHAUFFEUR'S LICENSE ISSUED UNDER THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.1 TO 257.923, OR AN ENHANCED DRIVER LICENSE ISSUED UNDER THE ENHANCED DRIVER LICENSE AND ENHANCED OFFICIAL STATE PERSONAL IDENTIFICATION CARD ACT, 2008 PA 23, MCL 28.301 TO 28.308.
- (B) AN OFFICIAL STATE PERSONAL IDENTIFICATION CARD ISSUED UNDER 1972 PA 222, MCL 28.291 TO 28.300, OR AN ENHANCED OFFICIAL STATE PERSONAL IDENTIFICATION CARD ISSUED UNDER THE ENHANCED DRIVER LICENSE AND ENHANCED OFFICIAL STATE PERSONAL IDENTIFICATION CARD ACT, 2008 PA 23, MCL 28.301 TO 28.308.
- (C) A CURRENT OPERATOR'S OR CHAUFFEUR'S LICENSE ISSUED BY ANOTHER STATE.
- (D) A CURRENT STATE PERSONAL IDENTIFICATION CARD ISSUED BY ANOTHER STATE.
- (E) A CURRENT STATE GOVERNMENT ISSUED PHOTO IDENTIFICATION CARD.
- (F) A CURRENT UNITED STATES PASSPORT OR FEDERAL GOVERNMENT ISSUED PHOTO IDENTIFICATION CARD.
- (G) A CURRENT MILITARY PHOTO IDENTIFICATION CARD.
- (H) A CURRENT TRIBAL PHOTO IDENTIFICATION CARD.
- (I) A CURRENT STUDENT PHOTO IDENTIFICATION CARD ISSUED BY A HIGH SCHOOL IN THIS STATE, AN INSTITUTION OF HIGHER EDUCATION IN THIS STATE DESCRIBED IN SECTION 4, 5, OR 6 OF ARTICLE VIII OF THE STATE CONSTITUTION OF 1963, A JUNIOR COLLEGE OR COMMUNITY COLLEGE ESTABLISHED UNDER SECTION 7 OF ARTICLE VIII OF THE STATE CONSTITUTION OF 1963, OR ANOTHER ACCREDITED DEGREE OR CERTIFICATE GRANTING COLLEGE OR UNIVERSITY, JUNIOR COLLEGE, OR COMMUNITY COLLEGE LOCATED IN THIS STATE.

~~(3)-(4) If, AFTER CONFIRMATION THAT THE REQUIREMENTS OF THIS SECTION HAVE BEEN FULLY SATISFIED upon a comparison of the signature or other identification as required in this section, it is found that the applicant is entitled to vote, the election official having charge of the registration list shall approve the application and write his or her initials on the application, after which the number on the ballot issued must be noted on the application. The application serves as 1 of the 2 poll lists required to be kept as a record of a person who has voted. The application must be filed with the township, city or village clerk. If voter registration cards are used in the precinct, the date of the election must be noted by 1 of the election officials upon the precinct registration card of each elector voting at an election. If voter registration lists are used in the precinct, the election official shall clearly indicate upon the list each elector voting at that election. The clerk of a city, village or township shall maintain a record of voting participation for each registered elector.~~

(5) ANY PERSON WHO DOES NOT PRESENT ONE OF THE FORMS OF IDENTIFICATION SPECIFIED IN SUBSECTION (3) SHALL BE OFFERED AN "ID-ONLY PROVISIONAL BALLOT." THE ID-ONLY PROVISIONAL BALLOTS SHALL BE PLACED IN PROVISIONAL BALLOT ENVELOPES, SEGREGATED FROM OTHER BALLOTS IN A SEPARATE BALLOT CONTAINER AS THAT TERM IS DEFINED IN SECTION 168.14A, AND RETURNED TO THE LOCAL CLERK.

(6) WITHIN THE SIX DAYS AFTER CASTING AN ID-ONLY PROVISIONAL BALLOT, ANY PERSON WHO CAST AN ID-ONLY PROVISIONAL BALLOT MAY PRESENT THEMSELVES TO THE CLERK OF THE CITY OR TOWNSHIP AND, UPON PRESENTING ONE OF THE FORMS OF PHOTO-IDENTIFICATION SPECIFIED IN SUBSECTION (3), THEIR ID-ONLY PROVISIONAL BALLOT SHALL BE PROCESSED AND TABULATED IN ACCORDANCE WITH SECTION 813.

(7) A QUALIFIED ELECTOR WHO DOES NOT POSSESS ANY OF THE FORMS OF PHOTO IDENTIFICATION SPECIFIED IN SUBSECTION (3) MAY, WITHIN SIX DAYS AFTER CASTING AN ID-ONLY PROVISIONAL BALLOT, PRESENT THEMSELVES TO THE CLERK OF THE CITY OR TOWNSHIP WITH A COPY OF THEIR BIRTH CERTIFICATE OR SOCIAL SECURITY CARD, AND A CURRENT UTILITY BILL, BANK STATEMENT, PAYCHECK, GOVERNMENT CHECK, OR OTHER GOVERNMENT DOCUMENT CONTAINING THE NAME AND CURRENT RESIDENCE ADDRESS OF THE QUALIFIED ELECTOR. UPON SATISFACTION OF THE REQUIREMENTS SET FORTH IN THIS SUBSECTION, THAT QUALIFIED ELECTOR'S ID-ONLY PROVISIONAL BALLOT SHALL BE PROCESSED AND TABULATED IN ACCORDANCE WITH SECTION 813.

SEC. 523B. (1) THE VOTER ACCESS FUND IS CREATED WITHIN THE STATE TREASURY. THE STATE TREASURER MAY RECEIVE ONLY STATE MONEY FOR DEPOSIT INTO THE FUND. THE STATE TREASURER SHALL DIRECT THE INVESTMENT OF THE FUND. THE STATE TREASURER SHALL CREDIT TO THE FUND INTEREST AND EARNINGS FROM THE FUND INVESTMENTS. THE SECRETARY OF STATE SHALL BE THE ADMINISTRATOR OF THE FUND FOR AUDITING PURPOSES.

(2) MONEY IN THE VOTER ACCESS FUND AT THE CLOSE OF THE FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT LAPSE TO THE GENERAL FUND.

(3) SUBJECT TO APPROPRIATION, MONEY SHALL BE EXPENDED FROM THE VOTER ACCESS FUND FOR THE PURPOSE OF CREDITING THE SECRETARY OF STATE FOR FEES OWED BY AN APPLICANT UNDER MCL 28.292(12) IN THE MANNER SET FORTH IN SUBSECTION (4).

(4) IF AN APPLICANT CLAIMS A HARDSHIP IN PAYING THE FEE UNDER MCL 28.292(12), THE APPLICANT MUST SIGN A FORM DEVELOPED BY THE SECRETARY OF STATE ACKNOWLEDGING THE HARDSHIP. THE AMOUNT OF THE FEE UNDER MCL 28.292(12) THAT THE APPLICANT OWES SHALL BE CREDITED TO THE SECRETARY OF STATE FROM THE VOTER ACCESS FUND ESTABLISHED UNDER SUBSECTION (1). THE APPLICANT WILL THEN BE DEEMED TO HAVE PAID THE FEE UNDER MCL 28.292(12).

(5) FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2022, \$3,000,000 IS APPROPRIATED FROM THE GENERAL FUND TO THE VOTER ACCESS FUND.

Sec. 759. (1) THE SECRETARY OF STATE, THE CLERK OF A COUNTY, CITY OR TOWNSHIP, AND ALL PERSONS EMPLOYED BY THE STATE OR A POLITICAL SUBDIVISION OF THE STATE ARE PROHIBITED FROM SENDING OR PROVIDING ACCESS TO AN ABSENT VOTER BALLOT APPLICATION FOR AN ELECTION TO AN ELECTOR UNLESS THAT ELECTOR HAS FIRST REQUESTED AN ABSENT VOTER BALLOT APPLICATION. THE SECRETARY OF STATE, THE CLERK OF A COUNTY, CITY OR TOWNSHIP, AND ALL PERSONS EMPLOYED BY THE STATE AND ANY POLITICAL SUBDIVISION OF THE STATE ARE PROHIBITED FROM SENDING OR PROVIDING AN ABSENT VOTER BALLOT FOR AN ELECTION TO AN ELECTOR UNLESS THAT ELECTOR HAS FIRST SUBMITTED AN ABSENT VOTER BALLOT APPLICATION. Subject to section 761(3), at any time during the 75 days before a primary or special primary, but not later than 8 p.m. on the day of a primary or special primary, an elector may apply for an absent voter ballot. The elector shall apply in person or by mail with the clerk of the township or city in which the elector is registered. The clerk of a city or township shall not send by first-class mail an absent voter ballot to an elector after 5 p.m. on the Friday immediately before the election. Except as otherwise provided in section 761(2), the clerk of a city or township shall not issue an absent voter ballot to a registered elector in that city or township after 4 p.m. on the day before the election. An application received before a primary or special primary may be for either that primary only, or for that primary and the election that IMMEDIATELY follows. An individual may submit a voter registration application and an absent voter ballot application at the same time if applying in person with the clerk or deputy clerk of the city or township in which the individual resides. Immediately after his or her voter registration application and absent voter ballot application are approved by the clerk or deputy clerk, the individual may, subject to the identification requirement in section 761(6), complete an absent voter ballot at the clerk's office.

(2) Except as otherwise provided in subsection (1) and subject to section 761(3), at any time during the 75 days before an election, but not later than 8 p.m. on the day of an election, an elector may apply for an absent voter ballot. The elector shall apply in person or by mail with the clerk of the county, township, OR city, or village in which the voter is registered. The clerk of a city or township shall not send by first-class mail an absent voter ballot to an elector after 5 p.m. on the Friday immediately before the election. Except as otherwise provided in section 761(2), the clerk of a county, city or township shall not issue an absent voter ballot to a registered elector in that city or township after 4 p.m. on the day before the election. An individual may submit a voter registration application and an absent voter ballot application at the same time if applying in person with the clerk or deputy clerk of the county, city or township in which the individual resides. Immediately after his or her voter registration application and absent voter ballot application are approved by the clerk, the individual may, subject to the identification requirement in section 761(6), complete an absent voter ballot at the clerk's office.

(3) An application for an absent voter ballot under this section may be made in any of the following ways:

- (a) By a written request signed by the voter.
- (b) On an absent voter ballot application form provided for that purpose by the clerk of the city or township.
- (c) On a federal postcard application.

(4) An applicant for an absent voter ballot shall MUST sign the application. IN ADDITION, AN APPLICANT FOR AN ABSENT VOTER BALLOT MUST EITHER PROVIDE ON THE APPLICATION THEIR DRIVER LICENSE NUMBER, OFFICIAL STATE PERSONAL IDENTIFICATION CARD NUMBER, OR THE LAST FOUR DIGITS OF THEIR SOCIAL SECURITY NUMBER, OR PRESENT AN ORIGINAL OR A COPY OF ONE OF THE FORMS OF IDENTIFICATION FOR ELECTION PURPOSES SET FORTH IN SUBSECTION 523(3) TO THE CLERK OF THE CITY, TOWNSHIP, OR COUNTY IN WHICH THE ELECTOR IS REGISTERED. Subject to section 761(2), a clerk or assistant clerk shall not deliver an absent voter ballot to an applicant who does not sign the application. IF AN APPLICANT DOES NOT EITHER PROVIDE THEIR DRIVER LICENSE NUMBER, OFFICIAL STATE PERSONAL IDENTIFICATION CARD NUMBER, OR THE LAST FOUR DIGITS OF THEIR SOCIAL SECURITY NUMBER, OR PRESENT IDENTIFICATION FOR ELECTION PURPOSES AS PROVIDED IN THIS SUBSECTION, THE CLERK MUST ISSUE THAT APPLICANT A PROVISIONAL ABSENT VOTER BALLOT THAT IS PROCESSED ACCORDING TO SUBSECTIONS 523(5)-(7), WITH THE EXCEPTION THAT THE APPLICANT MAY SATISFY THE REQUIREMENTS UNDER SUBSECTIONS 523(6)-(7) ANY TIME BEFORE 5:00PM SIX DAYS AFTER ELECTION DAY. A person shall not be in possession of a signed absent voter ballot application except for the applicant; a member of the applicant's immediate family; a person residing in the applicant's household; a person whose job normally includes the handling of mail, but only during the course of his or her employment; a registered elector requested by the applicant to return the application; or a clerk, assistant of the clerk, or other authorized election official. A registered elector who is requested by the applicant to return his or her absent voter ballot application shall sign the certificate on the absent voter ballot application.

(5) The clerk of a city or township shall have absent voter ballot application forms available in the clerk's office at all times and shall furnish an absent voter ballot application form to anyone upon a verbal or written request. The absent voter ballot application must be in substantially the following form:

"Application for absent voter ballot for:

The primary or special primary election to be held on (Date).

The election to be held on (Date).

(Check applicable election or elections)

I,, a United States citizen and a qualified and registered elector of the precinct of the township of or of the ward of the city of, in the county of and state of Michigan, apply for an official ballot, or ballots, to be voted by me at the election or elections as requested in this application.

VOTER IDENTIFICATION:

YOU MUST CHOOSE ONE OF THE VOTER IDENTIFICATION OPTIONS BELOW. IF YOU DO NOT SATISFY ONE OF THE VOTER IDENTIFICATION OPTIONS BELOW, YOU WILL BE ISSUED A PROVISIONAL ABSENT VOTER BALLOT THAT IS SUBJECT TO VERIFICATION AND WILL NOT BE TABULATED ON ELECTION DAY.

- YOUR MICHIGAN DRIVER LICENSE NUMBER.
- YOUR OFFICIAL MICHIGAN PERSONAL IDENTIFICATION CARD NUMBER.
- THE LAST FOUR DIGITS OF YOUR SOCIAL SECURITY NUMBER.
- PRESENT IDENTIFICATION FOR ELECTION PURPOSES IN PERSON TO THE CITY OR TOWNSHIP CLERK.

Send absent voter ballot to me at:

.....
(Street No. or R.R. or Designated Address)

..... (Post Office) (State) (Zip Code)

My registered address
(Street No. or R.R. or Participant Identification Number)

..... (Post Office) (State) (Zip Code)

Date.....

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

.....
(Signature)

WARNING

You must be a United States citizen to vote. If you are not a United States citizen, you will not be issued an absent voter ballot. A person making a false statement in this absent voter ballot application is guilty of a misdemeanor. It is a violation of Michigan election law for a person other than those listed in the instructions to return, offer to return, agree to return, or solicit to return your absent voter ballot application to the clerk. An assistant authorized by the clerk who receives absent voter ballot applications at a location other than the clerk's office must have credentials signed by the clerk. Ask to see his or her credentials before entrusting your application with a person claiming to have the clerk's authorization to return your application.

**Certificate of Authorized Registered
Elector Returning Absent Voter
Ballot Application**

I certify that my name is, my address is, and my date of birth is; that I am delivering the absent voter ballot application of at his or her request; that I did not solicit or request to return the application; that I have not made any markings on the application; that I have not altered the application in any way; that I have not influenced the applicant; and that I am aware that a false statement in this certificate is a violation of Michigan election law.

..... (Date) (Signature)

(6) The following instructions for an applicant for an absent voter ballot must be included with each application furnished an applicant:

INSTRUCTIONS FOR APPLICANTS FOR ABSENT VOTER BALLOTS

Step 1. After completely filling out the application, sign and date the application in the place designated. Your signature must appear on the application or you may not receive an absent voter ballot. IN ADDITION, YOU MUST EITHER PROVIDE YOUR DRIVER LICENSE NUMBER, OFFICIAL STATE PERSONAL IDENTIFICATION CARD NUMBER, OR THE LAST FOUR DIGITS OF YOUR SOCIAL SECURITY NUMBER ON THE APPLICATION, OR PRESENT AN ORIGINAL OR A COPY OF IDENTIFICATION FOR ELECTION PURPOSES TO THE CLERK OF THE CITY OR TOWNSHIP IN WHICH YOU ARE REGISTERED. IF YOU DO NOT PROVIDE THIS IDENTIFICATION VERIFICATION INFORMATION OR PRESENT IDENTIFICATION FOR ELECTION PURPOSES, YOU WILL BE ISSUED A PROVISIONAL ABSENT VOTER BALLOT THAT WILL NOT BE TABULATED UNLESS SUBSEQUENTLY VERIFIED UNDER STATE LAW.

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

- (a) Place the application in an envelope addressed to the appropriate clerk and place the necessary postage upon the return envelope and deposit it in the United States mail or with another public postal service, express mail service, parcel post service, or common carrier.
- (b) Deliver the application personally to the clerk's office, to the clerk, or to an authorized assistant of the clerk.
- (c) In either (a) or (b), a member of the immediate family of the voter including a father-in-law, mother-in-law, brother-in-law, sister-in-law, daughter-in-law, grandparent, or grandchild or a person residing in the voter's household may mail or deliver the application to the clerk for the applicant.
- (d) If an applicant cannot return the application in any of the above methods, the applicant may select any registered elector to return the application. The person returning the application must sign and return the certificate at the bottom of the application.

(7) A person who prints and distributes absent voter ballot applications shall print on the application the warning, certificate of authorized registered elector returning absent voter ballot application, and instructions required by this section.

(8) A person who makes a false statement in an absent voter ballot application is guilty of a misdemeanor. A person who forges a signature on an absent voter ballot application is guilty of a felony. A person who is not authorized in this act and who both distributes absent voter ballot applications to absent voters and returns those absent voter ballot applications to a clerk or assistant of the clerk is guilty of a misdemeanor.

(9) The absent voter ballot application of an elector who is a program participant, as that term is defined in the address confidentiality program act, is confidential and not subject to disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

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

(2) Upon the request of an absent uniformed services voter or an overseas voter, the clerk of a county, city, township, or village shall electronically transmit a ballot voter registration application or blank absent voter ballot application to the voter. The clerk of a county, city, township, or village shall accept a completed voter registration application or completed absent voter ballot application electronically transmitted by an absent uniformed services voter or overseas voter. A voter registration application or absent voter ballot application submitted by an absent uniformed services voter or overseas voter shall MUST contain the signature of the voter. IN ADDITION, AN APPLICANT FOR AN ABSENT VOTER BALLOT MUST PROVIDE ON THE APPLICATION THEIR DRIVER LICENSE NUMBER, OFFICIAL STATE PERSONAL IDENTIFICATION CARD NUMBER, OR THE LAST FOUR DIGITS OF THEIR SOCIAL SECURITY NUMBER.

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

(4) An absent uniformed services voter or an overseas voter, whether or not registered to vote, may apply for an absent voter ballot. UPON SUBJECT TO THIS SUBSECTION, UPON receipt of an application for an absent voter ballot under this section that complies with this act, a county, city, village, or township clerk shall forward to the applicant the absent voter ballots requested, the forms necessary for registration, and instructions for completing the forms. IF AN APPLICANT DOES NOT PROVIDE THEIR DRIVER LICENSE NUMBER, OFFICIAL STATE PERSONAL IDENTIFICATION CARD NUMBER, OR THE LAST FOUR DIGITS OF THEIR SOCIAL SECURITY NUMBER, THE CLERK MUST ISSUE THAT APPLICANT A PROVISIONAL ABSENT VOTER BALLOT THAT IS PROCESSED ACCORDING TO SUBSECTIONS 523(5)-(7), WITH THE EXCEPTION THAT THE APPLICANT MAY SATISFY THE REQUIREMENTS UNDER SUBSECTIONS 523(6)-(7) ANY TIME BEFORE 5:00PM SIX DAYS AFTER ELECTION DAY, SUBJECT TO SUBSECTION (16), AND MAY DO SO BY SUBMITTING THE REQUISITE MATERIALS ELECTRONICALLY IN THE SAME MANNER AS THAT PERMITTED UNDER SUBSECTION (2). If the ballots are not yet available at the time of receipt of the application, the clerk shall immediately forward to the applicant the registration forms and instructions, and forward the ballots as soon as they are available. If a federal postcard application or an application from the official United States department of defense website is filed, the clerk shall accept the federal postcard application or the application from the official United States department of defense website as the registration application and shall not send any additional registration forms to the applicant. If the ballots and registration forms are received before the close of the polls on election day and if the registration complies with the requirements of this act, the absent voter ballots shall be delivered to the proper election board to be tabulated. If the registration does not comply with the requirements of this act, the clerk shall retain the absent voter ballots until the expiration of the time that the voted ballots must be kept and shall then destroy the ballots without opening the envelope. The clerk may retain registration forms completed under this section in a separate file. The address in this state shown on a registration form is the residence of the registrant.

(5) Not SUBJECT TO SUBSECTION (4), NOT later than 45 days before an election, a county, city, township, or village clerk shall electronically transmit or mail as appropriate an absent voter ballot to each absent uniformed services voter or overseas voter who applied for an absent voter ballot 45 days or more before the election.

(6) Upon the request of an absent uniformed services voter or overseas voter, the clerk of a county, city, township, or village shall electronically transmit an absent voter ballot to the voter. The voter shall print the absent voter ballot and return the voted ballot by mail to the appropriate clerk.

(7) The secretary of state shall prescribe electronic absent voter ballot formats and electronic absent voter ballot transmission methods. Each county, city, township, or village clerk shall employ the prescribed electronic ballot formats to fulfill an absent voter ballot request received from an absent uniformed services voter or overseas voter who wishes to receive his or her absent voter ballot through an electronic transmission. The secretary of state shall establish procedures to implement the requirements in this section and for the processing of a marked absent voter ballot returned by an absent uniformed services voter or overseas voter who obtained his or her absent voter ballot through an electronic transmission.

(8) The secretary of state shall modify the printed statement provided under section 761(4) and the absent voter ballot instructions provided under section 764a as appropriate to accommodate the procedures developed for electronically transmitting an absent voter ballot to an absent uniformed services voter or overseas voter. A statement shall be included in the certificate signed by the absent voter who obtained his or her absent voter ballot through an electronic transmission that the secrecy of the absent voter ballot may be compromised during the duplication process. The absent voter ballot instructions provided to an absent uniformed services voter or overseas voter shall include the proper procedures under this section for the absent voter ballot to the appropriate clerk.

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

(10) An absent uniformed services voter or an overseas voter who submits an absent voter ballot application is eligible to vote as an absent voter in any local, state, or federal election occurring in the calendar year in which the election is held for that ballot requested if the absent voter ballot application is received by the county, city, village, or township clerk not later than 2 p.m. of the Saturday before the election. A county, city, or township clerk receiving an absent voter ballot application from an absent uniformed services voter or overseas voter shall transmit to a village clerk and the school district election coordinators, where applicable, the necessary information to enable the village clerk and school district election coordinators to forward an absent voter ballot for each applicable election in that calendar year to the absent voter. A village clerk receiving an absent voter ballot application from an absent uniformed services voter or overseas voter shall transmit to the township clerk and the school district election coordinators, where applicable, the necessary information to enable the city or township clerk and school district election coordinators to forward an absent voter ballot for each applicable election in that calendar year to the absent voter. If the local elections official rejects a voter registration application or absent voter ballot application submitted by an absent uniformed services voter or overseas voter, the election official shall notify the voter of the rejection.

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

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

(13) An absent uniformed services voter or an overseas voter may use the federal write-in absentee ballot, in accordance with the provisions of the uniformed and overseas citizens absentee voting act, at a regular election or special election to vote for a local, state, or federal office or on a ballot question. An absent uniformed services voter or an overseas voter who uses the federal write-in absentee ballot shall return his or her voted federal write-in absentee ballot by mail to the appropriate clerk. The state bureau of elections shall do both of the following:

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

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

(14) The clerk of a city, village, or township shall submit to the county clerk of the county in which that city, village, or township is located a written statement no later than 45 days before each election indicating whether absent voter ballots were issued to absent uniformed services voters or overseas voters in compliance with this section and the uniformed and overseas citizens absentee voting act. The city, village, or township clerk shall provide to the county clerk a written explanation describing remedial actions taken by the city, village, or township clerk if the city, village, or township clerk fails to comply with this section and the uniformed and overseas citizens absentee voting act. Not later than 42 days before each election, each county clerk shall submit to the state bureau of elections a written report compiled from the written statements submitted by the city, village, and township clerks. The written report shall identify the cities, villages, and townships that complied with the 45-day deadline under this subsection, the cities, villages, and townships that did not comply with the 45-day deadline under this subsection, but provided a written explanation, and those cities, villages, and townships that did not comply with the 45-day deadline under this subsection and that did not provide a written explanation. The state bureau of elections may require the clerk of a city, village, or township that did not comply with the 45-day deadline under this subsection, but provided a written explanation, to provide additional information. The state bureau of elections shall require the clerk of a city, village, or township that did not comply with the 45-day deadline and that did not provide a written explanation to file a written explanation, describing the remedial actions taken by the city, village, or township clerk, within 1 business day after the state bureau of elections notifies the clerk of that city, village, or township.

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

(16) The secretary of state shall order a city, village, or township clerk to extend the ballot receipt deadline for any absentee voter ballots under this section that were not transmitted to an absent uniformed services voter or overseas voter in compliance with subsection (5). The extension shall equal the total number of days beyond the deadline as provided in subsection (5) that the city, village, or township clerk transmitted the requested absentee voter ballots. These absentee voter ballots received during the extension time shall be counted and tabulated for the final results of the election provided that the absentee voter ballots are executed and sent by the close of the polls on election day. The election may be formally certified before the end of the extension time if the number of outstanding absentee voter ballots under this subsection will not alter the outcome of the election.

(17) As used in this section:

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

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

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

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

(b) "Member of the merchant marine" means an individual, other than a member of a uniformed service or an individual employed, enrolled, or maintained on the Great Lakes or the inland waterways, who is either of the following:

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

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

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

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

(ii) A person who resides outside of the United States and is qualified to vote in the last place in which the person was domiciled before leaving the United States.

(iii) A person who resides outside of the United States and who, but for such residence outside of the United States, would be qualified to vote in the last place in which he or she was domiciled before leaving the United States.

(d) "Uniformed services" means the army, navy, air force, marine corps, coast guard, the commissioned corps of the public health service, the commissioned corps of the national oceanic and atmospheric administration, a reserve component of a uniformed service, or the Michigan national guard as defined in section 105 of the Michigan military act, 1967 PA 150, MCL 32.505.

Sec. 759b. (1) Any registered elector may apply for AN absent voter ballots at any time prior to 4 p.m. on election day if he shall have THEY become physically disabled or shall be absent from the city or township because of sickness or death in the family which has occurred at a time which has made it impossible to apply for AN absent voter ballots by the statutory deadline. The application shall be called an emergency absent voter application.

(2) Emergency AN EMERGENCY absent voter applications APPLICATION may be made by letter or on a form provided by the clerk. The application shall set forth that the voter ELECTOR is qualified to vote in the election, stating the statutory reason for applying for an emergency absent voter ballot and that the reason for applying after the statutory deadline occurred at such a time to make it impossible to file an application for AN absent voter ballots BALLOT by the statutory deadline. IN ADDITION, AN APPLICANT FOR AN EMERGENCY ABSENT VOTER BALLOT MUST EITHER PROVIDE ON THE APPLICATION THEIR DRIVER LICENSE NUMBER, OFFICIAL STATE PERSONAL IDENTIFICATION CARD NUMBER, OR THE LAST FOUR DIGITS OF THEIR SOCIAL SECURITY NUMBER, OR PRESENT AN ORIGINAL OR A COPY OF ONE OF THE FORMS OF IDENTIFICATION FOR ELECTION PURPOSES SET FORTH IN SUBSECTION 523(3) TO THE CLERK OF THE CITY, TOWNSHIP, OR COUNTY IN WHICH THE ELECTOR IS REGISTERED.

(3) Any person intentionally making a false statement in such application is guilty of a felony. Any person aiding or abetting any person to make a false statement on such application is guilty of a felony.

(4) Upon SUBJECT TO THIS SUBSECTION, UPON receipt by the clerk of a valid application for an emergency absent voter ballot, the clerk may deliver the ballots BALLOT to the applicant in person, through a deputy or an election assistant, or he THEY may deliver them THE BALLOT at his OR HER office to a person AN INDIVIDUAL named by the applicant in the application. IF AN APPLICANT DOES NOT EITHER PROVIDE THEIR DRIVER LICENSE NUMBER, OFFICIAL STATE PERSONAL IDENTIFICATION CARD NUMBER, OR THE LAST FOUR DIGITS OF THEIR SOCIAL SECURITY NUMBER, OR PRESENT IDENTIFICATION FOR ELECTION PURPOSES AS PROVIDED IN THIS SECTION, THE CLERK MUST ISSUE THAT APPLICANT A PROVISIONAL ABSENT VOTER BALLOT THAT IS PROCESSED ACCORDING TO SUBSECTIONS 523(5)-(7), WITH THE EXCEPTION THAT THE APPLICANT MAY SATISFY THE REQUIREMENTS UNDER SUBSECTIONS 523(6)-(7) ANY TIME BEFORE 5:00PM SIX DAYS AFTER ELECTION DAY. The voter may return the ballots BALLOT to the clerk in the sealed envelope provided therefor in any manner he OR SHE sees fit. To be valid, ballots A BALLOT must be returned to the local clerk by 8 p.m. on election day.

SEC. 760A. EACH CITY, TOWNSHIP, AND COUNTY CLERK SHALL HAVE ACCESS TO THE MOST CURRENT DEPARTMENT OF STATE DATA SYSTEM THAT CONTAINS ALL OF THE FOLLOWING INFORMATION IN ORDER FOR THE CLERK TO VERIFY THE IDENTITY OF AN ELECTOR FOR ELECTION PURPOSES:

- (A) THE LAST FOUR DIGITS OF AN INDIVIDUAL'S SOCIAL SECURITY NUMBER.
(B) AN INDIVIDUAL'S DRIVER LICENSE NUMBER OR OFFICIAL STATE PERSONAL IDENTIFICATION CARD NUMBER.
(C) AN INDIVIDUAL'S SIGNATURE CONTAINED IN THE QUALIFIED VOTER FILE.

Sec. 761. (1) If SUBJECT TO THIS SUBSECTION, IF the clerk of a city or township receives an application for an absent voter ballot from a person registered to vote in that city or township and if the signature on the application agrees with the signature for the person contained in the qualified voter file or on the registration card as required in subsection (2), the clerk immediately upon receipt of the application or, if the application is received before the printing of the absent voter ballots, as soon as the ballots are received by the clerk, if forwarded by mail, postage prepaid, or shall deliver personally 1 of the ballots or set of ballots if there is more than 1 kind of ballot to be voted to the applicant. If the clerk of a city or township receives an application for an absent voter ballot from an applicant who is a program participant, as that term is defined in the address confidentiality program act, then the city or township clerk shall mail an absent voter ballot to that program participant at the designated address provided to that program participant by the department of the attorney general under the address confidentiality program act. IF THAT APPLICANT DOES NOT EITHER PROVIDE THEIR DRIVER LICENSE NUMBER, OFFICIAL STATE PERSONAL IDENTIFICATION CARD NUMBER, OR LAST FOUR DIGITS OF THEIR SOCIAL SECURITY NUMBER, OR PRESENT IDENTIFICATION FOR ELECTION PURPOSES AS PROVIDED IN SECTION 759(4), THE CLERK MUST ISSUE THAT APPLICANT A PROVISIONAL ABSENT VOTER BALLOT THAT IS PROCESSED ACCORDING TO SUBSECTIONS 523(5)-(7), WITH THE EXCEPTION THAT THE APPLICANT MAY SATISFY THE REQUIREMENTS UNDER SUBSECTIONS 523(6)-(7) ANY TIME BEFORE 5:00PM SIX DAYS AFTER ELECTION DAY. Subject to the identification requirement in subsection (6), absent voter ballots may be delivered to an applicant in person at the office of the clerk.

(2) The qualified voter file must be used to determine the genuineness of a signature on an application for an absent voter ballot. Signature comparisons must be made with the digitized signature in the qualified voter file. If the qualified voter file does not contain a digitized signature of an elector, or is not accessible to the clerk, the city or township clerk shall compare the signature appearing on the application for an absent voter ballot to the signature contained on the master card. If before 8 p.m. on the day before election day the clerk of a city or township rejects an absent voter ballot application because the signature on the absent voter ballot application does not agree sufficiently with the signature on the master card or the digitized signature contained in the qualified voter file so as to identify the elector or because the elector failed to sign the absent voter ballot application, the city or township clerk shall as soon as practicable, but in no event later than 48 hours after determining the signatures do not agree sufficiently or that the signature is missing, or by 8 p.m. on the day before election day, whichever occurs first, notify the elector of the rejection by mail, telephone, or electronic mail.

(3) Subject to the identification requirement in subsection (6) and except as otherwise provided in this subsection, a person may apply in person at the clerk's office before 8 p.m. on election day to vote as an absent voter. Except as otherwise provided in subsection (2), Only an individual who is not a registered elector, or an individual who is not registered to vote in the city or township in which he or she is registering to vote, and who registers to vote on election day in person with the clerk of the city or township in which the individual resides may apply for and complete an absent voter ballot in person at the clerk's office on election day. Except as otherwise provided in subsection (2), The clerk of a city or township shall not issue an absent voter ballot to a registered elector in that city or township after 4 p.m. on the day before the election. The applicant shall receive his or her absent voter ballot and vote the ballot in the clerk's office. All other absent voter ballots, except ballots delivered pursuant to an emergency absent voter ballot application under section 759b, must be mailed or delivered to the registration address of the applicant unless the application requests delivery to an address outside the city or township or to a hospital or similar institution, in which case the absent voter ballots must be mailed or delivered to the address given in the application. However, a clerk may mail or deliver an absent voter ballot, upon request of the absent voter, to a post office box if the post office box is where the absent voter normally receives personal mail and the absent voter does not receive mail at his or her registration address.

(4) Absent voter ballots must be issued in the same order in which applications are received by the clerk of a city, township, or village, as nearly as may be, and each ballot issued must bear the lowest number of each kind available for this purpose. However, this provision does not prohibit a clerk from immediately issuing an absent voter ballot to an absent voter who applies in person in the clerk's office for absent voter ballots. The clerk shall enclose with the ballot or ballots a return envelope properly addressed to the clerk and bearing upon the back of the envelope a printed statement in substantially the following form:

TO BE COMPLETED BY THE CLERK

Name of Voter _____ Street Address or R.R. or Program Participant Identification Number _____
City or Township _____ County _____
Ward _____ Precinct _____ Date of Election _____

TO BE COMPLETED BY THE ABSENT VOTER

I assert that I am a United States citizen and a qualified and registered elector of the city or township named above. I am voting as an absent voter in conformity with state election law. Unless otherwise indicated below, I personally marked the ballot enclosed in this envelope without exhibiting it to any other person.

I further assert that this absent voter ballot is being returned to the clerk or an assistant of the clerk by me personally; by public postal service, express mail service, parcel post service, or other common carrier; by a member of my immediate family; or by a person residing in my household.

DATE: _____ SIGN HERE: X _____ Signature of Absent Voter

The above form must be signed or your vote may not be counted. AN ABSENT VOTER WHO KNOWINGLY MAKES A FALSE STATEMENT IS GUILTY OF A MISDEMEANOR.

TO BE COMPLETED ONLY IF VOTER IS ASSISTED IN VOTING BY ANOTHER PERSON

I assisted the above named absent voter who is disabled or otherwise unable to mark the ballot in marking his or her absent voter ballot pursuant to his or her directions. The absent voter ballot was inserted in the return envelope without being exhibited to any other person.

Signature of Person Assisting Voter _____ Street Address or R.R. _____ City or Township _____
Printed Name of Person Assisting Voter _____

A PERSON WHO ASSISTS AN ABSENT VOTER AND WHO KNOWINGLY MAKES A FALSE STATEMENT IS GUILTY OF A FELONY.

WARNING

PERSONS WHO CANNOT BE IN POSSESSION OF AN ABSENT VOTER BALLOT ISSUED TO AN ABSENT VOTER ARE LIMITED TO THE ABSENT VOTER; A PERSON WHO IS A MEMBER OF THE ABSENT VOTER'S IMMEDIATE FAMILY OR RESIDES IN THE ABSENT VOTER'S HOUSEHOLD AND WHO

HAS BEEN ASKED BY THE ABSENT VOTER TO RETURN THE BALLOT; A PERSON WHOSE JOB IT IS TO HANDLE MAIL BEFORE, DURING, OR AFTER BEING TRANSPORTED BY A PUBLIC POSTAL SERVICE, EXPRESS MAIL SERVICE, PARCEL POST SERVICE, OR COMMON CARRIER, BUT ONLY DURING THE NORMAL COURSE OF HIS OR HER EMPLOYMENT; AND THE CLERK, ASSISTANTS OF THE CLERK, AND OTHER AUTHORIZED ELECTION OFFICIALS OF THE CITY OR TOWNSHIP. ANY OTHER PERSON IN POSSESSION OF AN ABSENT VOTER BALLOT IS GUILTY OF A FELONY.

(5) An absent voter who knowingly makes a false statement on the absent voter ballot return envelope is guilty of a misdemeanor. A person who assists an absent voter and who knowingly makes a false statement on the absent voter ballot return envelope is guilty of a felony.

(6) ~~IF EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, IF an elector obtains his or her absent voter ballot in person from the clerk of the city or township in which he or she is registered, the clerk of the city or township shall not provide an absent voter ballot to that elector until the elector identifies himself or herself to the clerk by EITHER PROVIDING THEIR DRIVER LICENSE NUMBER, OFFICIAL STATE PERSONAL IDENTIFICATION CARD NUMBER, OR LAST FOUR DIGITS OF THEIR SOCIAL SECURITY NUMBER, OR presenting AN ORIGINAL OR A COPY OF identification for election purposes AS PROVIDED IN SECTION 759(4). If an elector does not have EITHER PROVIDE THEIR DRIVER LICENSE NUMBER, OFFICIAL STATE PERSONAL IDENTIFICATION CARD NUMBER, OR LAST FOUR DIGITS OF THEIR SOCIAL SECURITY CARD, OR PRESENT AN ORIGINAL OR A COPY OF identification for election purposes AS PROVIDED IN SECTION 759(4), the elector may sign an affidavit to that effect before the clerk of the city or township and be allowed to obtain his or her absent voter ballot in person from the clerk. The clerk of the city or township shall indicate to each elector who is registered in that city or township and who obtains his or her absent voter ballot in person from the clerk that the elector may sign an affidavit indicating that the elector does not have identification for election purposes in order to obtain his or her absent voter ballot in person from the clerk. However, if an elector obtains his or her absent voter ballot in person from the clerk and votes by absent voter ballot without providing identification for election purposes required under this subsection, the absent voter ballot of that elector must be prepared as a challenged ballot as provided in section 727 and must be counted as any other ballot is counted unless determined otherwise by a court of law under section 747 or 748 or any other applicable law. THE CLERK MUST ISSUE THE ELECTOR A PROVISIONAL ABSENT VOTER BALLOT THAT IS PROCESSED ACCORDING TO SUBSECTIONS 523(5)-(7), WITH THE EXCEPTION THAT THE ELECTOR MAY SATISFY THE REQUIREMENTS UNDER SUBSECTIONS 523(6)-(7) ANY TIME BEFORE 5:00PM SIX DAYS AFTER ELECTION DAY.~~

Sec. 761b. (1) ~~Beginning January 1, 2019,~~ The clerk of each city or township shall be available in his or her office to issue and receive absent voter ballots for any combination of at least 8 hours on the Saturday or Sunday immediately before election day.

(2) At least 30 days before the date of an election, the clerk of each city or township shall post and notify the secretary of state of the hours that the clerk's office will be open on the Saturday or Sunday, or both, immediately before the election to issue and receive absent voter ballots.

(3) Subject to the requirements for polling places in section 662, upon the approval by resolution of the governing body of a city or township, the clerk of that city or township may specify additional locations and hours that the clerk will be available to issue and receive absent voter ballots. These additional locations must allow challengers as described in section 730.

(4) At least 30 days before the date of an election, the clerk of each city or township shall post and notify the secretary of state, if applicable, concerning the additional locations and hours that the clerk will be available to issue and receive absent voter ballots as provided under subsection (3).

(5) IN ADDITION TO SUBSECTION (1) AND THE REQUIREMENTS OF SECTION 4(1)(G) OF ARTICLE II OF THE STATE CONSTITUTION OF 1963, DURING THE FIVE WEEKDAYS BEFORE A GENERAL, PRIMARY, OR SPECIAL ELECTION, EVERY CITY AND TOWNSHIP CLERK SHALL RECEIVE ABSENT VOTER BALLOTS EITHER IN HIS OR HER OFFICE AT LEAST BETWEEN 9:00 A.M. AND 5:00 P.M., OR THROUGH AN ABSENT VOTER BALLOT DROP BOX AS PROVIDED UNDER THIS ACT.

Sec. 764b. (1) An absent voter ballot must be delivered to the clerk only as authorized in the instructions for an absent voter provided in section 764a. ALL ABSENT VOTER BALLOTS MUST BE DELIVERED TO THE CITY OR TOWNSHIP CLERK, OR AN ABSENT VOTER BALLOT DROP BOX AS PROVIDED UNDER THIS ACT, BY 8:00 P.M. ON THE DAY OF ELECTION. ANY ABSENT VOTER BALLOTS DELIVERED AFTER THAT TIME SHALL NOT BE COUNTED.

(2) The clerk of a city or township may accept delivery of absent voter ballots at any location in the city or township.

(3) The clerk of a city or township may appoint the number of assistants necessary to accept delivery of absent voter ballots at any location in the city or township. An appointment as assistant to accept delivery of absent voter ballots must be for 1 election only. An assistant appointed to receive ballots at a location other than the office of the clerk must be furnished credentials of authority by the clerk. If an absent voter's ballot is received by an assistant at any location other than the clerk's office the assistant, upon request, shall exhibit the credentials to the absent voter before the assistant accepts an absent voter ballot. An assistant, before entering upon the discharge of duties, shall take and subscribe to the oath of office as provided in section 1 of article XI of the state constitution of 1963. An assistant shall perform only the duties assigned by the clerk. A person must not be appointed as an assistant to accept delivery of absent voter ballots who is a candidate or a member of the immediate family of a candidate whose name appears on the ballot at that election.

(4) A clerk who receives a request from an absent voter under section 764a for assistance in returning his or her absent voter ballot shall make arrangements to collect the ballot from the voter either personally or by sending an authorized assistant, if all of the following conditions are satisfied:

(a) The clerk's office issued the absent voter ballot to that absent voter.

(b) Upon the clerk's request, the absent voter states that he or she is unable to return the absent voter ballot by the other means specified in instructions (a), (b), or (c) of Step 5 under section 764a.

(c) The absent voter telephones the appropriate clerk for assistance on or before 5 p.m. on the Friday immediately before the election.

(d) The absent voter requests the clerk to pick up the absent voter ballot within the jurisdictional limits of the city or township in which the absent voter is registered.

(5) Notwithstanding subsection (4), a clerk who receives a request from an absent voter under section 764a for assistance in returning his or her absent voter ballot may make arrangements to collect the ballot from the voter either personally or by sending an authorized assistant, if all of the following conditions are satisfied:

(a) The clerk's office issued the absent voter ballot to that absent voter.

(b) Upon the clerk's request, the absent voter states that he or she is unable to return the absent voter ballot by the other means specified in instructions (a), (b), or (c) of Step 5 under section 764a.

(6) The clerk shall maintain a list open to the public that contains the names and addresses of all authorized assistants appointed under this section who are available to collect absent voter ballots on or before election day in that city or township.

(7) An absent voter ballot received by the clerk before the close of the polls on election day must not be invalidated solely because the delivery to the clerk was not in compliance with section 764a or this section, however the ballot must be considered challenged and must be marked and processed as provided in section 745.

Sec. 813. (1) Within 6 days after an election, for each provisional ballot that was placed in a provisional ballot return envelope, the city or township clerk shall determine whether the individual voting the provisional ballot was eligible to vote a ballot, and whether to tabulate the provisional ballot. In making this determination, the city or township clerk shall not open the provisional ballot return envelope. IF THE INDIVIDUAL VOTING THE PROVISIONAL BALLOT IS DETERMINED TO BE ELIGIBLE TO VOTE A BALLOT, THE CITY OR TOWNSHIP CLERK SHALL WITHIN 7 DAYS AFTER THE ELECTION SEND THE PROVISIONAL BALLOT TO THE BOARD OF COUNTY CANVASSERS TO BE TABULATED. A provisional ballot must only be tabulated BY THE BOARD OF COUNTY CANVASSERS if a valid voter registration record for the elector is located-VERIFIED BY THE CITY OR TOWNSHIP CLERK or if the identity and residence of the elector is established BY THE ELECTOR TO THE CITY OR TOWNSHIP CLERK using identification for election purposes, along with a current utility bill, bank statement, paycheck, government check, or other government document, to establish the voter's current residence address if the identification for election purposes used by the elector does not contain the voter's current residence address. Before the provisional ballot is tabulated BY THE BOARD OF COUNTY CANVASSERS, election officials shall process the ballot as a challenged ballot under sections 745 and 746. THE BOARD OF COUNTY CANVASSERS MUST MAINTAIN THE SECRECY OF THE BALLOT WHEN TABULATING PROVISIONAL BALLOTS UNDER THIS SUBSECTION. THE SECRETARY OF STATE SHALL PROMULGATE RULES PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO 24.328, TO ESTABLISH PROCEDURES FOR A BOARD OF COUNTY CANVASSERS TO TABULATE PROVISIONAL BALLOTS UNDER THIS SUBSECTION.

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

~~(3) Within 7 days after an election, the city or township clerk shall transmit to the county clerk a provisional ballot report for each precinct in the jurisdiction. The report must include for each precinct the number of provisional ballots issued, the number of provisional ballots tabulated on election day, the number of provisional ballots forwarded to the clerk to be determined after the election, the number of provisional ballots SENT TO THE BOARD OF COUNTY CANVASSERS TO BE tabulated by the clerk after election day, and any additional information concerning provisional ballots as required by the secretary of state.~~

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

~~(5) Within 7 days after an election, the city or township clerk shall ensure that the qualified voter file is current and includes any individual who registered to vote under section 497(3) and (4).~~

SEC. 946. (1) MICHIGAN ELECTIONS SHALL BE FUNDED WITH PUBLIC MONIES APPROPRIATED BY THE MICHIGAN LEGISLATURE OR BY THE COUNTY, CITY, TOWNSHIP, OR VILLAGE CONDUCTING THE ELECTION. THIS STATE, A DEPARTMENT, AGENCY, COMMISSION, OR BOARD OF THIS STATE, OR A COUNTY, CITY, TOWNSHIP, OR VILLAGE SHALL NOT ACCEPT OR USE ANY PRIVATE FUNDS, IN-KIND CONTRIBUTIONS, OR OTHER CONSIDERATION, FROM ANY INDIVIDUAL OR ENTITY, EITHER DIRECTLY OR INDIRECTLY, TO CONDUCT OR ADMINISTER AN ELECTION. THIS PROHIBITION APPLIES TO ANY ELECTION RELATED ACTIVITIES, SUCH AS VOTER REGISTRATION, VOTER ELIGIBILITY REVIEW, MAILING OF ELECTION MATERIALS, SHARING OF VOTER INFORMATION, CREATION OR DISSEMINATION OF ADVERTISEMENTS ABOUT AN ELECTION, OR RECRUITING AND HIRING PRECINCT ELECTION INSPECTORS, AS WELL AS ELECTION RELATED EQUIPMENT, SUCH AS TABULATORS, COMMUNICATION DEVICES, SIGNS, TENTS, VOTING FACILITIES OR LOCATIONS, OR ABSENT VOTER BALLOT DROP BOXES.

(2) MICHIGAN ELECTIONS SHALL BE CONDUCTED IN ACCORDANCE WITH THE UNITED STATES CONSTITUTION, THE MICHIGAN CONSTITUTION, AND MICHIGAN LAW. INDIVIDUALS OTHER THAN THE SECRETARY OF STATE OR ELECTION OFFICIALS WITH THE COUNTY, CITY, OR TOWNSHIP ACTING PURSUANT TO THE LAW AND CONSTITUTION SHALL NOT DIRECT THE CONDUCT OR ADMINISTRATION OF MICHIGAN ELECTIONS.

ENACTING SEC. 1, IF ANY PART OR PARTS OF THIS ACT ARE FOUND TO BE IN CONFLICT WITH THE STATE CONSTITUTION OF 1963, THE UNITED STATES CONSTITUTION, OR FEDERAL LAW, THIS ACT SHALL BE IMPLEMENTED TO THE MAXIMUM EXTENT THAT THE STATE CONSTITUTION OF 1963, THE UNITED STATES CONSTITUTION, AND FEDERAL LAW PERMIT. ANY PROVISION HELD INVALID OR INOPERATIVE SHALL BE SEVERABLE FROM THE REMAINING PORTIONS OF THIS ACT.