

# SENATE BILL No. 432

May 1, 2003, Introduced by Senator HAMMERSTROM and referred to the Committee on Government Operations.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 31, 73, 283, 393, 509t, 509y, 509aa, 561a, 624, 624a, 686, 727, 745, 761, 769, 797a, 798c, 799a, 803, 842, and 931 (MCL 168.31, 168.73, 168.283, 168.393, 168.509t, 168.509y, 168.509aa, 168.561a, 168.624, 168.624a, 168.686, 168.727, 168.745, 168.761, 168.769, 168.797a, 168.798c, 168.799a, 168.803, 168.842, and 168.931), section 31 as amended by 1999 PA 220, sections 73, 283, 393, and 686 as amended by 1999 PA 216, section 509t as amended by 1998 PA 21, sections 509y and 509aa as added by 1994 PA 441, section 624 as amended by 1999 PA 218, section 624a as amended by 1988 PA 116, sections 727 and 769 as amended by 1995 PA 261, section 761 as amended by 1996 PA 207, sections 797a and 931 as amended by 1996 PA 583, section 798c as amended by 1990 PA 109, and sections 799a and 803 as amended by

1997 PA 137; and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 31. (1) The secretary of state shall do all of the  
2 following:

3       (a) Subject to subsection (2), issue instructions and  
4 promulgate rules ~~pursuant to~~ **under** the administrative  
5 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, for  
6 the conduct of elections and registrations in accordance with the  
7 laws of this state.

8       (b) Advise and direct local election officials as to the  
9 proper methods of conducting elections.

10       (c) Publish and furnish for the use in each election precinct  
11 before each state primary and election a manual of instructions  
12 that includes specific instructions on assisting voters in  
13 casting their ballots, directions on the location of voting  
14 stations in polling places, procedures and forms for processing  
15 challenges, and procedures on prohibiting campaigning in the  
16 polling places as prescribed in this act.

17       (d) Publish indexed pamphlet copies of the registration,  
18 primary, and election laws and furnish to the various county,  
19 city, township, and village clerks a sufficient number of copies  
20 for their own use and to enable them to include 1 copy with the  
21 election supplies furnished each precinct board of election  
22 inspectors under their respective jurisdictions. The secretary  
23 of state may furnish single copies of the publications to  
24 organizations or individuals who request the same for purposes of  
25 instruction or public reference.

1 (e) Prescribe and require uniform forms, notices, and  
2 supplies the secretary of state considers advisable for use in  
3 the conduct of elections and registrations.

4 (f) Prepare the form of ballot for ~~any~~ **a** proposed amendment  
5 to the constitution or proposal under the initiative or  
6 referendum provision of the constitution to be submitted to the  
7 voters of this state.

8 (g) Require reports from the local election officials the  
9 secretary of state considers necessary.

10 (h) Investigate, or cause to be investigated by local  
11 authorities, the administration of election laws, and report  
12 violations of the election laws and regulations to the attorney  
13 general or prosecuting attorney, or both, for prosecution.

14 (i) Publish in the legislative manual the vote for governor  
15 and secretary of state by townships and wards and the vote for  
16 members of the state legislature cast at the preceding November  
17 election, which shall be returned to the secretary of state by  
18 the county clerks on or before the first day of December  
19 following the election. All clerks shall furnish to the  
20 secretary of state, promptly and without compensation, ~~any~~  
21 further information requested of them to be used in the  
22 compilation of the legislative manual.

23 (j) Establish a curriculum for comprehensive training and  
24 accreditation of all county, city, township, village, and school  
25 elections officials.

26 (k) Establish and require attendance by ~~all new~~ **each newly**  
27 appointed or elected election ~~officials~~ **official** at an initial

1 course of instruction within 6 months ~~before~~ **after** the date of  
2 the **official's** election **or** **appointment**.

3 (l) Establish a comprehensive training curriculum for all  
4 precinct inspectors.

5 (m) Create an election day dispute resolution team that has  
6 regional representatives of the department of state, which team  
7 shall appear on site, if necessary.

8 (n) Do all of the following in regard to the training of  
9 election officials:

10 (i) Require each local jurisdiction to report a detailed plan  
11 for the instruction of its precinct inspectors. A report under  
12 this subparagraph shall include the dates and times of scheduled  
13 precinct inspector training sessions and shall be submitted  
14 through the qualified voter file system as prescribed by the  
15 secretary of state.

16 (ii) Require each county, city, and township election  
17 commission that conducts precinct inspector training sessions to  
18 submit a biennial report listing the individuals who attain  
19 accreditation under section 33.

20 (iii) Require each county, city, township, and village  
21 election commission and each school board to submit a biennial  
22 report attesting that the county's, city's, township's, or  
23 village's clerk or school board's secretary is accredited under  
24 subdivisions (j) and (k). If that election official is not  
25 accredited under subdivisions (j) and (k), the election  
26 commission's or school board's report shall include an  
27 explanation of why not and shall specify the date by which the

1 election official will be accredited.

2 (o) Request an appropriation of sufficient money to produce a  
3 comprehensive training video for distribution to each precinct  
4 chairperson and vice-chairperson.

5 (2) ~~Pursuant to~~ **Under** the administrative procedures act of  
6 1969, 1969 PA 306, MCL 24.201 to 24.328, the secretary of state  
7 may promulgate rules establishing uniform standards for state and  
8 local nominating, recall, and ballot question petition  
9 signatures. The standards for petition signatures may include,  
10 but need not be limited to, standards for all of the following:

11 (a) Determining the validity of registration of a circulator  
12 or individual signing a petition.

13 (b) Determining the genuineness of the signature of a  
14 circulator or individual signing a petition.

15 (c) Proper designation of the place of registration of a  
16 circulator or individual signing a petition.

17 Sec. 73. Not more than 24 hours after the conclusion of the  
18 fall state convention, the state central committee of each  
19 political party shall canvass the proceedings of the convention  
20 and determine the nominees of the convention for the offices of  
21 lieutenant governor, secretary of state, and attorney general.  
22 Not more than 1 business day after the conclusion of the  
23 convention, the chairperson and secretary of the state central  
24 committee shall forward to the secretary of state ~~and to the~~  
25 ~~board of election commissioners of each county, in care of the~~  
26 ~~county clerk at the county seat,~~ a typewritten or printed list  
27 of the names and residence, including the street address if

1 known, of candidates nominated at the state convention. **The**  
2 **secretary of state shall forward a copy of a list received under**  
3 **this section to the board of election commissioners of each**  
4 **county, in care of the county clerk at the county seat.**

5       Sec. 283. Not more than 24 hours after the conclusion of  
6 the fall state convention, the state central committee of each  
7 political party shall canvass the proceedings of the convention  
8 and determine the nominees of the convention for membership on  
9 the state board of education, the board of regents of the  
10 university of Michigan, the board of trustees of Michigan state  
11 university, and the board of governors of Wayne state  
12 university. Not more than 1 business day after the conclusion of  
13 the state convention, the chairperson and secretary of the state  
14 central committee shall forward by registered or certified mail  
15 to the secretary of state ~~and to the board of election~~  
16 ~~commissioners of each county, in care of the county clerk at the~~  
17 ~~county seat,~~ a copy of the vignette adopted by the state central  
18 committee and a typewritten or printed list of the names and  
19 residence, including the street address if known, of the  
20 candidates nominated at the convention for the offices specified  
21 in this section. **The secretary of state shall forward a copy of**  
22 **a list received under this section to the board of election**  
23 **commissioners of each county, in care of the county clerk at the**  
24 **county seat.**

25       Sec. 393. Not more than 24 hours after the conclusion of  
26 the fall state convention, the state central committee of each  
27 political party shall convene and canvass the proceedings of the

1 convention and determine the nominee or nominees of the  
2 convention for the office or offices of justice of the supreme  
3 court. Not more than 1 business day after the conclusion of the  
4 state convention, the chairperson and secretary of the state  
5 central committee shall forward by registered or certified mail  
6 to the secretary of state ~~and to the board of election~~  
7 ~~commissioners of each county, in care of the county clerk at the~~  
8 ~~county seat,~~ a typewritten or printed list of the names and  
9 residence, including the street address if known, of the  
10 candidate or candidates nominated at the convention for the  
11 office or offices of justice of the supreme court. **The secretary**  
12 **of state shall forward a copy of a list received under this**  
13 **section to the board of election commissioners of each county, in**  
14 **care of the county clerk at the county seat.** The ~~names of the~~  
15 ~~persons so certified~~ **name of each nominee on the list** shall be  
16 printed upon a nonpartisan judicial ballot containing no party  
17 designation together with the names of ~~any~~ incumbent justices  
18 filing an affidavit ~~pursuant to~~ **under** section 392a.

19       Sec. 509t. (1) Notwithstanding ~~any other~~ **another**  
20 provision of law to the contrary, a person who is a qualified  
21 elector in this state and who registers to vote in a manner  
22 consistent with the national voter registration act of 1993 —  
23 is considered a registered voter under this act.

24       (2) A person who registers to vote in a jurisdiction in this  
25 state by mail shall vote in person if that person has not  
26 previously voted in person in that jurisdiction. This subsection  
27 does not apply to any of the following registered voters:

1 (a) A person entitled to vote by absentee ballot under the  
2 uniformed and overseas citizens absentee voting act, Public Law  
3 99-410, 100 Stat. 924.

4 (b) A person ~~who has~~ **with** a disability as defined in  
5 section 103 of the persons with disabilities civil rights act,  
6 1976 PA 220, MCL 37.1103. ~~, or~~

7 (c) **A person** who is 60 years of age or older.

8 (d) ~~(e)~~ A person who is entitled to vote other than in  
9 person under any other federal law.

10 (3) This section does not preclude this state from  
11 prosecuting a violation of this act that is also a violation of  
12 ~~any~~ a federal election or voting rights law.

13 Sec. 509y. (1) If a voter who has applied to register to  
14 vote as provided in this chapter on or before the close of  
15 registration appears at a polling place on election day and is  
16 not listed in the registration records, ~~or~~ precinct voting  
17 list, **or qualified voter file**, the inspectors of election shall  
18 allow the ~~person~~ **individual** to vote if 1 of the following  
19 requirements is met:

20 (a) The voter presents a receipt issued by a department of  
21 state office, a designated voter registration agency, or the  
22 office of the voter's county clerk verifying the acceptance of an  
23 application, the voter completes a new application, and the voter  
24 otherwise meets the qualifications to vote in that city or  
25 township.

26 (b) The voter is unable to present a receipt issued under  
27 this chapter verifying the acceptance of an application, the



1 voter otherwise meets the qualifications to vote in that city or  
2 township, and, at the polling place or at a place as designated  
3 by the clerk within that jurisdiction, the voter does all of the  
4 following:

5 (i) Signs an affidavit affirming that the person submitted an  
6 application to a department of state office, a designated voter  
7 registration agency, or the office of his or her county clerk, or  
8 mailed an application as provided in this act, on or before the  
9 close of registration. ~~A person~~ **An individual** who provides  
10 information in a signed affidavit under this subparagraph that is  
11 false is guilty of perjury.

12 (ii) Completes a new application.

13 (iii) Provides ~~proof of~~ **picture** identification sufficient  
14 to ~~satisfy the clerk as to the~~ **verify the voter's** identity and  
15 residence. ~~of the voter.~~

16 **(2) If an individual complies with subsection (1) so that the**  
17 **inspectors of election are required to allow the individual to**  
18 **vote, the individual's ballot shall be considered a challenged**  
19 **ballot and shall be processed as required in section 745.**

20 Sec. 509aa. (1) A clerk may use change of address  
21 information supplied by the United States postal service or other  
22 reliable information received by the clerk that identifies  
23 registered voters whose addresses may have changed as provided in  
24 this section.

25 (2) ~~A clerk shall update the registration of a voter upon~~  
26 ~~the receipt of reliable information that the voter has changed~~  
27 ~~his or her residence within the city or township. The clerk~~

~~1 shall send by forwardable mail to the voter a notice of the~~  
~~2 transfer informing the voter that he or she is registered at the~~  
~~3 new address. The clerk shall include with the notice a postage~~  
~~4 prepaid and preaddressed return card on which the voter may~~  
~~5 verify or correct the address information. Upon receipt of~~  
6 reliable information that a registered voter has moved his or her  
7 residence within the city or township, the clerk shall send by  
8 forwardable mail all of the following to the voter:

9       (a) A notice that the clerk has received information  
10 indicating that the voter has moved his or her residence within  
11 the city or township.

12       (b) A postage prepaid and preaddressed return card on which  
13 the voter may verify or correct the address information.

14       (c) A notice explaining that, if the address information is  
15 correct and the voter has moved his or her residence within the  
16 city or township, the voter should complete and return the card  
17 to the clerk with a postmark of 30 days or more before the date  
18 of the next election. If the voter has moved his or her  
19 residence within the city or township and does not complete and  
20 return the card to the clerk with a postmark of 30 days or more  
21 before the date of the next election, the voter will be required  
22 to vote in his or her former precinct of residence in the city or  
23 township. The voter will also be required to submit an address  
24 correction before being permitted to vote.

25       (3) Upon the receipt of reliable information that a  
26 registered voter has moved his or her residence to another city  
27 or township, the clerk shall send by forwardable mail all of the

1 following to the voter:

2 (a) A notice that the clerk has received information  
3 indicating that the voter has moved **his or her residence** to  
4 another city or township.

5 (b) A postage prepaid and preaddressed return card on which  
6 the voter may verify or correct the address information.

7 (c) A notice containing all of the following information:

8 (i) If the address information is incorrect and the voter has  
9 not moved **his or her residence** to another city or township and  
10 wishes to remain registered to vote, the voter should complete  
11 and return the card to the clerk with a postmark of 30 days or  
12 more before the date of the next election. If the card is not  
13 completed and returned with a postmark of 30 days or more before  
14 the date of the next election, the voter may be required to  
15 affirm his or her current address before being permitted to  
16 vote. Further, if the voter does not vote in an election within  
17 the period beginning on the date of the notice and ending on the  
18 first business day immediately following the second November  
19 general election that is held after the date on the notice, the  
20 registration of the voter will be canceled and his or her name  
21 will be removed from the registration record of that city or  
22 township.

23 (ii) If the voter has moved his or her residence to another  
24 city or township, information on how the voter can become  
25 registered to vote at the next election in his or her new city or  
26 township.

27 (4) If a notice sent under this section is returned to the

1 clerk by the post office as undeliverable, the clerk shall  
 2 identify the registration record of a voter as challenged as  
 3 provided in this act. The clerk shall instruct the board of  
 4 election inspectors to challenge that voter at the first election  
 5 at which the voter appears to vote. If in response to the  
 6 challenge the voter indicates that he or she resides at the  
 7 registration address or has changed addresses within the city or  
 8 township, the voter shall be permitted to vote a regular ballot  
 9 rather than a challenged ballot. The voter shall complete a  
 10 change of address form at the polling place, if applicable. If  
 11 the person does not appear to vote in an election within the  
 12 period beginning on the date of the notice and ending on the  
 13 first business day immediately following the second November  
 14 general election that is held after the date of the notice, the  
 15 clerk shall cancel the registration of the voter and remove his  
 16 or her name from the registration record of the city or  
 17 township.

18       Sec. 561a. (1) In ~~any~~ a primary election, ~~whenever any~~  
 19 **if a** candidate for ~~public~~ **elective** office has the same given  
 20 **name** and surname as the ~~name~~ **names** of the person last elected  
 21 to ~~such office, when~~ **that office and if** the person last elected  
 22 is not seeking renomination, below the name of ~~said~~ **the**  
 23 candidate on the ballot shall appear the words "not the present  
 24 .....". ~~and in said space shall be printed the~~ **The**  
 25 title of the office sought **shall appear in the space**. The size  
 26 of type used ~~in any other designation on the ballot shall not be~~  
 27 ~~reduced in size from~~ **for a designation under this section shall**

1 not be smaller than the size of type normally used for any other  
2 ballot designation.

3 (2) For the purpose of this section, a candidate's and an  
4 officeholder's surnames shall not be considered different solely  
5 because 1 or both of the surnames include a generational  
6 designation.

7 Sec. 624. (1) A person holding a public office in this  
8 state or a municipal subdivision of this state may become a  
9 candidate for delegate to the county or district conventions.

10 (2) A candidate for delegate to the county or district  
11 conventions of a political party shall be a qualified and  
12 registered elector residing within, as well as having his or her  
13 actual bona fide residence within, the election precinct for  
14 which he or she desires to become a candidate on the filing  
15 deadline. A candidate shall file an affidavit of identity as  
16 prescribed in section ~~558(1)~~ 558 with the county clerk of the  
17 county or the clerk of the city or township in which the  
18 candidate resides. A clerk shall receive affidavits of identity  
19 under this section up to 4 p.m. on the twelfth Tuesday preceding  
20 the time designated for holding a primary election in the  
21 county. Within 4 days after the last day for filing affidavits  
22 of identity under this section, the city or township clerk shall  
23 forward to the county clerk the affidavit of identity of each  
24 candidate who has qualified for a position on the primary  
25 ballot. All duly elected and certified delegates shall be seated  
26 at the county or district county conventions. A person violating  
27 this section is guilty of a misdemeanor.

1 (3) If a written complaint is made to the county clerk with  
2 respect to the registration or bona fide residence, or both, of a  
3 candidate, the county clerk shall check with the township or city  
4 clerk of the township or city in which the candidate is  
5 registered or residing, or both. The township or city clerk  
6 shall report back to the county clerk within 48 hours as to the  
7 registration or bona fide residence, or both, of the candidate.

8 ~~If~~

9 (4) **Except as otherwise provided in this subsection, if the**  
10 township or city clerk's report shows that the candidate is not a  
11 registered elector or a bona fide resident of the election  
12 precinct of the township or city for which the petition shows the  
13 candidate is a resident, the county clerk shall remove the name  
14 of the candidate from the ballot. ~~A complaint~~ **The county clerk**  
15 **shall not remove a candidate's name from the ballot if the sole**  
16 **reason that the candidate no longer resides in the precinct is as**  
17 **a result of a division, consolidation, or rearrangement of the**  
18 **precinct under section 656, 658, or 661. A county clerk shall**  
19 **not act upon a complaint under subsection (3) that is received by**  
20 the county clerk after the ballots have been released for  
21 printing and before the primary election. ~~shall not be acted~~  
22 ~~upon.~~

23 (5) **If a county clerk does not remove a candidate's name**  
24 **under subsection (4) because the change in the candidate's**  
25 **precinct is a result of a change in the precinct's boundaries**  
26 **under section 656, 658, or 661, the county clerk shall notify the**  
27 **candidate about the change in his or her precinct boundaries,**

1 that the candidate remains a qualified candidate, and that the  
2 candidate's name will appear on the ballot for the precinct in  
3 which the candidate currently resides.

4 Sec. 624a. (1) A precinct delegate may resign his or her  
5 office upon written notice to the chairperson of the county  
6 committee and the county clerk of the county or district in which  
7 the delegate resides.

8 (2) A person who has filed petitions for precinct delegate  
9 may withdraw his or her name from the ballot by filing a  
10 statement of withdrawal with the county clerk within 72 hours  
11 after 4 p.m. of the last day to file for the office of precinct  
12 delegate.

13 (3) A person elected to fill a delegate vacancy or elected as  
14 a precinct delegate is not qualified to participate in a  
15 convention if, at the time of the convention, that person does  
16 not reside in the precinct from which he or she was elected. A  
17 delegate is not disqualified if the delegate no longer resides in  
18 the precinct as a result of a division, **consolidation**, or  
19 rearrangement of the precinct under section 656, ~~660~~ **658**, or  
20 661.

21 (4) If a written complaint is made to the county clerk  
22 regarding a delegate's qualification to hold the office, the  
23 county clerk shall check with the township or city clerk of the  
24 township or city in which the delegate indicated on the  
25 nominating petition as his or her place of residence. The  
26 township or city clerk shall report back to the county clerk  
27 within 48 hours as to the complaint made under this subsection.

1 If the township or city clerk's report shows that the delegate is  
2 not qualified to hold the office, the county clerk shall certify  
3 to the chairperson of the county committee of the political party  
4 the name of the delegate of that political party who is no longer  
5 qualified to hold the office of delegate under this subsection.

6       Sec. 686. Within 24 hours after the conclusion of the state  
7 convention ~~prior to any~~ **before a** general election, the state  
8 central committee of each political party shall canvass the  
9 proceedings of the convention and determine the nominees of the  
10 convention. Not more than 1 business day after the state  
11 convention, the chairperson and secretary of the state central  
12 committee shall forward ~~to the board of election commissioners~~  
13 ~~of each county, in care of the county clerk at the county seat,~~  
14 ~~and~~ to the secretary of state ~~—~~ a typewritten or printed list  
15 of the names and residence, including the street address if  
16 known, of all candidates nominated at the state convention. In  
17 each presidential election year, the state central committee of  
18 each political party shall, at the same time, forward ~~to the~~  
19 ~~board of election commissioners of each county and~~ to the  
20 secretary of state the typewritten or printed names of the  
21 candidates of ~~such~~ **that** party ~~at the forthcoming election~~ for  
22 the offices of president of the United States and vice-president  
23 of the United States certified to by the chairman and secretary  
24 of the committees. A party is not required to certify  
25 nominations made at an official primary election. **The secretary**  
26 **of state shall forward a copy of a list received under this**  
27 **section to the board of election commissioners of each county, in**



1 care of the county clerk at the county seat.

2       Sec. 727. (1) An election inspector shall challenge ~~a~~  
3 ~~person~~ **an individual** applying for ballots if the **election**  
4 inspector knows or has good reason to suspect **that** the applicant  
5 is not a qualified and registered elector of the precinct, **if the**  
6 **applicant's name does not appear in at least 1 of the**  
7 **registration book, precinct voting list, or qualified voter file,**  
8 or if a challenge appears in connection with the applicant's name  
9 in the registration book. A registered elector of the precinct  
10 present in the polling place may challenge the right of anyone  
11 attempting to vote if the elector knows or has good reason to  
12 suspect that ~~person~~ **the individual** is not a registered elector  
13 in that precinct. An election inspector or other qualified  
14 challenger may challenge the right of ~~a person~~ **an individual**  
15 attempting to vote who has previously applied for an absent voter  
16 ballot and who on election day is claiming to have never received  
17 the absent voter ballot or to have lost or destroyed the absent  
18 voter ballot.

19       (2) Upon a challenge being made under subsection (1), an  
20 election inspector shall immediately do all of the following:

21       (a) ~~Identify pursuant to section~~ **Process as provided in**  
22 **sections 745 and 746** ~~any~~ a ballot voted by the challenged  
23 individual, if any.

24       (b) Make a written report including all of the following  
25 information:

26       (i) All election disparities or infractions complained of or  
27 believed to have occurred.

1           (ii) The name of the ~~person~~ **individual** making the  
2 challenge.

3           (iii) The time of the challenge.

4           (iv) The name, telephone number, and address of the  
5 challenged individual.

6           (v) ~~Any other~~ **Other** information considered appropriate by  
7 the election inspector.

8           (c) Retain the written report created under subdivision (b)  
9 and make it a part of the election record.

10          (3) A challenger shall not make a challenge indiscriminately  
11 and without good cause. A challenger shall not handle the poll  
12 books while observing election procedures or the ballots during  
13 the counting of the ballots. A challenger shall not interfere  
14 with or unduly delay the work of the election inspectors. A  
15 person who challenges a qualified and registered elector of a  
16 voting precinct for the purpose of annoying or delaying voters is  
17 guilty of a misdemeanor.

18          Sec. 745. (1) ~~Whenever at any election the ballot of any~~  
19 ~~person who has been challenged as an unqualified voter and who~~  
20 ~~has taken the oath provided by law in such case to be taken shall~~  
21 ~~be received by the inspectors of election, said inspectors shall~~  
22 ~~cause to be plainly endorsed on said ballot, with pencil, before~~  
23 ~~depositing the same in the ballot box, the number corresponding~~  
24 ~~to the number placed after such voter's name on the poll lists~~  
25 ~~without opening the same: Provided, That in case a ballot shall~~  
26 ~~be~~ **If an individual who is challenged at an election as an**  
27 **unqualified voter takes the oath provided by law for that**

1 circumstance, is given a ballot, and votes, an election inspector  
2 shall plainly endorse in pencil on that individual's ballot the  
3 number corresponding to the number placed after the individual's  
4 name on the poll lists. The election inspector shall execute the  
5 endorsement before depositing the ballot in the ballot box and  
6 without opening the ballot.

7 (2) If an individual ballot is considered a challenged ballot  
8 under section 509y or 769, an election inspector shall process  
9 that individual's ballot in the same manner as a challenged  
10 elector's ballot under subsection (1) and section 746.

11 (3) If a ballot requiring an endorsement under subsection (1)  
12 or (2) is so folded, defaced, printed, or prepared that ~~such~~  
13 ~~the~~ number cannot be legibly and permanently written on the ~~back~~  
14 ~~thereof, said~~ ballot, the election inspectors shall refuse to  
15 accept ~~such~~ the ballot.

16 (4) A ballot that is considered a challenged ballot under  
17 section 509y or 769 shall be processed in the same manner as a  
18 challenged ballot under this act.

19 Sec. 761. (1) If the clerk of a city, township, or village  
20 receives an application for an absent voter ballot from a person  
21 registered to vote in that city, township, or village and if the  
22 signature on the application agrees with the signature on the  
23 registration card, the clerk immediately upon receipt of the  
24 application or, if the application is received before the  
25 printing of the absent voter ballots, as soon as the ballots are  
26 received by the clerk, shall forward by mail ~~, postage prepaid,~~  
27 or shall deliver personally ~~1 of the ballots or set of ballots~~

1 ~~if there is more than 1 kind of ballot to be voted~~ **an absent**  
 2 **voter ballot** to the applicant. ~~Absent voter ballots~~ **An absent**  
 3 **voter ballot** may be delivered to an applicant in person at the  
 4 office of the clerk.

5 (2) Notwithstanding section 759, providing that ~~no~~ **the**  
 6 **clerk shall not accept** absent voter applications ~~shall be~~  
 7 ~~received by the clerk~~ after 2 p.m. on the Saturday before the  
 8 election, a person qualified to vote as an absent voter may apply  
 9 in person at the clerk's office before 4 p.m. on a day preceding  
 10 the election except Sunday or a legal holiday to vote as an  
 11 absent voter. The applicant shall receive his or her absent  
 12 voter ballot and vote the ballot in the clerk's office. All  
 13 other absent voter ballots, except ballots delivered ~~pursuant~~  
 14 ~~to~~ **in response to** an emergency absent voter ballot application  
 15 under section 759b, shall be mailed or delivered to the  
 16 registration address of the applicant unless the application  
 17 requests delivery to an address outside the city, village, or  
 18 township or to a hospital or similar institution. ~~, in which~~  
 19 ~~case~~ **If the application requests delivery outside the city,**  
 20 **village, or township or to a hospital or similar institution,** the  
 21 absent voter ~~ballots~~ **ballot** shall be mailed or delivered to the  
 22 address given in the application. ~~However, a~~ **A** clerk may mail  
 23 or deliver an absent voter ballot, upon request of the absent  
 24 voter, to a post office box if the post office box is where the  
 25 absent voter normally receives personal mail and the absent voter  
 26 does not receive mail at his or her registration address.

27 (3) ~~Absent voter ballots shall be issued~~ **The clerk shall**

1 **endeavor to issue absent voter ballots** in the same order in which  
 2 applications are received by the clerk of a city, township, or  
 3 village. ~~—, as nearly as may be, and~~ **If possible,** each ballot  
 4 issued shall bear the lowest number ~~—of each kind available for~~  
 5 ~~this purpose~~ **available.** However, this provision does not  
 6 prohibit a clerk from immediately issuing an absent voter ballot  
 7 to an absent voter who applies in person in the clerk's office  
 8 for **an** absent voter ~~—ballots—~~ **ballot.** The clerk shall enclose  
 9 with ~~—the ballot or ballots—~~ **each absent voter ballot** a return  
 10 envelope properly addressed to the clerk and bearing upon the  
 11 back of the envelope a printed statement in substantially the  
 12 following form:

13 TO BE COMPLETED  
 14 BY THE CLERK

15 \_\_\_\_\_  
 16 Name of Voter Street Address or R.R.

17 \_\_\_\_\_  
 18 City, Township or Village County

19 Ward \_\_\_\_\_ Precinct \_\_\_\_\_ Date of Election \_\_\_\_\_

20 =====  
 21 TO BE COMPLETED BY THE ABSENT VOTER

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

27 I further assert that this absent voter ballot is being  
 28 returned to the clerk or an assistant of the clerk by me  
 29 personally; by public postal service, express mail service,

1 parcel post service, or other common carrier; by a member of my  
2 immediate family; or by a person residing in my household.

3 DATE: \_\_\_\_\_ SIGN HERE: X \_\_\_\_\_  
4 Signature of Absent Voter

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

8 =====

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

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

16 \_\_\_\_\_  
17 Signature of Person Street Address or R.R. City, Twp., or Village  
18 Assisting Voter

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

21 =====

22 WARNING  
23 PERSONS WHO CAN LEGALLY BE IN POSSESSION OF AN ABSENT VOTER  
24 BALLOT ISSUED TO AN ABSENT VOTER ARE LIMITED TO THE ABSENT VOTER;  
25 A PERSON WHO IS A MEMBER OF THE ABSENT VOTER'S IMMEDIATE FAMILY  
26 OR RESIDES IN THE ABSENT VOTER'S HOUSEHOLD AND WHO HAS BEEN ASKED  
27 BY THE ABSENT VOTER TO RETURN THE BALLOT; A PERSON WHOSE JOB IT  
28 IS TO HANDLE MAIL BEFORE, DURING, OR AFTER BEING TRANSPORTED BY A  
29 PUBLIC POSTAL SERVICE, EXPRESS MAIL SERVICE, PARCEL POST SERVICE,  
30 OR COMMON CARRIER, BUT ONLY DURING THE NORMAL COURSE OF HIS OR

1 HER EMPLOYMENT; AND THE CLERK, ASSISTANTS OF THE CLERK, AND OTHER  
2 AUTHORIZED ELECTION OFFICIALS OF THE CITY, TOWNSHIP, VILLAGE, OR  
3 SCHOOL DISTRICT. ANY OTHER PERSON IN POSSESSION OF AN ABSENT  
4 VOTER BALLOT IS GUILTY OF A FELONY.

5 ~~(4) A clerk may use absent voter ballot envelop stock~~  
6 ~~purchased before March 28, 1996 for the remainder of the 1996~~  
7 ~~calendar year if both of the following requirements are~~  
8 ~~satisfied:~~

9 ~~—— (a) The warning in subsection (3) that describes persons who~~  
10 ~~can legally be in possession of an absent voter ballot is affixed~~  
11 ~~to the outside of the envelope.~~

12 ~~—— (b) All other instructions required under subsection (3)~~  
13 ~~regarding persons assisting the absent voter are inserted into~~  
14 ~~the absent voter ballot envelope.~~

15 **(4)** ~~—(5)—~~ An absent voter who knowingly makes a false  
16 statement on the absent voter ballot return envelope is guilty of  
17 a misdemeanor. A person who assists an absent voter and who  
18 knowingly makes a false statement on the absent voter ballot  
19 return envelope is guilty of a felony.

20 Sec. 769. (1) An ~~absent voter~~ **elector** may vote in person  
21 within his or her precinct at an election, notwithstanding that  
22 he or she applies for an absent voter ballot and the ballot is  
23 mailed or otherwise delivered to the absent voter by the clerk.  
24 This subsection only applies if the ~~absent voter~~ **elector** does  
25 not vote the absent voter ballot mailed or otherwise delivered by  
26 the clerk.

27 (2) Before voting in person, except as otherwise provided in

1 this section, the ~~absent voter~~ **elector** shall return the absent  
2 voter ballot to the board of election inspectors in his or her  
3 precinct. If an absent voter ballot is returned under this  
4 subsection, the board of election inspectors shall mark it  
5 "CANCELED" and place it in the regular box with other canceled  
6 ballots.

7 (3) An ~~absent voter~~ **elector** who did not receive an absent  
8 voter ballot that he or she applied for or lost or destroyed an  
9 absent voter ballot he or she received, and who desires to vote  
10 in person in his or her precinct on election day, shall sign an  
11 affidavit to that effect before an election inspector. ~~and be~~  
12 ~~allowed to vote as otherwise provided in this act. However, a~~  
13 ~~voter being allowed to vote under this subsection is subject to~~  
14 ~~challenge as provided in section 727.~~ **If the elector signs the**  
15 **affidavit, the elector shall be allowed to vote a ballot that**  
16 **shall be considered a challenged ballot and shall be processed as**  
17 **required in section 745.**

18 (4) A person who votes at an election both in person and by  
19 means of an absent voter ballot or a person who attempts to vote  
20 both in person and by means of an absent voter ballot is guilty  
21 of a felony.

22 (5) An election official who becomes aware of a person who  
23 votes or attempts to vote both in person and by means of an  
24 absent voter ballot shall report that information to the  
25 prosecuting attorney for that county and to the secretary of  
26 state.

27 Sec. 797a. (1) Before entering the voting station, each



1 elector shall be offered instruction in the proper method of  
2 voting on the electronic voting system. If the elector needs  
3 additional instruction after entering the voting station, 2  
4 election inspectors from different political parties may, if  
5 necessary, enter the voting station and provide the additional  
6 instructions.

7 (2) If the electronic voting system provides for the use of a  
8 ballot that is processed through electronic tabulating equipment  
9 after the elector votes, the elector shall transport the ballot  
10 to the ballot box, or other approved ballot container, without  
11 exposing any votes. An election inspector shall ascertain, by  
12 comparing the number appearing on the ballot stub with the number  
13 recorded on the poll list, that the ballot delivered by the voter  
14 is the same ballot that was issued to the elector. If the  
15 numbers do not agree, the ballot shall be marked as "rejected",  
16 and the elector shall not be allowed to vote. If the numbers  
17 agree, an election inspector shall remove and discard the stub.  
18 Except as otherwise provided in ~~this~~ subsection (3), the  
19 election inspector shall deposit the ballot in the ballot box or  
20 other approved ballot container.

21 (3) If electronic tabulating equipment that deposits the  
22 voted ballot into the ballot box or other approved ballot  
23 container is used at the precinct, the election inspector shall  
24 return the ballot to the elector, and the elector shall then  
25 deposit the ballot into the electronic tabulating equipment. **If**  
26 **this electronic tabulating equipment rejects a ballot due to**  
27 **programming required under section 795, the elector shall be**

1 offered an opportunity to correct the error by voting a  
2 replacement ballot. If the voter refuses to accept the  
3 opportunity to vote a replacement ballot, the rejected ballot  
4 shall be accepted and tabulated as voted. The electronic  
5 tabulating equipment shall be arranged so that the secrecy of the  
6 ballot is not violated. If required for the proper operation of  
7 the electronic tabulating equipment, 2 election inspectors from  
8 different political parties may periodically open the equipment  
9 to rearrange voted ballots and may transfer voted ballots to  
10 another approved ballot container.

11 (4) ~~-(3)-~~ A ballot from which the stub is detached shall not  
12 be accepted by the election inspector in charge of the ballot box  
13 or other approved ballot container. An elector who spoils his or  
14 her ballot may return it and secure another ballot. The word  
15 "spoiled" shall be written across the face of the ballot, and the  
16 ballot shall be marked and secured for later return.

17 (5) ~~-(4)-~~ A ballot of a challenged voter that has the names  
18 of candidates and questions printed directly on the voted ballot  
19 shall be processed in the manner prescribed for challenging a  
20 vote cast by paper ballot. A challenge to a voter voting on an  
21 electronic voting system that does not use an individual hard  
22 copy ballot shall be processed in the manner prescribed for  
23 challenging a vote cast on a voting machine.

24 (6) ~~-(5)-~~ Except as otherwise provided in this act, an  
25 election inspector shall not allow any portion of a ballot,  
26 including a ballot stub, to be removed by ~~any~~ a person other  
27 than an election inspector from the polling place.

1           Sec. 798c. (1) Absentee votes may be cast on paper ballots  
2 or ballot cards or both. Absent voter ballots may be counted in  
3 the various voting precincts or may be counted by absent voter  
4 counting boards. Absentee votes cast on paper ballots may be  
5 recorded by election ~~inspections~~ **inspectors** on ballot cards for  
6 counting by tabulating equipment.

7           (2) In an election held under this act, absent voters'  
8 ballots may be voted and processed in the manner provided by this  
9 chapter.

10           (3) **If electronic tabulating equipment rejects an absent**  
11 **voter ballot due to programming required under section 795, the**  
12 **rejected ballot shall be inspected to confirm the presence of the**  
13 **error before the ballot is processed. A vote for each elective**  
14 **office or ballot question in which an error is confirmed shall**  
15 **not be counted.**

16           Sec. 799a. (1) This section governs the recounting of a  
17 ballot on which a voter has made a selection by means of a punch,  
18 mark, or stamp.

19           (2) If the electronic voting system requires that the elector  
20 cast a vote by punching out a hole in a ballot, the vote shall  
21 not be considered valid unless the portion of the ballot  
22 designated as a voting position is completely removed or is  
23 hanging by 1 or 2 corners or the equivalent.

24           (3) If the electronic voting system requires that the elector  
25 ~~cast a vote by marking or stamping~~ **place a mark in** a predefined  
26 area on the ballot **in order to cast a vote**, the vote shall not be  
27 considered valid unless there is a mark ~~or stamp~~ within the

1 predefined area. ~~and it is clearly evident that the intent of~~  
2 ~~the voter was to cast a vote. In determining intent of the~~  
3 ~~voter~~ **A stray mark made within a predefined area is not a valid**  
4 **vote. In determining whether a mark within a predefined area is**  
5 **a stray mark,** the board of canvassers or election official shall  
6 compare the mark ~~or stamp~~ subject to recount with other marks  
7 ~~or stamps~~ appearing on the ballot. **The secretary of state**  
8 **shall issue instructions relevant to stray marks to ensure the**  
9 **fairness and uniformity of determinations made under this**  
10 **subsection. A secretary of state's instruction relevant to stray**  
11 **marks shall not be applied to a ballot unless the secretary of**  
12 **state issued the instruction not less than 63 days before the**  
13 **date of the election.**

14 (4) Unless a petition for recount has been filed and the  
15 recount has not been completed, ballots, ballot labels, programs,  
16 test results, and other sealed materials may be released from  
17 their original seal after 7 days following the final  
18 determination of the board of canvassers with respect to the  
19 election at which the ballots were voted. However, the released  
20 materials shall be secured and preserved for the time period  
21 required by this act and the rules promulgated by the secretary  
22 of state.

23 Sec. 803. (1) Except as otherwise provided in this act, the  
24 following rules ~~shall~~ govern the counting and recounting of  
25 votes:

26 (a) If it is clearly evident from an examination of ~~any~~ **a**  
27 ballot that the ballot has been mutilated for the purpose of

1 distinguishing it or that there has been placed on the ballot  
2 some mark, printing, or writing for the purpose of distinguishing  
3 it, then that ballot is void and shall not be counted.

4 (b) A cross, the intersection of which is within or on the  
5 line of the proper circle or square, or a check mark, the angle  
6 of which is within a circle or square, is valid. Crosses or  
7 check marks otherwise located on the ballot are void.

8 (c) Marks other than crosses or check marks used to designate  
9 the intention of the voter shall not be counted.

10 (d) A cross is valid even though 1 or both lines of the cross  
11 are duplicated, if the lines intersect within or on the line of  
12 the square or circle.

13 (e) Two lines meeting within or on the line of the square or  
14 circle, although not crossing each other, are valid if it is  
15 apparent that the voter intended to make a cross.

16 (f) A failure to properly mark a ballot as to 1 or more  
17 candidates does not alone invalidate the entire ballot if the  
18 ballot has been properly marked as to other candidates, unless  
19 the improper marking is determined to be a distinguishing mark as  
20 described in this subsection.

21 (g) Erasures and corrections on a ballot made by the elector  
22 in a manner frequently used for this purpose shall not be  
23 considered distinguishing marks or mutilations.

24 (h) Any ballot or part of a ballot from which it is  
25 impossible to determine the elector's choice of candidate is void  
26 as to the candidate or candidates affected by that  
27 determination.

1 (i) Any votes cast for a deceased candidate are void and  
2 shall not be counted, except that votes cast for a candidate for  
3 governor who has died, and for whom a replacement has not been  
4 made, shall be counted for the candidate for lieutenant governor  
5 of that party.

6 (j) All ballots cast that are not counted shall be marked by  
7 the inspector "not counted", kept separate from the others by  
8 being tied or held in 1 package, and placed in the ballot box  
9 with the counted ballots.

10 (k) A vote shall not be counted for any candidate unless a  
11 cross or a check mark has been placed by the voter in the circle  
12 at the head of the party ticket, if any, on which the name of the  
13 candidate has been printed, written, or placed or unless a cross  
14 or a check mark has been placed by the voter in the square before  
15 the space in which the name of the candidate has been printed,  
16 written, or placed.

17 (2) If an electronic voting system requires that the elector  
18 place a mark in a predefined area on the ballot in order to cast  
19 a vote, the vote shall not be considered valid unless there is a  
20 mark within the predefined area. ~~and it is clearly evident that~~  
21 ~~the intent of the voter was to cast a vote. In determining~~  
22 ~~intent of the voter~~ **A stray mark made within a predefined area**  
23 **is not a valid vote. In determining whether a mark within a**  
24 **predefined area is a stray mark,** the board of canvassers or  
25 election official shall compare the mark with other marks  
26 appearing on the ballot. **The secretary of state shall issue**  
27 **instructions relevant to stray marks to ensure the fairness and**

1 uniformity of determinations made under this subsection. A  
2 secretary of state's instruction relevant to stray marks shall  
3 not be applied to a ballot unless the secretary of state issued  
4 the instruction not less than 63 days before the date of the  
5 election.

6       Sec. 842. (1) The board of state canvassers, for the  
7 purpose of canvassing the returns and ascertaining and  
8 determining the result of ~~any such~~ **an** election, shall meet at  
9 the office of the secretary of state on or before the twentieth  
10 day after ~~such~~ **the** election. The secretary of state shall  
11 appoint the day of ~~such~~ **the** meeting and shall notify the other  
12 members of the board. ~~thereof.~~ The board ~~shall have~~ **has** power  
13 to adjourn from time to time to await the receipt or correction  
14 of returns, or for other necessary purposes, but shall complete  
15 the canvass and announce their determination ~~thereof~~ not later  
16 than the fortieth day after ~~such~~ **the** election. ~~Provided,~~  
17 ~~That the~~ **The** board may at the time of its meeting, or an  
18 adjournment ~~thereof~~ **of its meeting**, canvass the returns for any  
19 office ~~where~~ **for which** the complete returns ~~for that office~~  
20 have been received.

21       (2) When the unofficial election returns show that the  
22 election of electors of president and vice president is  
23 determined by a vote differential between the first place and  
24 second place candidates for president and vice president of the  
25 United States of less than 25,000 votes, the secretary of state  
26 shall direct the boards of county canvassers to canvass returns  
27 for electors of president and vice president on an expedited

1 schedule. The secretary of state shall direct the boards of  
2 county canvassers to complete the statements for electors of  
3 president and vice president required by section 824 and certify  
4 the statements as required by section 828 to the secretary of  
5 state by the seventh day after the election or by a date before  
6 the fourteenth day after the election.

7 (3) The secretary of state shall appoint the day for the  
8 board of state canvassers to conduct the expedited canvass of the  
9 returns for electors of president and vice president and  
10 determine the results of that election. The day appointed for  
11 the expedited canvass shall be as soon as practicable after  
12 receipt of the returns from the boards of county canvassers, but  
13 no later than the twentieth day after the election.

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

16 (a) A person shall not, either directly or indirectly, give,  
17 lend, or promise valuable consideration, to or for ~~any~~ a  
18 person, as an inducement to influence the manner of voting by a  
19 person relative to a candidate or ballot question, or as a reward  
20 for refraining from voting.

21 (b) A person shall not, either before, on, or after an  
22 election, for the person's own benefit or on behalf of ~~any~~  
23 ~~other~~ **another** person, receive, agree, or contract for valuable  
24 consideration for 1 or more of the following:

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

27 (ii) Refraining or agreeing to refrain, or inducing or



1 attempting to induce another to refrain, from voting at an  
2 election.

3 (iii) Doing anything prohibited by this act.

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

8 (c) A person shall not solicit ~~any~~ valuable consideration  
9 from a candidate for nomination for, or election to, an office  
10 described in this act. This subdivision does not apply to  
11 requests for contributions of money by or to an authorized  
12 representative of the political party committee of the  
13 organization to which the candidate belongs. This subdivision  
14 does not apply to a regular business transaction between a  
15 candidate and ~~any other~~ **another** person that is not intended  
16 for, or connected with, the securing of votes or the influencing  
17 of voters in connection with the nomination or election.

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

21 (e) A priest, pastor, curate, or other officer of a religious  
22 society shall not for the purpose of influencing a voter at an  
23 election, impose or threaten to impose upon the voter a penalty  
24 of excommunication, dismissal, or expulsion, or command or advise  
25 the voter, under pain of religious disapproval.

26 (f) A person shall not hire a motor vehicle or other  
27 conveyance or cause the same to be done, for conveying voters,

1 other than voters physically unable to walk, to an election.

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

17 (i) The inspector of election, clerk, or other election  
18 official notifies the board of election commissioners or other  
19 officers in charge of elections of his or her inability to serve  
20 at the time and place specified, 3 days or more before the  
21 election.

22 (ii) The inspector of election, clerk, or other election  
23 official is excused from duty by the board of election  
24 commissioners or other officers in charge of elections for cause  
25 shown.

26 (h) A person shall not willfully fail to perform a duty  
27 imposed upon that person by this act, or disobey a lawful

1 instruction or order of the secretary of state as chief state  
2 election officer or of a board of county election commissioners,  
3 board of city election commissioners, or board of inspectors of  
4 election.

5 (i) A delegate or member of a convention shall not solicit a  
6 candidate for nomination before the convention for money, reward,  
7 position, place, preferment, or other valuable consideration in  
8 return for support by the delegate or member in the convention.  
9 A candidate or other person shall not promise or give to a  
10 delegate money, reward, position, place, preferment, or other  
11 valuable consideration in return for support by or vote of the  
12 delegate in the convention.

13 (j) A person elected to the office of delegate to a  
14 convention shall not accept or receive ~~any~~ money or other  
15 valuable consideration for his or her vote as a delegate.

16 (k) A person shall not, while the polls are open on an  
17 election day, solicit votes in a polling place or within 100 feet  
18 from an entrance to the building in which a polling place is  
19 located.

20 (l) A person shall not keep a room or building for the  
21 purpose, in whole or in part, of recording or registering bets or  
22 wagers, or of selling pools, upon the result of a political  
23 nomination, appointment, or election. A person shall not wager  
24 property, money, or thing of value, or be the custodian of money,  
25 property, or thing of value, staked, wagered, or pledged upon the  
26 result of a political nomination, appointment, or election.

27 (m) A person shall not participate in a meeting or a portion

1 of a meeting of more than 2 persons, other than the person's  
2 immediate family, at which an absent voter ballot is voted.

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

9 (o) An individual who receives compensation from a county,  
10 city, township, village, or school district for performing  
11 election related duties shall not accept, either directly or  
12 indirectly, valuable consideration for performing work to support  
13 or oppose the nomination or election of a candidate or the  
14 passage or defeat of a ballot proposal.

15 (p) A person shall not offer, either directly or indirectly,  
16 valuable consideration to an individual for performing work to  
17 support or oppose the nomination or election of a candidate or  
18 the passage or defeat of a ballot proposal if that individual  
19 receives compensation from a county, city, township, village, or  
20 school district for performing election related duties.

21 (q) A person shall not promise or give valuable consideration  
22 in exchange for stealing a campaign yard sign or for a stolen  
23 campaign yard sign.

24 (r) A person shall not steal, or receive valuable  
25 consideration for stealing, a campaign yard sign.

26 (2) A person who violates a provision of this act for which a  
27 penalty is not otherwise specifically provided in this act, is

1 guilty of a misdemeanor.

2       (3) A person or a person's agent who knowingly makes,  
3 publishes, disseminates, circulates, or places before the public,  
4 or knowingly causes directly or indirectly to be made, published,  
5 disseminated, circulated, or placed before the public, in this  
6 state, either orally or in writing, an assertion, representation,  
7 or statement of fact concerning a candidate for public office at  
8 an election in this state, that is false, deceptive, scurrilous,  
9 or malicious, without the true name of the author being  
10 subscribed to the assertion, representation, or statement if  
11 written, or announced if unwritten, is guilty of a misdemeanor.

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

16       Enacting section 1. Section 509 of the Michigan election  
17 law, 1954 PA 116, MCL 168.509, is repealed.