

# HOUSE BILL No. 5207

November 1, 2017, Introduced by Reps. Howell, Sheppard, Graves, Lucido, Crawford, Webber, Glenn, Hernandez, Tedder and Whiteford and referred to the Committee on Elections and Ethics.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 563, 570, 576, 736b, 759a, 759c, and 795 (MCL 168.563, 168.570, 168.576, 168.736b, 168.759a, 168.759c, and 168.795), section 570 as amended by 2017 PA 113, section 576 as amended by 1996 PA 213, section 736b as added by 2012 PA 128, section 759a as amended by 2012 PA 523, section 759c as added by 2011 PA 163, and section 795 as amended by 2004 PA 92, and by adding section 561b.

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

1           **SEC. 561B. (1) IN ORDER TO VOTE AT A PRIMARY ELECTION, AN**  
2 **ELECTOR SHALL INDICATE IN WRITING, ON A FORM PRESCRIBED BY THE**

1 SECRETARY OF STATE, WHICH POLITICAL PARTY BALLOT HE OR SHE WISHES  
2 TO VOTE WHEN APPEARING AT THAT PRIMARY ELECTION.

3 (2) THE SECRETARY OF STATE SHALL DEVELOP A PROCEDURE FOR CITY  
4 AND TOWNSHIP CLERKS TO USE WHEN KEEPING A SEPARATE RECORD AT A  
5 PRIMARY ELECTION THAT CONTAINS THE PRINTED NAME, ADDRESS, AND  
6 QUALIFIED VOTER FILE NUMBER OF EACH ELECTOR AND THE POLITICAL PARTY  
7 BALLOT SELECTED BY THAT ELECTOR AT THE PRIMARY ELECTION.

8 (3) THE INFORMATION ACQUIRED OR IN THE POSSESSION OF A PUBLIC  
9 BODY INDICATING WHICH POLITICAL PARTY BALLOT AN ELECTOR SELECTED AT  
10 A PRIMARY ELECTION IS NOT EXEMPT FROM DISCLOSURE UNDER THE FREEDOM  
11 OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246.

12 (4) WITHIN 30 DAYS AFTER THE PRIMARY ELECTION, THE SECRETARY  
13 OF STATE SHALL MAKE AVAILABLE TO THE PUBLIC IN AN ELECTRONIC FORMAT  
14 A FILE OF THE RECORDS FOR EACH POLITICAL PARTY DESCRIBED UNDER  
15 SUBSECTION (2). THE SECRETARY OF STATE SHALL SET A SCHEDULE FOR  
16 COUNTY, CITY, AND TOWNSHIP CLERKS TO SUBMIT DATA OR DOCUMENTS  
17 REQUIRED UNDER SUBSECTION (2). THE SECRETARY OF STATE AND COUNTY,  
18 CITY, AND TOWNSHIP CLERKS SHALL DESTROY THE INFORMATION INDICATING  
19 WHICH POLITICAL PARTY BALLOT EACH ELECTOR SELECTED AT THE PRIMARY  
20 ELECTION AS RECORDED IN SUBSECTION (2) IMMEDIATELY AFTER THE  
21 EXPIRATION OF THE 22-MONTH FEDERAL ELECTION RECORDS RETENTION  
22 PERIOD.

23 (5) FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2018, \$800,000.00  
24 IS APPROPRIATED FROM THE GENERAL FUND TO THE DEPARTMENT OF STATE TO  
25 COMPENSATE COUNTIES, CITIES, AND TOWNSHIPS FOR CONDUCTING PRIMARY  
26 ELECTIONS IN COMPLIANCE WITH THIS SECTION.

27 (6) BEGINNING WITH THE FISCAL YEAR ENDING SEPTEMBER 30, 2019

1 AND EACH FISCAL YEAR THEREAFTER, THE LEGISLATURE SHALL APPROPRIATE  
2 FROM THE GENERAL FUND TO THE DEPARTMENT OF STATE AMOUNTS NECESSARY  
3 TO COMPENSATE COUNTIES, CITIES, AND TOWNSHIPS FOR CONDUCTING  
4 PRIMARY ELECTIONS IN COMPLIANCE WITH THIS SECTION.

5       Sec. 563. The number of ballots to be printed for the use of  
6 the electors at any primary election in any election precinct shall  
7 ~~be~~ **MUST** not **BE** less than 25% more than the total number of ballots  
8 cast ~~therein~~ at the corresponding primary election held 4 years  
9 previously. The ballot at any partisan primary election shall ~~shall~~ **MUST**  
10 consist of 1 sheet of 70-pound white book paper, machine finished,  
11 or the equivalent. ~~The elections commission may provide that 1 of~~  
12 ~~the political party tickets shall be printed on each side thereof~~  
13 ~~or that the party tickets shall appear on 1 side of the ballot~~  
14 ~~only. If 3 or more parties are represented at a partisan primary,~~  
15 ~~the ballots shall be arranged with a foldover extension or the~~  
16 ~~election commission may provide that the parties shall appear on 1~~  
17 ~~side of the ballot only. If the ballots are printed on 1 side only~~  
18 ~~the order of the parties on the ballot shall be the same as they~~  
19 ~~will appear on the general election ballot. The parties shall be~~  
20 ~~separated by a heavy black line. If ballots are printed on 2 sides~~  
21 ~~or with a foldover extension the various party tickets shall be~~  
22 ~~printed, as near as may be, in the manner herein before set forth~~  
23 ~~and shall be rotated so that each party ticket will appear face up~~  
24 ~~on alternate ballots.~~ The election commission may provide for the  
25 printing of the ballots on colored paper as follows: State and  
26 county ballots, white paper; nonpartisan ballots, blue tinted  
27 paper; constitutional amendments and state propositions, red tinted



1 ~~more than 1 party ticket, your ballot will be rejected.~~

2 Make a cross or a check mark in the square to the left of  
3 not more than the number of names for each office as may be  
4 indicated under the title of each office.

5

6 State. Legislative.

7

8 Governor. State Senator.  
9 .....District.

10 Vote for not more than one. Vote for not more than one.

11

12 [ ] 1 John Doe [ ] 7 John Doe

13

14 [ ] 2 Richard Roe [ ] 8 Richard Roe

15

16 [ ] [ ]

17

18 Congressional. Representative in State  
19 Legislature.

20 United States Senator..... .....District.

21 Vote for not more than one. Vote for not more than one.

22

23 [ ] 3 John Doe [ ] 9 John Doe

24

25 [ ] 4 Richard Roe [ ] 10 Richard Roe

26

1 [ ] [ ]  
2 \_\_\_\_\_  
3 Representative in Congress. County.  
4 ..... District. Prosecuting Attorney.  
5 Vote for not more than one. Vote for not more than one.  
6 \_\_\_\_\_  
7 [ ] 5 John Doe [ ] 11 John Doe  
8 \_\_\_\_\_  
9 [ ] 6 Richard Roe [ ] 12 Richard Roe  
10  
11 [ ] [ ]  
12 \_\_\_\_\_

13 Sec. 576. (1) An elector, after having received a ballot or  
14 ballots, shall enter a booth or voting compartment and, while there  
15 concealed from view, shall vote the ballot or ballots by making a  
16 cross or a check mark in the square at the left of the names of  
17 those candidates for whom the elector desires to vote, but in no  
18 case for more candidates for any office than is indicated under the  
19 title of each office. However, an elector may vote for a person  
20 whose name is not printed on the ballot by inserting the name in a  
21 manner that will substitute it for any name that is printed on the  
22 ballot or where no candidate's name appears upon the ballot.

23 (2) The elector shall indicate his or her choice of candidates  
24 on 1 party ticket only and, after marking the ballot, the elector  
25 shall fold it for deposit pursuant to the provisions of this act.—  
26 ~~ballot on which more than 1 party ticket has been voted is void.~~

27 (3) This section is subject to section 736a.



1 **WHEN YOU HAVE COMPLETED VOTING:** Place the ballot in the secrecy  
2 sleeve so that votes cannot be seen and the numbered stub is  
3 visible. Return the ballot to the election official stationed at  
4 the tabulator. (If voting by absentee ballot, follow the  
5 instructions provided by the clerk for returning the ballot.)  
6 **NOTE:** If you make a mistake, return your ballot to the election  
7 official and obtain a new ballot. Do not attempt to erase or  
8 correct any marks made in error.

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

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

27       (3) A spouse or dependent of an overseas voter who is a



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

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

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

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

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

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

1 through an electronic transmission.

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

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

17 (10) An absent uniformed services voter or an overseas voter  
18 who submits an absent voter ballot application is eligible to vote  
19 as an absent voter in any local, state, or federal election  
20 occurring in the calendar year in which the election is held for  
21 that ballot requested if the absent voter ballot application is  
22 received by the county, city, village, or township clerk not later  
23 than 2 p.m. of the Saturday before the election. A county, city, or  
24 township clerk receiving an absent voter ballot application from an  
25 absent uniformed services voter or overseas voter shall transmit to  
26 a village clerk and the school district election coordinators,  
27 where applicable, the necessary information to enable the village

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

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

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

22 (13) An absent uniformed services voter or an overseas voter  
23 may use the federal write-in absentee ballot, in accordance with  
24 the provisions of the uniformed and overseas citizens absentee  
25 voting act, at a regular election or special election to vote for a  
26 local, state, or federal office or on a ballot question. An absent  
27 uniformed services voter or an overseas voter who uses the federal

1 write-in absentee ballot shall return his or her voted federal  
2 write-in absentee ballot by mail to the appropriate clerk. The  
3 state bureau of elections shall do both of the following:

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

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

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

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

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

24 (16) The secretary of state shall order a city, village, or  
25 township clerk to extend the ballot receipt deadline for any  
26 absentee voter ballots under this section that were not transmitted  
27 to an absent uniformed services voter or overseas voter in

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

12 (17) As used in this section:

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

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

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

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

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

1 who is either of the following:

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

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

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

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

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

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

23 (d) "Uniformed services" means the ~~army, navy, air force,~~  
24 ~~marine corps, coast guard,~~ **ARMY, NAVY, AIR FORCE, MARINE CORPS,**  
25 **COAST GUARD,** the ~~commissioned corps~~ **COMMISSIONED CORPS** of the  
26 ~~public health service,~~ **PUBLIC HEALTH SERVICE,** the ~~commissioned~~  
27 ~~corps~~ **COMMISSIONED CORPS** of the ~~national oceanic~~ **NATIONAL OCEANIC**



1 and ~~atmospheric administration,~~ **ATMOSPHERIC ADMINISTRATION**, a  
2 reserve component of a uniformed service, or the Michigan ~~national~~  
3 ~~guard~~ **NATIONAL GUARD** as defined in section 105 of the Michigan  
4 military act, 1967 PA 150, MCL 32.505.

5       Sec. 759c. For a **PRIMARY ELECTION OR** presidential primary  
6 election, the secretary of state shall revise the absent voter  
7 ballot application form described in section 759 or provide a  
8 separate form to require that a **PRIMARY ELECTOR OR** presidential  
9 primary elector indicate a political party ballot selection when  
10 requesting an absent voter ballot.

11       Sec. 795. (1) An electronic voting system acquired or used  
12 under sections 794 to 799a ~~shall~~ **MUST** meet all of the following  
13 requirements:

14       (a) Provide for voting in secrecy, except in the case of  
15 voters who receive assistance as provided by this act.

16       (b) Permit each elector to vote at an election for all persons  
17 and offices for whom and for which the elector is lawfully entitled  
18 to vote; to vote for as many persons for an office as the elector  
19 is entitled to vote for; and to vote for or against any question  
20 upon which the elector is entitled to vote. Except as otherwise  
21 provided in this subdivision, the electronic tabulating equipment  
22 ~~shall~~ **MUST** reject all choices recorded on the elector's ballot for  
23 an office or a question if the number of choices exceeds the number  
24 that the elector is entitled to vote for on that office or  
25 question. Electronic tabulating equipment that can detect that the  
26 choices recorded on an elector's ballot for an office or a question  
27 exceeds the number that the elector is entitled to vote for on that

1 office or question ~~shall~~**MUST** be located at each polling place and  
2 programmed to reject a ballot containing that type of an error. If  
3 a choice on a ballot is rejected as provided in this subdivision,  
4 an elector ~~shall~~**MUST** be given the opportunity to have that ballot  
5 considered a spoiled ballot and to vote another ballot.

6 (c) Permit an elector, at a presidential election, by a single  
7 selection to vote for the candidates of a party for president,  
8 vice-president, and presidential electors.

9 (d) Permit an elector in a primary election to vote for the  
10 candidates in the party primary of the elector's choice. ~~Except as~~  
11 ~~otherwise provided in this subdivision, the electronic tabulating~~  
12 ~~equipment shall reject each ballot on which votes are cast for~~  
13 ~~candidates of more than 1 political party. Electronic tabulating~~  
14 ~~equipment that can detect that the elector has voted for candidates~~  
15 ~~of more than 1 political party shall be located at each polling~~  
16 ~~place and programmed to reject a ballot containing that type of an~~  
17 ~~error. If a choice on a ballot is rejected as provided in this~~  
18 ~~subdivision, an elector shall be given the opportunity to have that~~  
19 ~~ballot considered a spoiled ballot and to vote another ballot.~~

20 (e) Prevent an elector from voting for the same person more  
21 than once for the same office.

22 (f) Reject a ballot on which no valid vote is cast. Electronic  
23 tabulating equipment ~~shall~~**MUST** be programmed to reject a ballot on  
24 which no valid vote is cast.

25 (g) Be suitably designed for the purpose used; be durably  
26 constructed; and be designed to provide for safety, accuracy, and  
27 efficiency.

1 (h) Be designed to accommodate the needs of an elderly voter  
2 or a person with 1 or more disabilities.

3 (i) Record correctly and count accurately each vote properly  
4 cast.

5 (j) Provide an audit trail.

6 (k) Provide an acceptable method for an elector to vote for a  
7 person whose name does not appear on the ballot.

8 (l) Allow for accumulation of vote totals from the precincts  
9 in the jurisdiction. The accumulation software must meet  
10 specifications prescribed by the secretary of state and must be  
11 certified by the secretary of state as meeting these  
12 specifications.

13 (m) Be compatible with or include at least 1 voting device  
14 that is accessible for an individual with disabilities to vote in a  
15 manner that provides the same opportunity for access and  
16 participation, including secrecy and independence, as provided for  
17 other voters. The voting device ~~shall~~**MUST** include nonvisual  
18 accessibility for the blind and visually impaired.

19 (2) Electronic tabulating equipment that counts votes at the  
20 precinct before the close of the polls ~~shall~~**MUST** provide a method  
21 for rendering the equipment inoperable if vote totals are revealed  
22 before the close of the polls. Electronic tabulating equipment that  
23 tabulates ballots, including absentee ballots, at a central  
24 location ~~shall~~**MUST** be programmed to reject a ballot if the choices  
25 recorded on an elector's ballot for an office or a question exceed  
26 the number that the elector is entitled to vote for on that office  
27 or question ~~—OR~~ if no valid choices are recorded on an elector's

1 ballot. ~~7 or if, in a primary election, votes are recorded for~~  
2 ~~candidates of more than 1 political party.~~

3 (3) ~~Beginning January 1, 2006, each~~ **EACH** jurisdiction in this  
4 state conducting an election ~~shall~~ **MUST** equip each polling place  
5 with at least 1 accessible voting device as required under  
6 subsection (1) (m).

7 Enacting section 1. This amendatory act takes effect 90 days  
8 after the date it is enacted into law.