

## ABSENTEE BALLOT APPLICATIONS

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**House Bill 5543 as introduced**  
**Sponsor: Rep. Brad Paquette**  
**Committee: Elections and Ethics**  
**Complete to 3-3-20**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

House Bill 5543 would amend Chapter 28 (Holding of Elections: Absent Voters) of the Michigan Election Law to revise the rules for applying for an absentee ballot. The rules for all elections and primaries listed in the section are identical, with the following difference:

- For primaries, special primaries, elections, and special elections, the bill would allow a single application to be used for all elections held during a calendar year, other than for a presidential primary election. (If the Secretary of State (SOS) provided an absentee ballot application that contained more options than a city or township application and was otherwise in compliance, the city or township clerk would have to honor the election options requested by the voter on the SOS absentee ballot.)
- For a presidential primary election,<sup>1</sup> an application could only be used for that purpose, and not for any other election held during that calendar year.

The rules for absentee voting in all five of those instances would be as follows:

An elector could apply for an absentee ballot at any time during the 75 days before a primary, special primary, election, special election, or presidential primary election, until 8 p.m. on the day of the election or primary. As now, a clerk is prohibited from sending an absentee ballot to an elector by first-class mail any later than 5 p.m. on the Friday before the election or primary.

The bill would add the provision that, in addition to applying for an absentee ballot by a signed written request, on the city or township's application form, or on a federal postcard application, a voter could apply on an absentee ballot application form provided for that purpose by the SOS.

Additionally, the application form available at city and township clerks' offices would have to include the option that the voter requests absentee ballots for both the primary (or special primary) and election (or special election), as well as the option that the voter requests absentee ballots for any of those four types of elections to be held in a given calendar year. (The application form for a presidential primary election would have to be in substantially the same form as the other application form, but could only be used for that presidential primary election.)

---

<sup>1</sup> For a detailed description of Michigan's presidential primary system, and its history, see the Bureau of Elections' February 2019 report. [https://www.michigan.gov/documents/MichPresPrimRefGuide\\_20863\\_7.pdf](https://www.michigan.gov/documents/MichPresPrimRefGuide_20863_7.pdf)

**BACKGROUND:**

The bill is understood as an attempt to clarify the rules for absentee ballot applications. The current application available through the SOS website,<sup>2</sup> excerpted below, lists the options that the voter receive ballots for the presidential primary election, or the presidential primary election and the November general election. The bill would instead require separate applications for the presidential primary election and any other election.

**Select election(s) to receive ballot (required):**

March 10 Presidential Primary and November 3 General or  March 10 Presidential Primary only

---

**Other Elections:** Complete to join permanent absent voter application list  I want to vote absentee in all elections. Automatically send me an application for an absent voter ballot for all elections, including other elections in 2020.

---

**Select only one ballot type for the Presidential Primary here (required):**

Democratic Party Presidential Primary Ballot  
 Republican Party Presidential Primary Ballot  
 Ballot without Presidential Primary (if available, this choice is for voters not voting in the presidential primary who wish to vote on other proposals or candidates only.)

---

**Voter's Signature (Power of attorney is not acceptable):**

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

**X** / /

Signature Date

The section was last amended<sup>3</sup> to account for the changes in absentee voting procedures instituted by the adoption of Proposal 3 of 2018.<sup>4</sup>

MCL 168.759

**FISCAL IMPACT:**

The bill would have no fiscal impact on state or local government.

Legislative Analyst: Jenny McInerney  
Fiscal Analyst: Michael Clossen

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.

<sup>2</sup> [https://www.michigan.gov/documents/AbsentVoterBallot\\_105377\\_7.pdf](https://www.michigan.gov/documents/AbsentVoterBallot_105377_7.pdf)

<sup>3</sup> House Fiscal Agency analysis of SB 1238/2018 PA 563. <http://www.legislature.mi.gov/documents/2017-2018/billanalysis/House/pdf/2017-HLA-1238-7DD61512.pdf>

<sup>4</sup> House Fiscal Agency analysis of Proposal 3 of 2018. [https://www.house.mi.gov/hfa/PDF/TestPDF/Ballot\\_Proposal\\_2018-3\\_Promote\\_The\\_Vote.pdf](https://www.house.mi.gov/hfa/PDF/TestPDF/Ballot_Proposal_2018-3_Promote_The_Vote.pdf)