

ABSENTEE BALLOT APPLICATIONS

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House Bill 4839 (H-1) as reported from committee
Sponsor: Rep. Brad Paquette
Committee: Elections and Ethics
Complete to 6-21-21

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

SUMMARY:

House Bill 4839 would amend the Michigan Election Law to allow a city or township clerk to offer an annual absentee ballot application that could be used for any or all of the elections held during a calendar year. An annual application could not be sent out more than 75 days before the first regular election of the year. If the secretary of state (SOS) provided an absentee ballot application that contained more election 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 application.

Currently, an elector can apply for an absentee ballot at any time during the 75 days before a primary, special primary, election, or special election, until 8 p.m. on the day of the election or primary. 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 primary, special primary, election, or special election.

The bill would additionally provide 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.

MCL 168.759

BACKGROUND:

A similar bill was considered during the 2019-20 legislative session.¹ That bill was referred from the House Elections and Ethics committee and considered by the House Ways and Means committee.

In March 2019, the SOS appointed an Election Security Advisory Commission composed of local officials, election specialists and national experts in technology and data security. Following an assessment of Michigan's existing voter registration system, the process of voting, and transmission of election results, as well as public hearings, the commission produced its report and a set of recommendations in October 2020.²

¹ House Fiscal Agency summary of HB 5543: <http://www.legislature.mi.gov/documents/2019-2020/billanalysis/House/pdf/2019-HLA-5543-8D8BFE46.pdf>

² Available here: https://www.michigan.gov/documents/sos/ESAC_Report_Recommendations_706522_7.pdf

FISCAL IMPACT:

House Bill 4389 would not have a substantial fiscal impact on the state or on local units of government. The secretary of state and local clerks may realize marginal cost savings if the bill's provision to allow for applying for absentee ballots for multiple elections reduces the need for, and expenses related to, printing and mailing absent voter ballot applications.

POSITIONS:

Representatives of the following entities testified in support of the bill (5-18-21):

Rescue Michigan Coalition
ACLU of Michigan

The following entities indicated support for the bill (6-8-21):

Promote the Vote
Michigan Townships Association
Michigan Association of Municipal Clerks

The Department of State indicated a neutral position on the bill. (6-8-21)

The Michigan Association of County Clerks indicated a neutral position on the bill. (5-18-21)

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■ 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.