

Legislative Analysis



PROHIBITIONS ON SENDING ABSENT VOTER BALLOT APPLICATIONS

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House Bill 5268 (H-3) as reported from committee
Sponsor: Rep. Julie Calley
Committee: Elections and Ethics
Complete to 1-19-22

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

SUMMARY:

House Bill 5268 would amend the Michigan Election Law to prohibit a county, city, or township clerk from sending an absent voter (AV) ballot application to an elector unless the elector has requested an AV ballot from that clerk in person or in writing by mail, email, or fax or has requested to be placed on the city's or township's permanent AV application list.

The bill also would prohibit the secretary of state from sending an AV ballot application to an elector under any circumstance.

In addition, under the bill, AV ballot applications could not be sent out or made available to electors more than 75 days before an election.

MCL 168.759

FISCAL IMPACT:

The bill would result in cost savings for the state and certain county, city, and township governments by prohibiting the secretary of state and local government clerks from sending AV ballot applications that they may have sent otherwise. The prohibition would thereby preclude the payment of costs of printing, mailing materials, and postage associated with the mailings.

Current law does not require clerks to send unsolicited AV ballot applications but instead leaves it to the discretion of the clerks. The bill therefore would result in savings only for those local governments in which the clerks would have opted to send unsolicited applications and for the state if the secretary of state would have opted to send unsolicited applications. The amount of savings these government units would realize would depend on the number of mailings they would have sent to their registered electors.

In 2020, the Department of State set aside \$4.2 million in federal funding to support the mailing of AV ballot applications to each of Michigan's 7.7 million registered electors, at a rate of approximately \$0.55 per mailing. The average number of registered electors per township is approximately 3,000.

POSITIONS:

A representative of the Department of State testified in opposition to the bill. (9-21-21)

The following entities indicated opposition to the bill (9-21-21):

- Michigan League of Conservation Voters
- ACLU of Michigan
- League of Women Voters of Michigan
- American Association of University Women of Michigan
- Promote the Vote
- Voters Not Politicians
- Michigan Association of Municipal Clerks
- Michigan Association of County Clerks
- Anti-Defamation League
- Michigan Association for Justice
- National Association of Social Workers

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