



HOUSE BILL No. 4242

January 31, 1995, Introduced by Rep. Brackenridge and referred to the Committee on Local Government.

A bill to amend section 761 of Act No. 116 of the Public Acts of 1954, entitled as amended "Michigan election law," as amended by Act No. 140 of the Public Acts of 1980, being section 168.761 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 761 of Act No. 116 of the Public Acts of
2 1954, as amended by Act No. 140 of the Public Acts of 1980, being
3 section 168.761 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 761. (1) ~~The~~ IF THE CLERK OF A city, township, or
6 village ~~clerk forthwith~~ RECEIVES AN APPLICATION FOR AN ABSENT
7 VOTER BALLOT FROM A PERSON REGISTERED TO VOTE IN THAT CITY,
8 TOWNSHIP, OR VILLAGE AND IF THE SIGNATURE ON THE APPLICATION
9 AGREES WITH THE SIGNATURE ON THE REGISTRATION CARD, THE CLERK

1 IMMEDIATELY upon receipt of ~~an~~ THE application ~~for absentee~~
 2 ~~ballots,~~ or, if the application is received ~~prior to~~ BEFORE
 3 the printing of the ~~absentee~~ ABSENT VOTER ballots as soon as
 4 the ballots are received by the clerk, shall forward by mail,
 5 postage prepaid, or shall deliver personally 1 of the ballots ~~,~~
 6 or set of ballots ~~,~~ if there ~~are~~ IS more than 1 kind of
 7 ballot to be voted ~~,~~ to ~~each qualified~~ THE applicant. ~~for~~
 8 ~~absent voter's ballots from his city, township or village, if the~~
 9 ~~applicant is properly registered and if the signature on the~~
 10 ~~application agrees with the signature on the registration card.~~
 11 Absent ~~voter's~~ VOTER ballots may be delivered to ~~the~~ AN
 12 applicant in person at the office of the clerk. ~~notwithstanding~~
 13 ~~the provision of~~

14 (2) NOTWITHSTANDING section 759 providing that no ~~absentee~~
 15 ABSENT VOTER applications shall be received by the clerk after 2
 16 p.m. on the Saturday ~~prior to~~ BEFORE the election, ~~persons~~ A
 17 PERSON qualified to vote ~~absentee~~ AS AN ABSENT VOTER may apply
 18 ~~to vote absentee~~ in person at the clerk's office ~~prior to~~
 19 BEFORE 4 p.m. on a day preceding the election except Sunday or A
 20 legal holiday TO VOTE AS AN ABSENT VOTER. ~~Such applicants, if~~
 21 ~~qualified,~~ THE APPLICANT shall receive ~~their ballots~~ HIS OR
 22 HER ABSENT VOTER BALLOT and vote the ~~same~~ BALLOT in the clerk's
 23 office. All other absent ~~voter's~~ VOTER ballots, ~~excepting~~
 24 EXCEPT BALLOTS DELIVERED PURSUANT TO AN emergency ~~absentee~~
 25 ABSENT VOTER ballot ~~applications~~ APPLICATION, shall be mailed
 26 or delivered to the registration address of the applicant unless
 27 the application requests delivery to an address outside the city,

1 VILLAGE, or township or to a hospital or similar institution, in
 2 which case the ABSENT VOTER ballots shall be mailed or delivered
 3 to the address given in the application. Absent ~~voters~~ VOTER
 4 ballots shall be issued in the same order in which applications
 5 are received by the clerk of ~~any~~ A city, township, or village,
 6 as nearly as may be, and each ballot ~~so furnished~~ ISSUED shall
 7 bear the lowest number of each kind available for this purpose.
 8 The clerk shall enclose with ~~such~~ THE ballot or ballots a
 9 return envelope properly addressed to ~~himself~~ THE CLERK and
 10 bearing upon the back ~~thereof~~ OF THE ENVELOPE a printed state-
 11 ment in substantially the following form:

12 TO BE COMPLETED
 13 BY THE CLERK

14 _____
 15 Name of Voter Street Address or R.R.
 16 _____
 17 City, Township or Village County
 18 Ward _____ Precinct _____ Date of Election _____

19 =====
 20 TO BE COMPLETED BY THE ABSENT VOTER

21
 22 ~~The undersigned asserts~~ I ASSERT that ~~he is~~ I AM a legally
 23 registered and qualified elector of the ~~Municipality indicated~~
 24 CITY, TOWNSHIP, OR VILLAGE NAMED above. ~~, that he is~~ I AM
 25 voting ~~absentee~~ AS AN ABSENT VOTER in conformity with
 26 ~~statutory restatements for so voting and that, unless indicated~~
 27 ~~to the contrary~~ STATE ELECTION LAW. UNLESS OTHERWISE INDICATED
 28 below, ~~the ballots were~~ I PERSONALLY marked ~~by him personally~~

1 ~~and~~ THE BALLOT enclosed in this envelope without ~~being~~
 2 ~~exhibited~~ EXHIBITING IT to any other person.

3 SIGN HERE: X
 4 Signature of ~~Absentee~~ ABSENT
 5 Voter

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

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

12
 13 ~~Assisted~~ I ASSISTED the above named disabled voter in
 14 marking his OR HER ballots ~~in accordance with~~ PURSUANT TO his
 15 OR HER directions. The ballots were inserted in the return
 16 envelope without being exhibited to any other person.

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

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

23 =====
 24 ~~ANY PERSON MAKING A FALSE STATEMENT ON THIS FORM IS~~
 25 ~~GUILTY OF A MISDEMEANOR.~~