

**SUBSTITUTE FOR
HOUSE BILL NO. 4351**

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 560, 666, 706, and 777 (MCL 168.560,
168.666, 168.706, and 168.777), section 706 as amended by 2001
PA 269.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 560. (1) ~~Such ballots~~ THE OFFICIAL PRIMARY ELECTION
2 BALLOT shall contain the instructions as to the method of
3 voting.

4 (2) Ballots other than those furnished by the board of elec-
5 tion commissioners ~~—~~ according to the provisions of this act
6 ~~—~~ shall not be used, cast, or counted in any election precinct
7 at ~~any such~~ A primary election.

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1 (3) The size of all official ballots shall be ~~such~~ as
2 PRESCRIBED BY the board of election commissioners. ~~shall~~
3 ~~prescribe.~~

4 (4) AS APPLICABLE, THE INSTRUCTIONS SHALL STATE BOTH OF THE
5 FOLLOWING:

6 (A) IF THE ELECTOR DOES NOT UNDERSTAND THE BALLOT OR NEEDS
7 ASSISTANCE, THE ELECTOR MAY ASK AN ELECTION OFFICIAL FOR
8 ASSISTANCE. ELECTION OFFICIALS ARE REQUIRED TO PROVIDE ELECTORS
9 WITH ASSISTANCE UPON REQUEST.

10 (B) IF THE ELECTOR BELIEVES HE OR SHE HAS MADE A MISTAKE IN
11 VOTING THE BALLOT, THE ELECTOR MAY RETURN THE SPOILED BALLOT TO
12 AN ELECTION OFFICIAL AND THE ELECTION OFFICIAL SHALL PROVIDE THE
13 ELECTOR WITH A NEW BALLOT.

14 Sec. 666. At ~~any~~ A federal, state, district, or county
15 primary ~~or~~ ELECTION, SPECIAL ELECTION, OR GENERAL election, the
16 secretary of state shall furnish to the county clerk of each
17 county at the expense of the state the following:

18 (a) ~~The secretary of state shall have printed for distribu-~~
19 ~~tion and shall furnish a~~ A copy of the Michigan election law and
20 A COPY of the manual of instructions for each precinct board of
21 election inspectors in the state. ~~→~~

22 (b) Prior to each primary, general, or special election at
23 which state, district, or county officers are to be nominated or
24 elected, ~~the secretary of state shall procure~~ a supply of
25 self-sealing metal sealing devices adapted and suitable for seal-
26 ing the ballot boxes used at ~~such~~ THE election. ~~Said~~ THE
27 sealing devices shall have the words "State of Michigan" and

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1 serial numbers stamped ~~thereon, and at least 30 days before any~~
2 ~~such election he shall cause to be transmitted to the several~~
3 ~~county clerks such number of said metal sealing devices as will~~
4 ON THEM. THE SECRETARY OF STATE SHALL provide a sufficient
5 number of ~~such seals~~ SELF-SEALING METAL SEALING DEVICES for
6 each voting precinct within the county ~~→~~ AT LEAST 30 DAYS
7 BEFORE AN ELECTION.

8 (c) ~~The secretary of state shall furnish a~~ A substantial
9 supply of red gummed paper seals for use of the precinct boards
10 of election inspectors in sealing ~~such~~ THE package of ballots
11 and the envelopes containing the tally sheets or books and the
12 statement of returns. Each ~~such~~ seal shall have inscribed
13 ~~thereon~~ ON IT the words "Election Seal--State of Michigan" and
14 the date of the primary or election at which it is to be used. A
15 space shall also be provided ~~thereon~~ ON THE SEAL in which 2
16 members of the board of election inspectors shall write their
17 initials after the seal has been applied. ~~→~~

18 (d) ~~The secretary of state shall furnish uniform~~ UNIFORM
19 printed instructions to electors printed in large type upon
20 ~~cards~~ PLACARDS, containing any information that will assist
21 electors in marking their ballots and correctly designating their
22 choices. Two ~~such~~ OF THESE placards of instructions shall be
23 conspicuously displayed in each polling place. ~~→ and~~ AS APPLI-
24 CABLE, THE PRINTED INSTRUCTIONS SHALL STATE BOTH OF THE
25 FOLLOWING:

26 (i) IF THE ELECTOR DOES NOT UNDERSTAND THE BALLOT OR NEEDS
27 ASSISTANCE, THE ELECTOR MAY ASK AN ELECTION OFFICIAL FOR

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1 ASSISTANCE. ELECTION OFFICIALS ARE REQUIRED TO PROVIDE ELECTORS
2 WITH ASSISTANCE UPON REQUEST.

3 (ii) IF THE ELECTOR BELIEVES HE OR SHE HAS MADE A MISTAKE IN
4 VOTING THE BALLOT, THE ELECTOR MAY RETURN THE SPOILED BALLOT TO
5 AN ELECTION OFFICIAL AND THE ELECTION OFFICIAL SHALL PROVIDE THE
6 ELECTOR WITH A NEW BALLOT.

7 (e) ~~The secretary of state shall furnish to the various~~
8 ~~county clerks suitable~~ SUITABLE blank forms for use by the
9 ~~various~~ county boards of canvassers in making returns of the
10 canvass required by ~~law, and the various~~ THIS ACT. EACH county
11 ~~boards~~ BOARD of canvassers shall use the blanks furnished by
12 the secretary of state in making returns of the canvass.

13 Sec. 706. The arrangement of the ballot containing the
14 names of candidates for office shall conform as nearly as possi-
15 ble to the ~~following form~~ FORMAT SET FORTH IN THIS SECTION, and
16 shall contain the specific instructions ~~set forth in the form~~
17 ~~and no others~~ CONTAINED IN THIS SECTION AS APPLICABLE:

18
19

OFFICIAL BALLOT

20 County of Date

21 INSTRUCTIONS - Candidates for president and vice-president
22 must be voted for as a unit, and the vote cannot be split.

23 Candidates for governor and lieutenant governor must be voted for
24 as a unit, and the vote cannot be split.

25 Make a cross (X) or a check mark (✓Q/) in the square []
26 before the name of each candidate for whom you desire to vote.

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1 If you wish to vote for a candidate not on the ballot, write
 2 or place the name of that candidate on your ballot under the name
 3 of the office and make a cross (X) or a check mark (Q/) in the
 4 square [] before his or her name.

5 IF YOU DO NOT UNDERSTAND THE BALLOT OR NEED ASSISTANCE, YOU
 6 MAY ASK AN ELECTION OFFICIAL FOR ASSISTANCE. ELECTION OFFICIALS
 7 ARE REQUIRED TO PROVIDE VOTERS WITH ASSISTANCE UPON REQUEST. IF
 8 YOU BELIEVE YOU HAVE MADE A MISTAKE IN VOTING YOUR BALLOT, YOU
 9 MAY RETURN YOUR SPOILED BALLOT TO AN ELECTION OFFICIAL AND THE
 10 ELECTION OFFICIAL SHALL PROVIDE YOU WITH A NEW BALLOT.

11 Before leaving the booth, fold the ballot so that the face
 12 of the ballot is not exposed and so that the numbered corner is
 13 visible.

14 =====

15 Name of 16 Offices 17 Voted For:	Vignette with 18 Name of Party	Vignette with 19 Name of Party	Vignette with 20 Name of Party
21 PRESIDENTIAL 22 Electors of 23 President 24 and Vice- 25 President of 26 the United 27 States	Name of Candidate for President. [] Name of Candidate for Vice-President.	Name of Candidate for President. [] Name of Candidate for Vice-President.	Name of Candidate for President. [] Name of Candidate for Vice-President.
28 STATE 29 Governor and 30 Lieutenant 31 Governor	Governor Name of Candidate [] Lieut. Governor Name of Candidate	Governor Name of Candidate [] Lieut. Governor Name of Candidate	Governor Name of Candidate [] Lieut. Governor Name of Candidate
35 Secretary of 36 State 37 Secretary of 38 State	Secretary of State [] Name of Candidate	Secretary of State [] Name of Candidate	Secretary of State [] Name of Candidate

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1	=====				
2	CONGRESSIONAL	U.S. Senator	U.S. Senator	U.S. Senator	U.S. Senator
3	United States	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of
4	Senator	Candidate	Candidate	Candidate	Candidate
5					
6	Represent-	U.S. Repre-	U.S. Repre-	U.S. Repre-	U.S. Repre-
7	ative in	sentative	sentative	sentative	sentative
8	Congress	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of
9	.....District	Candidate	Candidate	Candidate	Candidate
10	=====				
11	LEGISLATIVE	State Senator	State Senator	State Senator	State Senator
12	Senator	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of
13	.....District	Candidate	Candidate	Candidate	Candidate
14					
15		State Repre-	State Repre-	State Repre-	State Repre-
16	Represent-	sentative	sentative	sentative	sentative
17	ative	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of
18	.....District	Candidate	Candidate	Candidate	Candidate
19	=====				
20	COUNTY	Pros. Attorney	Pros. Attorney	Pros. Attorney	Pros. Attorney
21	Prosecuting	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of
22	Attorney	Candidate	Candidate	Candidate	Candidate
23					
24		Sheriff	Sheriff	Sheriff	Sheriff
25	Sheriff	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of	<input type="checkbox"/> Name of
26		Candidate	Candidate	Candidate	Candidate
27	=====				

29 Sec. 777. A model representing a portion of the face of the
30 machine and containing fictitious names ~~must~~ SHALL be delivered
31 to each board of election inspectors for use on election day, and
32 one of ~~said~~ THE board OF ELECTION INSPECTORS, or ~~some one~~
33 SOMEONE appointed by ~~said~~ THE board OF ELECTION INSPECTORS,
34 shall offer to exhibit and explain the operation of the voting
35 ~~machine~~ SYSTEM, by use of the model, to each voter before
36 ~~such~~ THE voter ~~shall be~~ IS allowed to vote. Printed instruc-
37 tions on how to vote, circulated to voters, ~~must~~ SHALL conform
38 to the instructions approved by the ELECTION official providing
39 ballots, and adapted to the ~~machine~~ VOTING SYSTEM used. AS
40 APPLICABLE, THE PRINTED INSTRUCTIONS SHALL STATE BOTH OF THE
41 FOLLOWING:

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