

SUBSTITUTE FOR
SENATE BILL NO. 339

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 764c (MCL 168.764c), as amended by 2018 PA 120.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 764c. **(1)** ~~If a city or township has access to the ballot~~
2 ~~tracker program provided by this state, the clerk of that city or~~
3 ~~township shall utilize the ballot tracker program and allow voters~~
4 ~~to track their absent voter ballots online.~~**The secretary of state**
5 **shall establish, acquire, or approve an electronic tracking system**
6 **that allows each elector who applies to vote by absent voter ballot**
7 **at an election to track, on a website or mobile application, that**
8 **elector's absent voter ballot application and absent voter ballot.**
9 **(2)** For each elector who votes by absent voter ballot at an

1 election, the electronic tracking system described in subsection
2 (1) must indicate all of the following:

3 (a) The date the elector's city or township clerk received the
4 elector's absent voter ballot application.

5 (b) If the elector's absent voter ballot application was
6 accepted, the date of the acceptance, and if the elector's absent
7 voter ballot application was rejected, all of the following:

8 (i) A brief statement of the reason for the rejection.

9 (ii) Instructions for curing the issue with the elector's
10 absent voter ballot application, along with the deadline for curing
11 the issue with the elector's absent voter ballot application.

12 (iii) If the issue with the elector's absent voter ballot
13 application is cured by the elector and the absent voter ballot
14 application is accepted by the elector's city or township clerk, an
15 update that the elector's absent voter ballot application was
16 accepted and the date of the acceptance.

17 (c) The date the elector's city or township clerk mailed or
18 delivered the absent voter ballot to the elector, or for an absent
19 uniformed services voter or overseas voter under section 759a, the
20 date the absent uniformed services voter's or overseas voter's city
21 or township clerk mailed or electronically transmitted the absent
22 voter ballot to the absent uniformed services voter or overseas
23 voter.

24 (d) If the elector's absent voter ballot was returned to the
25 city or township as undeliverable.

26 (e) The date the elector's city or township clerk received the
27 elector's absent voter ballot return envelope, or for an eligible
28 member, as that term is defined under section 759a(17), who returns
29 the absent voter ballot electronically, the date the eligible

1 member's absent voter ballot is electronically received.

2 (f) If the elector's absent voter ballot return envelope was
3 accepted, the date of the acceptance, and if the elector's absent
4 voter ballot return envelope was rejected, all of the following:

5 (i) A brief statement of the reason for the rejection.

6 (ii) Instructions for curing the issue with the elector's
7 absent voter ballot return envelope, along with the deadline for
8 curing the issue with the elector's absent voter ballot return
9 envelope.

10 (iii) If the issue with the elector's absent voter ballot return
11 envelope is cured by the elector and the absent voter ballot return
12 envelope is accepted by the elector's city or township clerk, an
13 update that the elector's absent voter ballot return envelope was
14 accepted and the date of the acceptance, and a statement that the
15 elector's absent voter ballot is eligible to be tabulated.

16 (3) An elector must be permitted to opt in to receive
17 notifications from the electronic tracking system by email, text
18 message, or both email and text message. If an elector opts in
19 under this subsection, each time any of the events described in
20 subsection (2) occurs regarding that elector's absent voter ballot
21 application, absent voter ballot return envelope, or absent voter
22 ballot, the electronic tracking system must immediately notify that
23 elector of the event by email, text message, or both email and text
24 message, as requested by that elector.

25 (4) An email address or telephone number provided by an
26 elector in order to receive notifications from the electronic
27 tracking system must be used only by authorized individuals who
28 have access to the qualified voter file or by individuals
29 authorized by the secretary of state to maintain the electronic

1 tracking system, and is confidential and exempt from disclosure
2 under the freedom of information act, 1976 PA 442, MCL 15.231 to
3 15.246.