

# ELECTION-RELATED LAW CHANGES & 2018 BALLOT QUESTION IMPLEMENTATION

Michigan  
Municipal  
League –  
Capital  
Conference

March 20, 2019

# STATEWIDE PROPOSALS – OTHER CHANGES

Proposal 18-2 (Citizens Redistricting Commission)

Proposal 18-3 (Voter Rights)

Other 2018 Election-Related Legislative Changes

# PROPOSAL 18-2

## CITIZENS REDISTRICTING COMMISSION

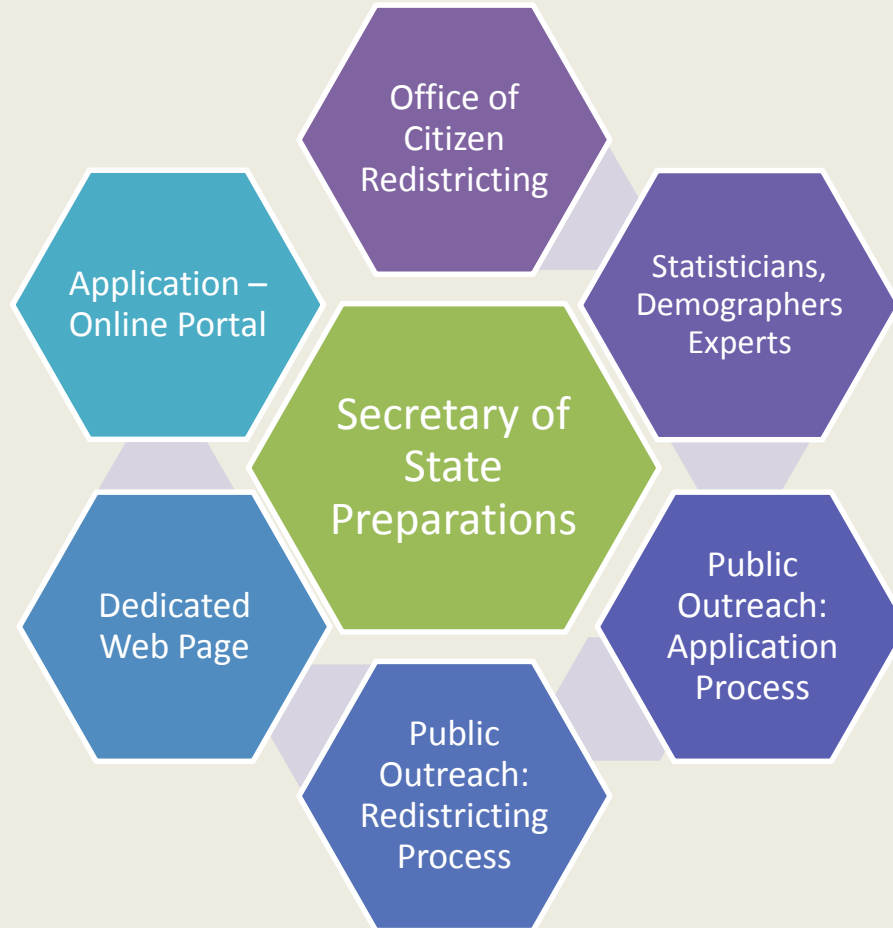
- Requires formation of independent commission of citizens, tasked with creating new congressional and State Senate/House districts after the 2020 census.
- 13 registered voters randomly selected by the Secretary of State:
  - 4 each who self-identify as affiliated with the 2 major political parties; and
  - 5 who self-identify as unaffiliated with major political parties.
  - Selection must reflect geographic and demographic makeup of the state.
- Prohibits partisan officeholders and candidates, their employees, certain relatives, and lobbyists from serving as commissioners.
- Establishes new redistricting criteria including geographically compact and contiguous districts of equal population, reflecting Michigan's diverse population and communities of interest. Districts shall not provide disproportionate advantage to political parties or candidates.
- Requires an appropriation of funds for commission operations and commissioner compensation.
- SOS acts as non-voting Secretary of the commission, tasked with providing technical assistance

# PROPOSAL 18-2

## KEY DATES/DEADLINES

January – June 2020	<ul style="list-style-type: none"><li>• Commission Application Process</li><li>• Requires mailing of applications to 10,000 randomly-selected voters</li></ul>
September 2020	<ul style="list-style-type: none"><li>• Commissioners randomly selected by the Secretary of State</li></ul>
October 2020 - 2021	<ul style="list-style-type: none"><li>• Commission Meetings, Map Development</li><li>• Public Hearings</li></ul>
November 2021	<ul style="list-style-type: none"><li>• Final Plans Released</li></ul>
August 2022	<ul style="list-style-type: none"><li>• Redistricting Completed in QVF</li><li>• 1st Use of New Districts</li></ul>

# PROPOSAL 18-2 PREPARATIONS



# PROPOSAL 18-3 (VOTER RIGHTS)



Secret Ballot

Straight-Party Voting

Automatic Voter Registration  
(with SOS DL/ID Transaction)

Voter Registration, Up to and  
Including Election Day

No Reason Absentee Voting

Post-Election Audits

# PROPOSAL 18-3 (VOTER RIGHTS)



Secret Ballot

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Automatic Voter Registration  
(with SOS DL/ID Transaction)

Voter Registration, Up to and  
Including Election Day

No Reason Absentee Voting

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# PROPOSAL 18-3

## VOTER REGISTRATION CHANGES

Up through 15<sup>th</sup> day prior to election:

- Voter may register in person at an SOS branch office, clerk office, designated state agency or by mail

Starting 14<sup>th</sup> day prior to election:

- Voter must register **in person** with local clerk with residency verification in order to vote in next election. Mail-in registrants must be notified to apply in person

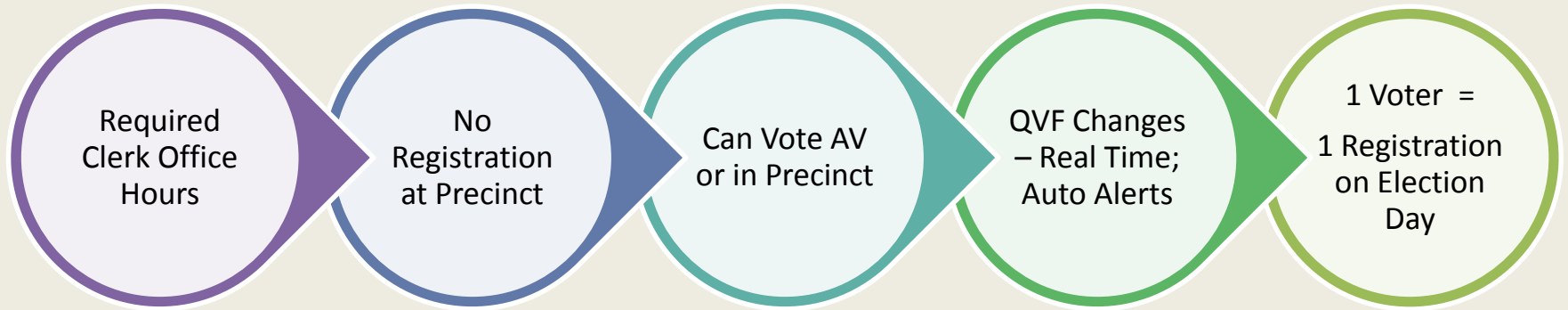
Election Day:

- Voter must register in person with local clerk with residency verification in order to obtain a ballot in that election



# PROPOSAL 18-3

## ELECTION DAY REGISTRATION



# PROPOSAL 18-3

## NO REASON ABSENTEE VOTING

- Elimination of Reasons
- Signature Still Required
- Additional Element – Request for Placement on Permanent AV List

**Michigan Absent Voter Ballot Application**  
 I am a United States citizen and a qualified and registered elector of the County and jurisdiction in the State of Michigan listed below, and I apply for an official ballot, to be voted by me in the following election(s):  May 7, 2019

**Voter's Registration Information:**

First Name	M.I.	Last Name	County
Street Address			<input type="checkbox"/> City <input type="checkbox"/> Township
MI			Jurisdiction
City	Zip	Year of Birth	
( )			( )
Email Address			Phone #

Your e-mail address and phone number will be used only for official election purposes.

**Voter's Signature (Power of attorney is not acceptable):**  
 I certify that I am a United States citizen and that the statements in this absent voter ballot application are true.

**X** / /

Signature Date

**3a. Address to Mail Ballot [Only fill out if different from above]:**  
**USPS will not forward your ballot. We can mail it to you where you are.**

Date leaving for this address: / /  
 Date of return: / /

Street Address  
 City State Zip

**3b. Future Elections:**  
**Complete to join permanent list:**  
 I want to vote absentee in all future elections.  
 Automatically send me an application for every election.

**4 Return**  
 Return this application to your city/township clerk.  
 Find your clerk at [mi.gov/vote](http://mi.gov/vote).

**Complete only if assisting a voter with return of the application**

**Certificate of Authorized Registered Elector Returning Absent Voter Ballot Application:**  
 I certify that my name is \_\_\_\_\_, date of birth is \_\_\_\_\_  
 \_\_\_\_\_ and my address is \_\_\_\_\_  
 that I am delivering the absent voter ballot application of \_\_\_\_\_  
 at his or her request; that I did not solicit or request to return the application; that I have not made any markings on the application; that I have not altered the application in any way; that I have not influenced the applicant; and that I am aware that a false statement in this certificate is a violation of Michigan election law.

**X** / /  
 Signature of person assisting the voter Date

# PROPOSAL 18-3

## AV DEADLINES

- AV Ballot mailing deadline – now 5 pm, Friday before Election Day (previously: Saturday 2 pm)
  - Deadline affects first class mail – does not restrict express mail
- In person AV deadline – 4 pm, Monday before Election Day (no change)
  - After Monday deadline, may still register and obtain an AV, if voting AV in clerk's office
- Clerk office hours, weekend before election – at least 8 hours total (Saturday / Sunday combined)
- Use of Satellite Offices
  - Legislation added - need approval of local governing board
  - Public posting of office hours (including satellites), at least 30 days prior to Election Day; Notice to SOS too

# PROPOSAL 18 – 3 OTHER AV ISSUES

MVIP – Eliminated



Voters Who Move After Requesting AV



Challenged Ballot



Spoiled Ballot Process (Request in Writing)

# PROPOSAL 18-3

## OTHER CHANGES

### Automatic Voter Registration:

- With DL/ID transaction in SOS branch offices
- Branch office procedure, form changes
- If not already registered, auto registered unless decline
- Voter Registration = Part of DL / ID Process
- Changes to existing branch office blue/white form
  - Receipt to voter / notice to clerk, no separate signature
- Data to Qualified Voter File, same as today
- Implementation date: TBD

# PROPOSAL 18-3

## OTHER CHANGES

### Military/Overseas Voting

- Looking at additional possibilities for improvements
- May need legislative change

### Post-Election Audits

- Risk-Limiting Audits – pilots, November 2018
- More pilots coming
- Study, report, recommendations on all possible options

### Straight-Party Voting


- For most, not an issue until 2020
- Revert back to prior process (minus vignettes)

### Secret Ballot

- Looking at additional possibilities for improvements

# PROPOSAL 18-3 COMMUNICATION / TRAINING

- NEWS UPDATES:
  - \*3-article series on Prop 3 begins this week
  - \*Focus: Voter Registration, AV, All Other
  - \*More targeted reminders for May election deadlines
- Clerk manual updates – online
- FAQs – online
- Online course: Late March (required for all)
- In person forums (Q/A): April
- Election Modernization Task Force
- Voter outreach
- Continued feedback: after May election



The screenshot shows the Michigan Bureau of Elections News Update newsletter for February 25, 2019. The header features the Michigan State Seal and the text "Michigan Bureau of Elections News Update For Election Administrators". The main content includes:

- February 25, 2019**
- UPDATED Election Officials' Manual Updated**: A red stamp with the word "UPDATED" is placed over the title. The text below states: "Over the next week, updates to the chapters in the [Election Officials' Manual](#) will be posted to the website. Please note the revision date of February 2019 in the upper right hand corner and on the website link. Please also note that there may be additional changes to the manual (perhaps even prior to the May election). We will announce any further changes in future News Updates."
- Proposal 3 and Voter Registration**: Accompanied by a large orange number "3" icon. The text states: "This article is the first in a series of three covering the recent changes to elections from the passage of Proposal 18-3 and legislation enacted in late 2018. This article covers the changes to the voter registration process. Subsequent articles will cover the changes to absentee balloting, notices (including samples!), postings, and election inspector processes. In late March an online course will be released fully covering the changes. All election administrators will be required to complete the training."
- Voter Registration**: A sub-section header.
- IN THIS ISSUE**: A list of topics including "Election Officials' Manual Updated", "Proposal 3 and Voter Registration", "QVF Refresh Update", "Temporary Precinct Consolidations for May Elections", and "BOE Question of the Week".
- QVF Refresh Update**: Accompanied by a circular "UPDATE" icon. The text states: "The following QVF Refresh software updates have been released to accommodate necessary changes resulting from Proposal 3:"
- Voter Registration**: A list of updates, including: "effective date logic changed from 30 days to 15 days from date registered unless registered in person at the clerk's office with the proper residency verification (ID and residency)", "a new residency verification field has been added to be used from 14 days prior to and including Election Day when a voter registers in your jurisdiction", and "effective dates are red and bolded when the voter does not qualify to vote until after the upcoming election date".

# 2018: OTHER LEGISLATIVE CHANGES

## Several Other Changes in 2018!

- ✓ Summarized in online summary: News Update, 1/7/19
- ✓ Precinct Delegate Canvass, moved to county (PA 611 of 2018)
  - \*Precinct Delegate write-ins now file with county clerk
- ✓ Mandatory E-Pollbook (PA 614 of 2018)
  - \*If haven't already purchased, grants/funding are available
  - \*Law also allows canvass to begin Thursday after election, for any election (as opposed to day after election)
  - \*Also requires county canvass to report any out-of-balance precincts to the SOS
- ✓ \$100 filing fee allowed for Township Officers (PA 654 of 2018)
- ✓ "Emily" FOIA provisions (PA 523 of 2018)
  - \*Requires requestors to provide full name, address, and valid contact information
  - \*Requestor's failure to pay FOIA deposit within 45 days = abandoned request
- ✓ Prop 3 implementation details (PA 603 of 2018)



### January 7, 2019 Legislative Summary

#### [HB 4700](#) -- Canvass/Certification Process for Precinct Delegates

- The responsibility for certifying precinct delegate winners moves from precinct inspectors to the county clerk, who must make the certification within 7 days of the primary election.
- Write-ins for precinct delegate must now file with the county clerk (rather than the city or township clerk) and can still file as write-ins in the precinct on election day.
- Assigned 2018 PA 611.

#### [HB 4734](#) -- Miscellaneous Changes to County Canvass Process

- Clarifies that it is the County Prosecuting Attorney, County Sheriff, or Register of Deeds who may be appointed to fill a temporary vacancy on the County Election Commission.
- Changes compensation for the Board of County Canvassers.
- Provides that the County Clerk may employ assistants to help perform the duties of the board and payment for the assistants must be authorized by the county clerk.
- Requires every jurisdiction to use the EPB and provides that the EPB must be downloaded after 4pm on the Monday before the election, unless the jurisdiction has 51 or more precincts. In jurisdictions with 51 or more precincts, the download must occur after 2pm on the Saturday before the election.
- Requires the county canvass to commence no later than 9am on the Thursday after the election instead of at 1pm on the day after the election. The County Clerk or the Clerk's staff shall determine the meeting date and time. Please note this deadline applies to all election.
- Imposes a new requirement on counties to report to the Secretary of State the number of out-of-balance precincts that were not reconciled during the canvass.
- Assigned 2018 PA 614 with immediate effect.

#### [HB 4747](#) and [HB 4748](#) -- Filing Fee for Township Offices

- Allows candidates for township supervisor, trustee, clerk, treasurer, and park commissioner to file a refundable \$100 filing fee in lieu of nominating petitions.
- Assigned 2018 PA 653 and 2018 PA 654 with immediate effect.

#### [HB 5199](#) -- Presidential Election Canvass

- Mandates that the Secretary of State order the expedited canvass of the presidential election results if the winner's margin of victory in Michigan is less than 25,000 votes, removing the Secretary's discretion to do so.
- Assigned PA 382 of 2018 with immediate effect.



# QUESTIONS?

