



STATE OF MICHIGAN
BUREAU OF ELECTIONS
LANSING

December 2019

**Election Official Questions & Answers:
Michigan's March 10, 2020 Presidential Primary Election**

Do I have to be open the weekend before the Presidential Primary?

Yes. Michigan's Constitution requires all clerks maintain at least 8 hours the Saturday and/or Sunday prior to an election in order to receive voter registrations and issue absent voter ballots.

When do I have to provide notice of the extended hours?

By February 10, 2020, you must provide the following notices to the Bureau of Elections: (1) the hours the clerk's office will be open the Saturday and/or Sunday before the election; (2) any additional locations and hours the clerk will be available to issue and received absent voter ballots, if applicable. You must also publish this notice by the same date.

What do I do if I receive an absentee ballot application with no ballot type selected?

Contact the voter indicating that the ballot type selection is required in writing if s/he wishes to participate in the presidential primary election. You are unable to send an absentee ballot without this written selection. Written selection (via an application form or a simple statement) may be satisfied via mail, email, or fax. Be sure to attach the documentation to the voter's original application.

I have the voter's phone number; can I contact the voter via telephone?

Yes, if you have telephone contact information for the voter you may contact him/her indicating they are required to make this selection **in writing** prior to receiving a ballot.

I have drafted a letter for voters who have not selected a ballot type. Is it permissible to send this letter along with a new absentee ballot application to gather the missing the ballot selection?

Yes, sending a letter indicating that the voter did not select a ballot type and reinforcing the requirement that the voter must indicate their ballot choice in writing is permissible. A sample letter has been provided below. Be certain that your communication informs the voter that the 'third' ballot option does not contain any presidential primary candidates (if your jurisdiction has that choice available.) Voters may indicate their ballot type selection on the new application, via a letter, an email, or a fax. Do not re-send the original application that did not contain a ballot selection; send along a new application form.

Can I edit the application form to indicate ballot type selection at the voter's request?

No, the voter must make their own ballot type selection in writing per MCL 168.615c(1). Voters may indicate this selection on the application, via a letter, an email or a fax.

I received an application form with the third option checked and I have no ‘third’ ballot for this election – what do I do?

Contact the voter indicating that there is no ‘third’ ballot option for your jurisdiction. Inform the voter that the ballot type selection is required in writing if s/he wishes to participate in the presidential primary. You are unable to send an absentee ballot without this written selection.

My jurisdiction is not conducting any other elections in conjunction with the presidential primary; can I block out or put a sticker over the third ballot option on the application?

Yes, we recommend that jurisdictions without a third ballot option ‘block’ out or sticker over this choice or purchase applications with only two selections to eliminate voter confusion errors.

I anticipate that voters attending the polls to participate in the presidential primary will have questions regarding the candidates who attempted to withdraw from Michigan’s presidential primary ballot or have withdrawn their election bid nationwide. Should my election inspectors answer such questions? Can a notice or sign be posted in the polling place to explain?

No to both questions. Election inspectors who receive such questions should direct the voter to the instruction ballot posted in the polling place. If this does not satisfy the voter, the election inspectors should refer the voter to the clerk’s office. Neither the inspector nor the clerk should discuss the content of the ballot with the voter in the polling place.

Should I detach or redact the ballot type selection portion of the Absent Voter Ballot Application from the application form?

No. The law which directs the conduct of the presidential primary stipulates that the “information acquired or in the possession of a public body indicating which participating political party ballot an elector selected at a presidential primary is not exempt from public disclosure.” The legislation mandates that the Secretary of State release a statewide list of this information within 71 days after the presidential primary (by May 20, 2020) and requires a schedule for county, city and township clerks to submit ballot selection data. The Bureau of Elections will compile these lists and will inform clerks when they are available; requestors of this data may be referred directly to BOE.

Can the candidates who are participating in the presidential primary appoint challengers to serve in the polls or absent voter counting boards?

No. A candidate does not have the authority to appoint challengers. Of course, as is customary, the state central and county level political party organizations may appoint challengers to serve in the polls and absent voter counting boards at any time through the date of the election.

Can challengers view the party ballot selections made by voters who offer to vote at the presidential primary?

Yes. Michigan election law stipulates that challengers have a right to observe each person offering to vote and inspect the Applications to Vote, Poll Book, registration records and any other materials used to process voters at the polling place. Consequently, there is nothing to prevent challengers from witnessing the party ballot selections made by voters who participate in the presidential primary. Again, the election law which directs the conduct of the presidential primary stipulates that the “information acquired or in the possession of a public body indicating which participating political party ballot an elector selected at a presidential primary is not exempt from public disclosure.”

What should I do if I receive a request for the political party ballot selection data?

Refer the individual to the Bureau of Elections (800-292-5973 or Elections@Michigan.gov) for this information.

SAMPLE LETTER TO VOTERS WHO HAVE NOT SELECTED A BALLOT TYPE

Attention Voter:

Enclosed is your application for an absentee ballot for Michigan's March 10, 2020 presidential primary. Michigan election law requires a voter to request a specific party's ballot for the presidential primary at the time they apply for an absentee ballot. This type of primary is called a closed primary. This requirement is only for the presidential primary. [optional sentence for those with a ballot proposal] Note that the "Ballot without Presidential Primary" special election ballot does not contain any presidential primary candidates – it only includes the special election issue(s) that are included on the March 10, 2020 presidential primary ballot for this jurisdiction.

For the March 10th presidential primary all voters must complete the following on the application:

- Check a ballot type selection
- Sign and date the form

If you do not designate a ballot type selection in writing, you will not receive a ballot for the March 10, 2020 presidential primary.

Please feel free to contact this office if you have any questions.

[INSERT CONTACT INFORMATION]