



## Overview of Current Voter Intimidation and Firearms Laws

Following the passage of [Public Acts 157](#) and [158](#) of 2024 (House Bills 4127 and 4128) the Secretary of State advises clerks, precinct inspectors, and other election officials, of the current state of the law:

### Possession of firearms

Together, Public Acts 157 and 158 prohibit the possession of firearms in voting-related locations, with limited exceptions. <sup>1</sup> Specifically, they prohibit the possession of a firearm:

- In a polling place or within 100 feet of the entrance of a building with a polling place on Election Day while polls are open, <sup>2</sup>
- In an early voting site or within 100 feet of the entrance of a building with an early voting site on days when early voting is occurring, <sup>3</sup>
- Within 100 feet of an absent voter ballot box in the 40 days before an election, <sup>4</sup> and,
- In a city or township clerk's office or satellite office, or within 100 feet of the entrance of a city or township clerk's office or satellite office in the 40 days before an election. <sup>5</sup>

However, a firearm may still be carried within those boundaries in any of the following instances: (1) by a member of law enforcement in the course of their duties; <sup>6</sup> (2) if lawfully carried on private property that falls within 100 feet of the location; <sup>7</sup> (3) by a concealed pistol license (CPL) holder who is carrying concealed; <sup>8</sup> or (4) if the firearm is lawfully contained in a vehicle. <sup>9</sup>

The possession of firearms is also prohibited in an absent voter counting place or a combined absent voter counting place or within 100 feet of the entrance of an absent voter counting place or a combined absent voter counting place when absent voter ballots are being processed but is allowed in that location when carried by a member of law enforcement acting in the course of their duties. <sup>10</sup>

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<sup>1</sup> MCL 750.234d(3).

<sup>2</sup> MCL 750.234d(3)(a).

<sup>3</sup> MCL 750.234d(3)(b).

<sup>4</sup> MCL 750.234d(3)(c).

<sup>5</sup> MCL 750.234d(3)(d).

<sup>6</sup> MCL 750.234d(4)(a).

<sup>7</sup> MCL 750.234d(4)(b).

<sup>8</sup> MCL 750.234d(4)(c).

<sup>9</sup> MCL 750.234d(5).

<sup>10</sup> MCL 750.234d(6).



If an election official observes or is notified of an individual in possession of a firearm in a voting location who does not fall within the exceptions, law enforcement should be contacted immediately to assist election officials as necessary.

## **Firearms offenses**

It is unlawful for a person to brandish, waive, or display a firearm in a threatening manner in public, unless acting in self-defense.<sup>11</sup> It is also unlawful for a person to intentionally point or aim a firearm towards another person.<sup>12</sup> If an election official observes or is notified of this kind of activity occurring in a place where elections are conducted, law enforcement should be contacted immediately to assist election officials as necessary.

## **Voter intimidation**

It is unlawful for a person to attempt through menace or other means to influence another person in how to vote, or to deter or interrupt another person in voting at an election.<sup>13</sup> Voter intimidation may occur in a number of forms. If an election official observes or is notified of activity that is deterring or hindering voters in the act of voting, law enforcement should be contacted immediately to assist election officials as necessary.

## **Disturbing the peace**

It is also unlawful for a person to make a disturbance at a place where elections are being conducted by interrupting peace and quiet, violating public order or decorum, or hindering other persons in the pursuit of their rights.<sup>14</sup> If an election official observes or is notified of this kind of activity occurring in a place where elections are conducted, law enforcement should be contacted to assist election officials as necessary.

**Clerks are advised to contact local law enforcement before Election Day to inform them of voting-related locations and establish points of contact in the event assistance is required in addressing any of the scenarios described above, or with respect to any other matter that threatens a safe, secure, and orderly election.**

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<sup>11</sup> MCL 750.234e.

<sup>12</sup> MCL 750.233.

<sup>13</sup> MCL 168.932(1)(a). Federal law includes a similar offense. See 18 USC 594.

<sup>14</sup> MCL 750.170.