

# Chapter 6 Michigan's Absentee Voting Process

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**NOTE ON OCTOBER 2022 UPDATES:** October 2022 updates to this chapter include changes to procedures based on recently passed legislation. Please monitor the Bureau of Elections News Update for Election Administrators for ongoing updates. This chapter is current as of October 26, 2022.

**ELIGIBILITY:** Any registered voter is eligible to obtain an absentee ballot for an upcoming election.

**APPLICATION PROCESS:** A voter who wishes to receive an absentee ballot must request it *in writing* from the clerk; absentee ballots may not be delivered as a result of an oral request made in person or over the phone. However, an absentee ballot *application form* may be provided as a result of an oral request.

The written request may be on a form supplied by the clerk, Secretary of State, or any other government or non-government organization, on a letter or postcard, or on the online AV request tool at [Michigan.gov/Vote](https://Michigan.gov/Vote). Any written request that includes the applicant's name and signature must be accepted. Applications for absent voter ballots may be received by hand, via postal mail, fax, email, or online, as long as the voter's signature is visible.

**Picture ID for In-Person Absent Voter Ballot Application:** If a voter applies to receive an absent voter ballot in person at the clerk's office, the voter is required to present a picture ID or sign the *Affidavit of Voter not in Possession of Picture Identification* form. The acceptable ID documents and Affidavit form are the same as those required for in-person voter registration and in-person voting on Election Day (see list included in Chapter II—Voter Registration and sample form in Appendix I).

Voters who sign the affidavit must be issued a ballot. If a voter does not have ID and signs the affidavit, and the voter wishes to be issued the absent voter ballot in person, that voter's absent voter ballot must be processed as a challenged ballot on Election Day. This procedure is applicable only to voters who expect to receive their ballot in-person at the clerk's office. This procedure is not applicable to voters who drop off their application for an absent voter ballot and wish to be mailed their absent voter ballot. Additionally, voters who apply by mail for an absent voter ballot do not need to provide ID (unless they are subject to the Federal ID requirement).

**Dual Primary/General Applications:** Under the Michigan Election Law, an application received before a primary or special primary may be for either that primary only, or for that primary and the election that follows. Voters can apply for an absent voter ballot for both an August primary (or in presidential years, presidential primary) and November general election using a single application. If a clerk receives a dual application requesting a ballot for a primary and general application, the voter must be issued a

ballot for both elections. Applications sent out by clerks prior to primary elections must give voters the option of applying for both the primary and general election.

**Accessible AV Applications:** Voters with print disabilities can apply for an accessible electronic absent voter ballot through the Democracy Live OmniBallot program, which is available at [Michigan.gov/Vote](https://Michigan.gov/Vote).

“Print disabilities” are disabilities that interfere with the effective reading, writing, or use of printed material. This definition includes persons who are blind or visually impaired, those with learning disabilities, as well as those with a physical disability that interferes with holding or manipulating paper or a pen and pencil.

Accessible applications must include the voter’s Michigan Driver’s License or State ID number or the last 4 digits of Social Security Number along other voter registration information. They do not need to be signed. When voters complete the application for an accessible ballot, the Bureau of Elections verifies the information provided matches the voter’s QVF information and the application is added to the voter’s QVF record. The Bureau of Elections then generates URL links that link to the voter’s ballot in the OmniBallot platform. There are two links: one for the clerk to verify the ballot is accurate, and one for the voter to access the ballot. The Bureau e-mails both links to the clerk.

When a clerk receives the e-mail, the clerk should first click the “clerk link” for the ballot to verify it is accurate. Next, the clerk emails the “voter link” to the ballot to the voter, along with instructions in the body of the email (which are provided in the email the clerk received from the Bureau). The clerk then marks in the Qualified Voter File that the voter has been sent an accessible ballot and records the ballot number (prefaced with an “A”). The voter completes the ballot on the OmniBallot platform, prints it, and returns it to the clerk in a signed envelope.

For more information about Accessible AV Ballots, including what to do if a voter has requested both a regular and accessible AV ballot, see [Accessible Ballot Clerk FAQ’s](#) in the eLearning Center.

**Military and Overseas Voter Absent Voter Ballot Applications:** If a voter applies for an absent voter ballot using a Federal Postcard Application (FPCA) or submits a Federal Write-in Ballot (FWAB), the voter should be processed as a MOVE voter. If a voter applies for an absent voter ballot using a regular application and lists a foreign address as the mailing address or temporary address, the clerk should treat the application in the same way the clerk would treat an FPCA for a MOVE voter. If the voter provides an address in the United States that appears to be a military address, the clerk should contact the voter to determine if the voter is a MOVE voter. For instructions on receiving AV applications and issuing AV ballots to military and overseas voters, see Chapter VII.

**MAINTAINING A PERMANENT ABSENT VOTER APPLICATION LIST:** A jurisdiction may choose to maintain a list of voters who wish to be sent an absent voter ballot application prior to each election. This is commonly referred to as a 'permanent AV application' list. While a permanent AV application list is not required, the Bureau of Elections strongly recommends its use for effective management of absent voter ballots. Any voter who wishes to be added to the permanent AV application list is allowed to be added. Clerks should track their permanent AV application lists through the Qualified Voter File.

Applications must be issued to voters on the permanent AV application list for each election (unless a voter has completed a dual application for a primary and general election and has already applied for a general election AV ballot). Clerks must also issue an AV application to any voter who requests one, whether or not the voter is on the permanent AV application list.

Clerks wishing to send AV applications to voters who are not on a permanent AV application list or who have not otherwise requested an AV application should consult with their municipal or county counsel in considering this issue. Two court cases from 2007 and 2008 found that clerks could not do so without a voter request; these cases were decided before Proposal 2018-3, and in August 2020 the state Court of Claims ruled that the Secretary of State has authority to mail AV applications to voters whether or not they have requested an application. It is possible there will be more court proceedings on the authority of the Secretary of State or clerks to mail applications. For more information on the issue, see the May 13, 2020 Bureau of Elections News Update for Election Administrators. Also follow the News Update for further updates on this issue.

**NOTE:** If a clerk does not maintain a permanent absent voter list and receives a request from a voter to be added to a permanent absent voter list, the clerk must notify the voter that this service is not offered by the clerk and that the voter will need to request an application prior to every election.

The same standards detailed above for the mailing of absentee ballot applications apply to county clerks as they perform their school election coordinator role.

**SUBMISSION OF ABSENT VOTER BALLOT APPLICATIONS:** The election official or other authorized personnel appointed by the election official *must be available* in the election official's office or at some other published or posted location to facilitate the receipt and processing of absent voter ballot requests as follows:

- ***“Regular” or “Mail” Request Deadline:*** If the ballot must be issued *by mail*, the application for the ballot must reach the election official *no later than 5:00 p.m. on the Friday prior to the election.*

- **“Late” or “in Person” Request Deadline:** Absent voter ballots can be received by a voter *in person* anytime *up to 4:00 p.m. on the day prior to the election*. A voter who visits his or her clerk’s office on the day prior to the election to obtain an absent voter ballot must vote the ballot in the office; the voter *is not permitted to leave the office with the ballot*.
  - **Special Rule for “Same Day” Registration:** New registrants (registering for the first time or updating their registration address at the clerk’s office) will be eligible to receive an AV ballot even after the close of the 4:00 p.m. window on the day before the election but will have to vote the ballot in person in the office.
- **Same Day Voter Registration Request Deadline:** A voter who registers to vote or updates their registration on Election Day by appearing in person at his or her clerk’s office is also eligible to obtain an absent voter ballot to vote in person at the clerk’s office until 8:00 p.m. on Election Day. Those in line at 8:00 p.m. must be allowed to register and vote an absent voter ballot.
- **“Emergency” Request Deadline:** An elector may make an “emergency” request for an absentee ballot if he or she cannot attend the polls because of 1) personal disablement or 2) a family death or illness which will require that the elector leave the community for the entire time the polls are open on Election Day.

“Emergency” requests for absentee ballots must be made after the deadline for making “regular” requests for absentee ballots (5:00 p.m. on the Friday before the election) and *before 4:00 p.m. on Election Day*. *The emergency must have occurred at a time which made it impossible for the voter to apply for an absentee ballot by the statutory deadline for “regular” applications* If an “emergency” absent voter ballot is requested, the person making the application may authorize the person delivering the application to pick up and deliver the ballot. The authorization to pick up and deliver the ballot must be in writing and must be signed by the applicant. An “emergency” absentee ballot may also be delivered by hand to the applicant by a person authorized by the clerk to handle this task.

**OFFICE HOURS ON SATURDAY AND/OR SUNDAY PRECEDING ELECTION:** The clerk or a deputy clerk of each city or township shall be available in his or her office to issue and receive absent voter ballots for any combination of at least 8 hours on the Saturday or Sunday immediately before election day. The Clerk shall post and enter these hours in to QVF Clerk Contacts at least 30 days prior to election day.

## RESTRICTIONS ON POSSESSION OF SIGNED ABSENT VOTER BALLOT APPLICATIONS:

The persons who may be in lawful possession of a *signed* absent voter ballot applications are limited to:

- the applicant
- a member of the applicant's immediate family
- a person residing in the applicant's household
- a person whose job normally includes the handling of mail (but only during the course of his or her employment)
- a registered elector asked to handle the application by the applicant
- an authorized election official.

NOTE: Absent voter ballot applications may be received via email or fax as long as the voter's signature is on the application and the signature is visible for verification purposes.

A registered elector who returns an absent voter ballot application at the request of the applicant must sign the following certificate which appears on the application form:

<b>CERTIFICATE OF AUTHORIZED REGISTERED ELECTOR</b> <b>RETURNING ABSENTEE BALLOT APPLICATION</b>	
I certify that my name is _____, my address is _____, and my date of birth is _____; that I am delivering the absentee 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 _____	
Date	Signature

**APPLICATION VERIFICATION REQUIREMENT:** Upon the receipt of a completed absent voter ballot application, the signature appearing on the application must be checked against the signature on the applicant's voter registration record to verify the applicant's identity. If the application contains a digital image of the voter's signature (because the voter has faxed or scanned and emailed an application, or because the voter has applied online using the voter's driver's license signature), the clerk should compare the digital signature image to the voter's signature on file. If the clerk determines that a signature on an application is missing or does not match the individual's voter registration record, the clerk should notify the voter as soon as possible and no later than 48 hours after receiving the

application. For further guidance on reviewing signatures, contacting voters, and curing missing or mismatched signatures, see [Signature and Cure Guidance](#) in the eLearning Center.

NOTE: An absent voter application with Power of Attorney (POA) signature in lieu of the voter's signature cannot be accepted. The Michigan Election Law allows a voter unable to sign due to physical impairment to make a "mark" or to use a signature stamp.

**ISSUANCE OF ABSENT VOTER BALLOTS:** A request for an absent voter ballot must be processed immediately. Ballots should be issued within 24 hours of the receipt of the application (or by the end of the next business day if received on a Friday other than the Friday before Election Day). Applications should be processed in the order they are received. This will avoid criticism that certain voters are being given preferential treatment. This does not prohibit an election official from issuing an absentee ballot to a voter applying in person despite the fact that there may be applications on file to have AV ballots mailed, and for which AV ballots have not yet been issued. AV ballots should be issued immediately to voters applying for AV ballots in person.

A voter can receive an absent voter ballot at his or her registration address; at any address outside of his or her jurisdiction of residence; or at a hospital, nursing home or similar institution. Also, a clerk may mail an absentee ballot to a post office box or mailing address, if the voter receives mail at that post office box rather than his or her registration address. A voter cannot receive an absentee ballot at any residential address within his or her city or township of registration other than his or her registration address.

Absentee ballots may not be forwarded. Absentee ballot outgoing envelopes should have the postal instruction "Return Service Requested" printed on them.

Campaign brochures or any other type of unauthorized materials may *not* be distributed with absentee ballots. The Michigan Election Law (MCL 168.931a) prohibits the name of an elected or appointed official from appearing on any ballot-related materials; "ballot-related material" is defined as anything distributed with an absentee ballot, including the instructions, the envelope in which the absentee ballot is mailed, and the absentee ballot return envelope.

An absentee ballot must be transmitted to the applicant *by mail* if there is an adequate amount of time for the voter to receive the ballot by mail, vote the ballot and return the ballot prior to 8:00 p.m. on the date of the election. **To avoid any appearance of impropriety, absentee ballots should *not* be delivered by hand when the voter has requested it to be mailed unless the hand delivery of the ballot is necessary to ensure the timely return of the ballot.**

## ANATOMY OF AN ABSENT VOTER BALLOT:

Election officials must understand the contents of an absent voter ballot mailing. The mailing should include the following elements all secured in the outer mailing envelope (examples of each element may be found in *Appendix I* accompanying this manual):

- Ballot instructions appropriate for election being held
- Instructions for Absent Voters (usually printed on the secrecy sleeve)
- Secrecy Sleeve (if required to cover ballot markings)
- Correct Ballot (be mindful of ballot splits within a precinct caused by different geography such as school districts, villages, county commission districts, etc.)
- Ballot Return Envelope addressed to the local clerk's office, including voter signature certification

**ABSENTEE VOTERS WHO RECEIVE ASSISTANCE:** If an absentee voter receives assistance from another person when voting the ballot, the individual who provided the assistance must sign the certificate shown below. The certificate appears on the outside of the ballot return envelope. The certificate must be signed by *any person* who assists an absentee voter mark his or her ballot including the voter's spouse, a household member who lives with the voter, an election official or an individual employed as an election assistant.

**If someone assists you or helps you mark your ballot, they must sign and identify themselves.**

I assisted the voter who is disabled or unable to mark his/her ballot according to his/her directions and without showing it to another person.

Assistant, sign here

Print name

Print full address

**A person who assists an absent voter and knowingly makes a false statement is guilty of a felony.**

**RETURN OF ABSENTEE BALLOTS:** Absentee ballots must be returned to the clerk by 8:00 p.m. on Election Day (with exceptions stated below). On the day of the election, the clerk must make arrangements with the post office to pick up any absentee ballots which are received by the post office after the post office has made its final mail delivery of the day to the clerk's office. (The time of the final

check should be coordinated with the post office to ensure that the check is made after the post office receives its last mail delivery of the day.) Should a voter or a statutorily approved individual return an absent voter ballot to the polling place on Election Day, election inspectors should redirect the ballot to the clerk for signature verification to determine if the ballot is legal for processing in the precinct or Absent Voter Counting Board.

The 8:00 p.m. deadline applies to ballots returned to the clerk's office, satellite office, or a ballot drop box. Voters in line to register by 8:00 p.m. must be allowed to receive and return AV ballots for counting.

The persons who may return an absentee ballot are limited to 1) the voter 2) a member of the voter's immediate family who has been asked to return the ballot 3) a person residing in the voter's household who has been asked to return the ballot 4) a person whose job normally includes the handling of mail (but only during the course of his or her employment) and 5) an authorized election official.

**BALLOT PICK-UP BY ELECTION OFFICIAL:** An election official is *required* to pick up a voter's absentee ballot if *all* of the following conditions are satisfied: 1) the election official issued the ballot to the voter 2) the voter is unable to return the ballot under any of the authorized delivery methods 3) the voter calls to request the pickup of his or her ballot before 5:00 p.m. on the Friday immediately preceding the election and 4) it is not necessary for the election official to travel outside of the jurisdiction to obtain the ballot. Under any other circumstances, an election official (or authorized assistant) may pick up a voter's absentee ballot *at the election official's discretion* if 1) the election official issued the ballot to the voter and 2) the voter is unable to return the ballot under any of the authorized delivery methods.

Election assistants authorized to pick up absentee ballots must carry appropriate credentials and show them when asked. An election official should not return a voter's absentee ballot unless the voter requests it.

**BALLOT DROP BOXES:** Election clerks are encouraged to utilize absent voter ballot drop boxes to allow voters or anyone authorized to be in possession of a voter's completed absent voter ballot envelope to deliver absent voter ballots. Ballots delivered to open ballot drop boxes by 8 p.m. on Election Day must be counted. For Bureau of Election guidance on locations, security, staffing and ballot retrieval, signage, and other considerations, see the [Absent Voter Ballot Drop Box Guide](#) in the eLearning Center.

The Michigan Election Law requires that ballot drop boxes conform to the following requirements:

All AV drop boxes must be:

- Clearly labeled as Absent Voter Ballot Drop Box. MCL 168.761d(1)(a).
- Securely locked and designed to prevent removal of ballots when locked. MCL 168.761d(1)(b).
- Secured to prevent the AV drop box from being removed from its location. MCL 168.761d(1)(c).
  - Required only for AV drop boxes located in an area that is not continuously staffed.
- Regularly inspected to confirm that the AV drop box complies with all requirements. MCL 168.761d(4).
  - For future elections: Regular inspection begins 75 days before each election and continues until Election Day.

AV drop boxes located outdoors must be:

- Securely locked and bolted to the ground or another stationary object. MCL 168.761d(2)(a).
- Equipped with a single slot or mailbox-style lever to allow absent voter ballot return envelopes to be placed in the AV drop box, and all other openings on the AV drop box must be securely locked. MCL 168.761d(2)(b).
  - Consult with municipal legal counsel on question of whether a specific AV drop box meets these requirements. In the Bureau's view, AV drop boxes purchased by the state for local jurisdictions in 2020 have a mailbox-style lever that meets this requirement. Local jurisdictions are free to modify the boxes to provide additional security features if they choose to do so.
- Video monitored to ensure effective monitoring of that AV drop box. MCL 168.761d(2)(c).
  - Only for AV drop boxes that were not ordered or installed before October 1, 2020.
- Located in a publicly accessible, well-lit area with good visibility. MCL 168.761d(2)(d).
- Subject to immediate reporting to local law enforcement if vandalism or suspicious activity occurs in the immediate vicinity of the AV drop box. MCL 168.761d(2)(e).

Staffing and Ballot Retrieval:

- Collection of election materials from AV drop boxes must be conducted only by a city or township clerk, the clerk's deputy clerk, or a sworn election assistant. MCL 168.761d(3) and MCL 168.29.
  - Consult with municipal legal counsel on question of whether temporary assistants qualify as deputy or staff under municipal charter
- Beginning 15 days before each election and continuing until Election Day, collection of election materials must occur each day in which the city or township clerk's office is open for business. MCL 168.761d(5).

- Election materials collected from AV drop boxes must be immediately returned to the city or township clerk's office unless the clerk or staff member is traveling from one AV drop box to another. MCL 168.761d(3).
- Election materials collected from AV drop boxes must be transported in a ballot container approved under section 24j or in an absent voter ballot secrecy envelope container as described in section 24k. MCL 168.761d(7).
  - Required only if the materials must be "transported" from the AV drop box to the clerk's office (not required if the AV drop box is inside the clerk's office).
  - Any container used for securing of election materials must be approved by the County Board of Canvassers. Previously approved ballot containers may be used to collect election materials from AV drop boxes.
- Collection of election materials from AV drop boxes must be documented, including: the date of the collection, the total number of ballot envelopes collected, the name of the individual collecting the materials, and the location of the AV drop box. MCL 168.761d(8).
  - The documentation requirement applies only to AV drop boxes that are not located on the grounds of a city or township clerk's office, or in an official satellite office of the city or township clerk that is staffed by employees of the city or township clerk.
  - An AV Ballot Dropbox Collection and Inspection Form" is available on the eLearning Center. Clerks may use this log or another version that includes the required elements.
  - Documentation must be preserved for at least 22 months following the election.

**MILITARY/OVERSEAS AND ACCESSIBLE AV BALLOT ENVELOPES:** Clerks should be mindful that absent voter ballots returned by military and overseas voters and voters using accessible ballots will not arrive in a standard ballot return envelope. Federal Write -in Absentee Ballots (FWAB), MOVE ballots that have been printed and returned, and accessible ballots that have been printed and returned may be in plain envelopes. Clerks should be on the lookout for plain envelopes with "Official Ballot Material" written on them, or envelopes with a signature on the back of the envelope, as these are likely absent voter ballots that should be processed on Election Day. If an envelope containing one of these types of AV ballots is accidentally opened before Election Day, the envelope should be immediately resealed and placed with other AV ballots for processing on Election Day.

**BALLOT VERIFICATION REQUIREMENT:** A voter who has obtained an absentee ballot must sign the following certificate which appears on the return envelope prior to returning the ballot to the clerk:

**I assert that:**

- I am a United States citizen.
- I am qualified and registered to vote at the address listed.
- I am voting in conformity with state election law.
- I marked my ballot and placed it in this envelope without showing it to anyone.
- I am returning my ballot to the clerk's office by delivering it myself or a member of my immediate family or household, or sending it by public postal, express mail, or parcel post service, or other common carrier.

**I understand that knowingly making a false statement is a misdemeanor.**

**Voter, sign here in ink.** Power of attorney is not acceptable.

*This box must be signed or your vote will not be counted.*



X	_____	Date _____
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Upon the receipt of a returned absentee ballot, the signature appearing on the above certificate must be checked against the signature on the applicant's application or QVF to verify the applicant's identity.

NOTE: An absent voter ballot envelope with Power of Attorney (POA) signature in lieu of the voter's signature cannot be accepted. Michigan Election law provides for a voter unable to sign due to physical impairment to make a "mark" or they may use a signature stamp.

If the voter fails to sign the certificate or if the signature does not match the voter's AV application or registration record, the ballot is void and cannot be removed from the envelope or counted and the ballot is retained at the local clerk's office. The voter should be contacted immediately to visit the clerk's office to sign their ballot envelope or otherwise provide a signature, but the unsigned ballot may not leave the clerk's office. Unless the clerk can immediately verify and correct the signature, the ballot should be marked rejected in QVF. The voter will see the rejected status on MVIC. For further guidance on reviewing signatures, contacting voters, and curing missing or mismatched signatures, see [Signature and Cure Guidance](#) in the eLearning Center. If the voter is unable to sign their absentee voter ballot envelope or otherwise cure their signature, the original ballot may be spoiled, and the voter may be reissued a replacement ballot. The voter must make a request for a new ballot in writing.

## OPTIONS FOR VOTERS WHO WISH TO SPOIL THEIR BALLOT:

There are a number of reasons why a voter may want to spoil a ballot they have already voted and/ or submitted, or to obtain a new ballot. The request must **always include the voter's signature and be submitted in writing**. The following chart illustrates these possible scenarios and the voter's options:

Voter never received AV ballot	Voter received AV ballot and requests to spoil it and receive a new one	Voter returned their ballot, requests to spoil it and receive new
<ul style="list-style-type: none"><li>• May request a new ballot be mailed until 5 p.m. on the Fri. prior to the election</li><li>• May request a new ballot in person until 4 p.m. on the Mon. prior to the election</li><li>• May vote in person on election day by completing <i>Affidavit of Lost or Destroyed Absent Voter Ballot</i></li></ul>	<ul style="list-style-type: none"><li>• May request a new ballot be mailed until 5 p.m. on the Fri. prior to the election</li><li>• May request a new ballot in person until 4 p.m. on the Mon. prior to the election</li><li>• May vote in person on election day by completing <i>Affidavit of Lost or Destroyed Absent Voter Ballot</i> or by surrendering original ballot</li></ul>	<ul style="list-style-type: none"><li>• May request a new ballot up until 5pm on the Fri. prior to the election</li><li>• No option between 5 p.m. Fri. prior and election day to spoil the ballot that has been received by clerk</li></ul>

**Note:** If a voter who has been issued an AV ballot decides to vote at the polls, the clerk may not spoil or reject the AV ballot and allow the voter to cast a ballot at the polls. The voter's only pre-Election Day option is to surrender the ballot to the clerk. The voter should write "I am surrendering my ballot" on the envelope and sign it. The clerk must mark the ballot as surrendered in QVF so the voter can vote at the polling place. Surrendered ballots must not be re-issued. Clerks must mark records appropriately to keep pollbooks, AV lists, and voting history balanced. Or the voter can surrender the ballot at the polls.

**DECEASED OR INCARCERATED ABSENTEE VOTER:** If it comes to the attention of a local election official or a precinct board that a voter who returned an absentee ballot has died or is currently serving a sentence in jail or prison, the ballot must be rejected. In such an instance, write "rejected as illegal" on the return envelope and record the rejection and reason in QVF. Absentee ballots which are "rejected as illegal" cannot be removed from their return envelopes.

**PENALTIES:** The following penalties apply to Michigan's absentee voting process:

- A person who forges a signature on an AV application is guilty of a felony. (MCL 168.759(8)) An unauthorized person who both distributes absentee ballot applications to voters and returns those absentee ballot applications to a clerk or assistant of the clerk is guilty of a misdemeanor. (MCL

168.759(8)).

- A person who is not involved in the counting of ballots as provided by law who has possession of an absentee ballot which was mailed or delivered to another person is guilty of a felony if he or she 1) opens the envelope containing the ballot 2) makes any marks on the ballot 3) alters the ballot in any way or 4) substitutes another ballot for the absentee ballot in his or her possession. (MCL 168.932(e)).
- A person, other than an authorized election official, who gives, lends or promises any valuable consideration to or for a person to induce that person to both distribute absentee ballot applications and receive signed absentee ballot applications from voters for delivery to the clerk is guilty of a misdemeanor. (MCL 168.931(1)(b)).
- A person who participates in a meeting or a portion of a meeting of more than two persons, other than the person's immediate family, at which an absentee ballot is voted, is guilty of misdemeanor. (MCL 168.931(1)(m)).
- A person who is present while a voter is voting an absentee ballot who suggests how the voter should vote or attempts to influence the voter on how he or she should vote is guilty of a felony. (MCL 168.932(h)).
- A person who assists an absentee voter mark his or her ballot who suggests how the voter should vote or attempts to influence the voter on how he or she should vote is guilty of a felony. (MCL 168.932(g)).
- A person who assists an absentee voter mark his or her ballot who permits any other person to suggest how the voter should vote or permits any other person to attempt to influence the voter on how he or she should vote is guilty of a felony. (MCL 168.932(g)).
- A person in illegal possession of an absentee ballot (voted or unvoted) is guilty of a felony. (MCL 168.932(f)).
- An unauthorized person who returns, solicits to return or agrees to return an absentee ballot is guilty of a felony. (MCL 168.932(f)).
- A person who assists an absentee voter who falsifies the statement which must be signed by such assistants is guilty of a felony. (MCL 168.761(5)).
- A person who plans or organizes a meeting at which absentee ballots are to be voted is guilty of a felony. (MCL 168.932(i)).
- An absentee voter who knowingly makes a false statement on the absentee ballot return envelope is guilty of a misdemeanor. (MCL 168.761(5)).

**POSTING ABSENTEE VOTING INFORMATION:** Michigan Election Law, MCL 168.765(5), requires all city and township clerks to post the following absentee voting information anytime an election is conducted which involves a state or federal office:

- The clerk must post before 8:00 a.m. on Election Day: 1) the number of absent voter ballots distributed to absent voters 2) the number of absent voter ballots returned before Election Day and 3) the number of absent voter ballots delivered for processing.

- The clerk must post before 9:00 p.m. on Election Day: 1) the number of absent voter ballots returned on Election Day 2) the number of absent voter ballots returned on Election Day which were delivered for processing 3) the total number of absent voter ballots returned both before and on Election Day and 4) the total number of absent voter ballots returned both before and on Election Day which were delivered for processing.
- The clerk must post immediately after all precinct returns are complete: 1) the total number of absent voter ballots returned by voters and 2) the total number of absent voter ballots received for processing.
- A form which can be used to post the information specified above is provided in *Appendix I*.

**RECORDING AV BALLOT INFORMATION IN QVF REQUIRED:** Immediate recording of AV ballots sent and returned into the AV module of the Qualified Voter File is required and provides an easy and efficient way for election officials to print applications and ballot labels and manage the list of voters sent ballots as required by law. This task also benefits the voter who is able to track the mailing and receipt of their absent voter ballot via [Michigan.gov/Vote](https://Michigan.gov/Vote) (Michigan Voter Information Center). The same information is also included in the ePollbook download of voter information in the Electronic Poll Book (EPB) on Election Day, alerting election inspectors to not issue another ballot.

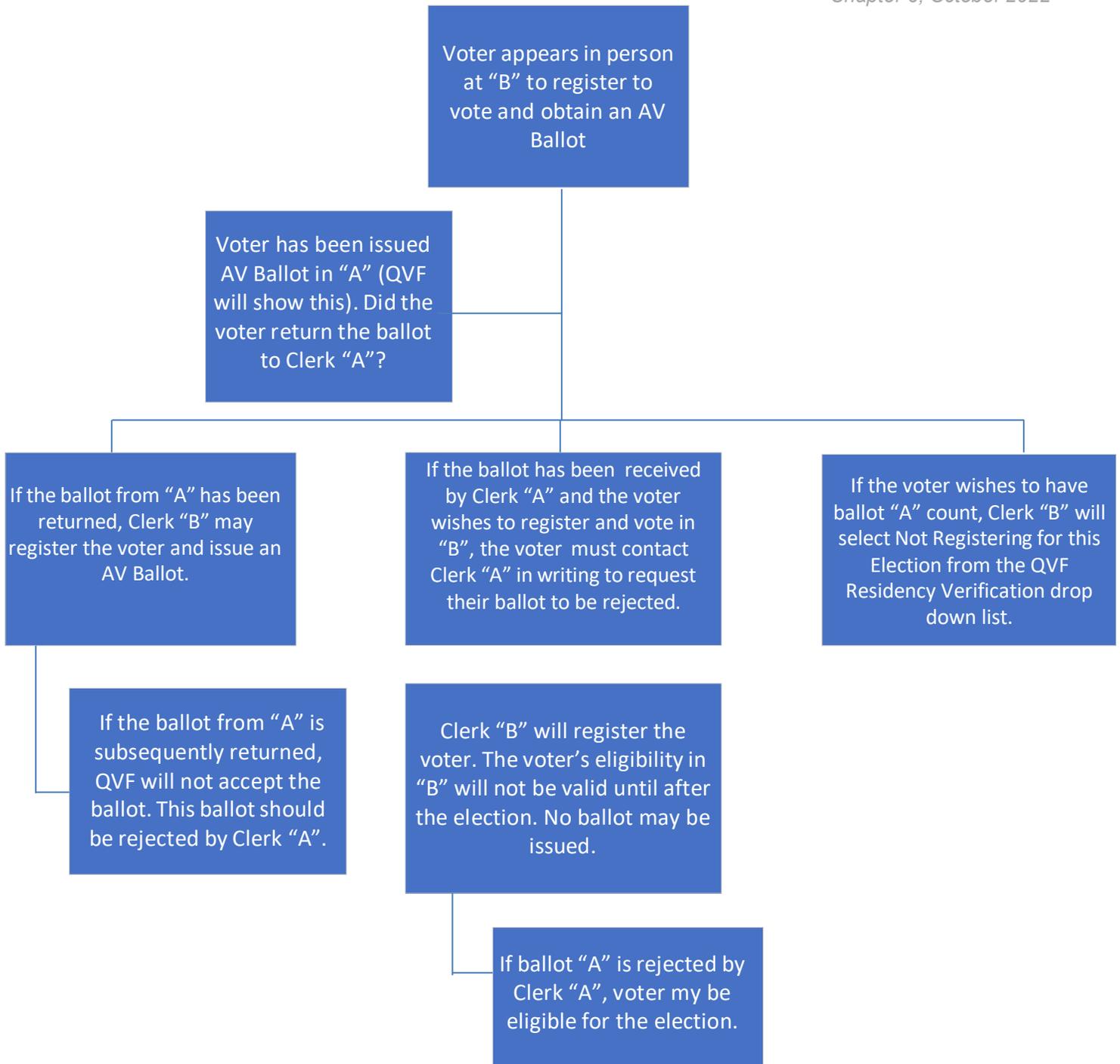
### ISSUING AV BALLOTS TO ELECTION ELIGIBLE VOTERS WHO HAVE MOVED:

Proposal 18-3 brings many changes to processes associated with voter registration and absentee voting. Notably, unregistered voters may apply for voter registration and obtain an AV ballot in the same transaction until the close of election day. Remember:

- New registrants may receive an AV ballot even after 4:00 p.m. on the day before the election.
- New registrants will be provided the option after registering to vote at the local clerk's office to cast their vote via absentee ballot or bring the printed QVF receipt to their precinct and vote in person.

Also, clerks are now required by law to export electronic pollbook lists from the QVF **after** 4:00 p.m. on the day before the election (the exception being those jurisdictions with 51 or more precincts). This is to ensure that the most up to date AV history of voters who cast an AV ballot, or who registered and cast a ballot on the Monday prior to election will be reflected on the election day pollbook list.

Michigan now has tighter registration time frames that may impact voting for voters who move during the 45-day AV ballot window and who obtained or cast an AV ballot prior to moving and re-registering. The flow chart on the next page indicates how these instances are to be handled:



- "A" refers to Jurisdiction A
- "B" refers to Jurisdiction B

## REPORTING OF POSTAL SERVICE ISSUES

As a note, if you are having recurring issues with mail delivery, [electionmail.org](http://electionmail.org) is tracking postal issues and the U. S. Postal Service's response. Reports to the website [electionmail.org](http://electionmail.org) are also copied to the Bureau of Elections.

Issues to Report:

- Delivery delay
- Damaged mail
- Lost mail
- Undeliverable / returned mail
- Misdirected mail

Please be as detailed as possible when reporting your issues, including specific addresses and mailing dates to assist USPS in identifying which postal facilities are having problems.