

Quick Reference Guide

Build-It-Yourself Version

Overview

This Quick Reference Guide is a 'build it yourself' resource that can be taken into the poll location and used to quickly reference Election Day procedures and activities.

Refer to your state's election code to fill in specific information needed to be a well-informed Election Observer. The election codes by state have been aggregated by volunteers. Please see your state's codes by visiting:

<https://truethevote.org/info-by-state>

Assembly Instructions

1. Print this document (double-sided, flip on the long edge)
2. Cut along the dotted line at the bottom of each page.
3. Order the pages according to the page numbers (don't include this page).
4. Align all pages along the top edge and staple.
5. Your finished document will have handy tabs along the bottom of each page for quick reference and space for taking notes as you flip the previous page.
6. Keep those elections honest and help true the vote!



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Michigan Election Observer Quick Reference Guide



Polling Place Staff

Lead authority: _____

Other election workers: _____

Primary Mission of a Poll Watcher

OBSERVE and DOCUMENT activities of the Election Workers at the poll to ensure that proper elections procedures are followed. DO NOT TALK or ENGAGE with voters in any way. If a voter or other person approaches you in the poll, walk over to the LEAD AUTHORITY and ask him/her to explain to the person that you are not allowed to speak to them.

Staff & Mission

Hotline #: _____

Notes & Election Codes

168.672 Board of inspectors of elections; presence in precinct polling places.
At every election, there shall be a board of at least 3 inspectors of election, constituted as in this chapter provided, in and for each election precinct. Not less than a majority of the inspectors shall be present in the precinct polling place during the time the polls are open.

168.730 Designation, qualifications, and number of challengers.

(1) At an election, a political party or an incorporated organization or organized committee of citizens interested in the adoption or defeat of a ballot question being voted for or upon at the election, or interested in preserving the purity of elections and in guarding against the abuse of the elective franchise, may designate challengers as provided in this act. Except as otherwise provided in this act, a political party, incorporated organization, or organized committee of interested citizens may designate not more than 2 challengers to serve in a precinct at any 1 time. A political party, incorporated organization, or organized committee of interested citizens may designate not more than 1 challenger to serve at each counting board.
(2) A challenger shall be a registered elector of this state. Except as otherwise provided in this section, a candidate for nomination or election to an office shall not serve as a challenger at the election in which he or she is a candidate. A candidate for the office of delegate to a county convention may serve as a challenger in a precinct other than the 1 in which he or she is a candidate. A person who is appointed as an election inspector at an election shall not act as a challenger at any time during the election day.
(3) A challenger may be designated to serve in more than 1 precinct. The political party, incorporated organization, or organized committee of interested citizens shall indicate which precincts the challenger will serve when designating challengers under subsection (1). If more than 1 challenger or a political party, incorporated organization, or organized committee of interested citizens is serving in a precinct at any 1 time, only 1 of the challengers has the authority to initiate a challenge at any given time. The challengers shall indicate to the board of election inspectors which of the 2 will have this authority. The challengers may change this authority and shall indicate the change to the board of election inspectors.



What to Do If You See an Infraction

- Notify Lead Authority of infraction
- If correction made: Document incident noting correction
- If correction not made: Document incident noting outcome
- Include time and names of Election Workers involved. DO NOT list names of voters.
- Description of violation:
 - What you witnessed and what was said
 - FACTS ONLY, leave out opinion/emotion
- Complete INCIDENT REPORT when time allows

Professional Conduct & Conflict Resolution

- Remember: Your PRIMARY MISSION is observation & documentation
- Be professional in speech and body language
- Tone of voice says more than words chosen
- Avoid being dismissed as “disruptive”
- Know your election code as much as possible
- Ask Lead Authority to deal with hostile persons; it is the election inspector's duty to maintain order at the polling place (Ch. 168 Sec. 678)
- Dealing with errors by LEAD AUTHORITY
 - Politely point out correct action from reference materials
 - If not corrected, document and share with your state's election authority

Infractions

Conflict Resolution

Infractions

168.799 Injuring, altering, or defacing voting device, ballot, or other equipment; interference with correct operation of equipment; enforcement; examination. A person shall not willfully injure any voting device, ballot, or other record or equipment or interfere or attempt to interfere with its correct operation. The inspectors of the election shall enforce the provisions of this section. The inspectors of election, at such intervals as they consider proper, shall examine any voting device, ballot, or other equipment used in the election to ascertain whether it has been injured, altered, or defaced, to detect the wrongdoer, and to repair the injury.

168.931b Prohibition on intimidation of or interference with election workers; violation; penalties; application to constitutionally protected activities; definitions.

1) Individual who intimidates an election official because of the election official's status as an election official, with specific intent of interfering with the performance of election official's election-related duties, is guilty of a crime provided under subsection (3).

2) Individual who prevents an election official from performing election official's duties in conducting an election is guilty of a crime as provided under subsection (3).

....4) This section does not apply to constitutionally protected activity such as news gathering and reporting, protesting, lobbying, advocacy, or any activities intended to inform or influence the public or public or election officials on matters of public interest or public concern.

5) As used in this section:

(a) "Duties" include, but are not limited to the following:

(i) Creating, disseminating, collecting, or delivering applications or ballots, including absent voter ballots or applications.

(iii) Registering voters.

(iiii) Opening, closing, and maintaining order at polling places, early voting sites, and absent voter counting board locations.

(iv) Processing and assisting voters at polling places or early voting sites.

(v) Processing and tabulating ballots at polling places, early voting sites, and absent voter counting board locations.

(vi) Tallying ballots at polling places and absent voter counting board locations.

(vii) Certifying election results by board of county canvassers or the board of state canvassers.

(b) "Election official" means a public officer, public employee, election inspector, member of the board of state canvassers, member of a board of county canvassers, member of an absent voter counting board, or a county, city, or township clerk who has a duty to perform in connection with an election conducted under this act.

(c) "Intimidate" means a willful course of conduct involving harassment of another individual intended to cause the individual to fear physical injury, that would cause a reasonable individual to fear physical injury, and that actually causes the individual to fear physical injury. Intimidate does not include constitutionally protected activity or conduct that serves a legitimate purpose.

Conflict Resolution

168.678 Board of election inspectors; authority.

Each board of election inspectors shall possess full authority to maintain peace, regularity and order at its polling place, and to enforce obedience to their lawful commands during any primary or election and during the canvass of the votes after the poll is closed.



Arrival Checklist

- Check in with Presiding Judge: Check in with lead authority. Challengers shall present their credentials; poll watchers do not need credentials. (Ch. 168 Sec. 731(3))
- Submit any required paperwork upon arrival and receive ID: Challengers require credentials, but poll watchers do not require credentials.
- Badge if required: Badge is not required, but challengers and poll watchers must take an oath.
- Ask Lead Authority for cell phone policy: Photographs, and video or audio recording is not allowed.

Poll Layout

- Write your name, poll location info and date at top of note pad
- Record names of all election workers
- Draw a schematic of the poll layout noting the placement of equipment

Note Taking

- Observe and document all activities, include time of activity and brief description of events
- State observations using facts; DO NOT INCLUDE OPINIONS

Opening Procedures

Things to watch for during the opening of the poll:

- All security seals were intact prior to poll opening ((ch. 168 Sec. 724)
- All ballots boxes were empty (if using paper ballots) (Ch. 168 Sec. 722)
- All voting machines/ballots/ballot boxes are accounted for and within your line of sight (Ch. 168. 733)

Opening the Polls

Opening the Polls

The purpose of Poll Watchers (sometimes called "Election Challengers") is to observe the Election Workers' activities while they are opening (& closing) the polls. Some of the laws that govern the opening of the polls, that will be observed by the Election Watchers, are:

168.722 Polls; announcement of opening & closing. The chairman or an inspector designated by him shall announce to those present at the polling places the opening & the closing of the polls.

168.723 Ballot boxes; examination, locking. Before opening the polls, each ballot box to be used at the election shall be examined by the board of inspectors of election & the contents, if any, removed; it shall then be locked, & key delivered to 1 of the inspectors, to be designated by the board. The box shall not be opened during the election.

168.724 Ballots; opening packages; distribution of pencils; unused absentee voters' ballots. At the opening of the polls, after the organization of & in the presence of the board of inspectors, 1 of the inspectors shall open the packages of ballots in such a manner as to preserve the seal intact. He shall place in the booths the pencils to be used for marking ballots.

168.726 Ballots; delivery to elector. No ballots shall be delivered to an elector by any person other than 1 of the inspectors of election & only within the polling place, except as provided in this act for absentee voters' ballots.

168.738 Poster indicating ballot coaching prohibited. (1) The secretary of state shall develop a poster that explains ballot coaching & that indicates that ballot coaching is prohibited.
(2) The secretary of state shall provide to each residential care facility in this state at least 1 poster as described in subsection (1).

168.731 Challengers; statement of appointment by organization; contents; authorization; appointment without authorization; penalty.
(3) Before the opening of the polls, the clerk shall certify in writing to the board of election inspectors in a county, city, village, or township in which the election will be conducted the names of organizations and committees that are authorized under this section to appoint and keep challengers at the polling places in the county, city, village, or township.

168.733 Challengers; space in polling place; rights; space at counting board; expulsion for cause; protection; threat or intimidation.
(1) The board of election inspectors shall provide space for the challengers within the polling place that enables the challengers to observe the election procedure and each person applying to vote....

168.797 Inspectors of election; duties; certification of equipment operation.
Not less than 30 minutes before the opening of the polls, the inspectors of election shall arrive at the polling place and prepare the polling place for voting. The inspectors of election shall determine that the correct ballot has been provided to the precinct by comparing the ballot provided with the sample ballot and any other documents provided to the precinct. The inspectors of election shall complete required tests of the equipment of the electronic voting system and certify in writing that the equipment is operating properly. The written certification shall be on a form prescribed by the secretary of state and shall include pertinent information regarding seal numbers, counters, and the operation and use of the particular equipment.



Who can be in the voting area?

- Voters
- Lead Authority, Election Workers, Poll Watchers (Ch. 168 Sec. 672)
- Children under 18 accompanying a parent to vote (Ch. 168 Sec 743)
- Persons admitted to provide assistance to voter (Ch. 168 Sec 751)

Valid Forms of ID If Required by Your State

Each elector must provide identification as defines in Ch. 168 Sec. 2:

- An operator's or chauffeur's license
- An official state personal ID
- A current operator's or chauffeur's license issued by another state.
- A current state personal ID issued by another state.
- A current state government issued photo ID.
- A current United States passport or federal government issued photo ID.
- A current military photo ID.
- A current tribal photo ID.
- A current photo ID issued by a local government.
- A current student photo ID issued by an educational institution

The elector will fill out an application with their name, address, date of birth, affirmation that they are a citizen, and their signature. The election official will verify their signature and their identity, and if it is all approved, the ballot number that the elector is given will be recorded on their application and they will be entitled to vote. (Ch. 168 Sec. 523)

Voting Area

Valid Forms of ID

Voting Area

- Law enforcement officers (police)
- Each polling place must have a Board of at least three inspectors. A majority of the board must be present in the polling place as long as the polls are open. (168.672)

168.672 Board of inspectors of elections; presence in precinct polling places. Every election, there shall be a board of at least 3 inspectors of election, constituted in & for each election precinct. Not less than a majority of the inspectors shall be present in the precinct polling place during the time the polls are open.

168.742 Voting; time for voting ballot.
The board of inspectors of election may make such regulations as they deem proper, reasonably limiting the time in which an elector may remain in the room or booth while preparing & voting his ballot.

168.743 Voting; ballots; return by elector; failure; arrest.
An elector to whom an official ballot has been delivered is not permitted to leave the polling place without either voting the ballot or returning the ballot to the inspector from whom he or she received the ballot. An elector who attempts to leave the polling place with a ballot in his/her possession, & refuses to deliver the ballot upon request, must be at once arrested on demand of any member of the board of election inspectors.

168.736a Minor child in booth or compartment.
Notwithstanding any other provision of this act to the contrary, a minor child may accompany an elector in the booth or voting compartment at an election under this act.

Valid Forms of ID

- 168.2.amended Definitions; A to L.
- (n) "identification for election purposes" means, if issued to the individual presenting the card or document and if presented for voting purposes the name on the card or document sufficiently matches the individual's name in the individual's voter registration record so as to accurately identify the individual as the registered elector, or if issued to the individual presenting the card or document and if presented for voter registration purposes, any of the following:
 - (i) An operator's or chauffeur's license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or an enhanced driver license issued under the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.301 to 28.308.
 - (ii) An official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300, or an enhanced official state personal identification card issued under the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.301 to 28.308.
 - (iii) A current operator's or chauffeur's license issued by another state.
 - (iv) A current state personal identification card issued by another state.
 - (v) A current state government issued photo identification card.
 - (vi) A current United States passport or federal government issued photo identification card.
 - (vii) A current military photo identification card.
 - (viii) A current tribal photo identification card.
 - (ix) A current photo identification card issued by a local government.
 - (x) A current student photo identification card issued by an educational institution



Voter Check-In

The voter is required to show a form of ID as defined in Ch. 168 Sec. 2, fill out an application, then once their signature and identity has been verified they will be issued a ballot.

Voter name is matched to list of registered voters for precinct and voter is admitted into voting area.

A voter who is not on the voter registration list, but applied to register to vote on or before the election and can provide the receipt verifying the acceptance of their voter registration must complete a new voter registration application, then may vote normally. (Ch. 168 Sec. 523a (1a))

"An absent voter may vote in person within the absent voter's precinct at an election, notwithstanding that the absent voter applies for an absent voter ballot and the absent voter ballot is mailed or otherwise delivered to the absent voter by the clerk...Before voting in person, except as otherwise provided in this section, the absent voter shall return the absent voter ballot to the board of election inspectors in the absent voter's precinct. If an absent voter ballot is returned under this subsection, the board of election inspectors shall mark the absent voter ballot "CANCELED" and place the absent voter ballot in the regular box with other canceled ballots." Ch. 168 Sec. 769

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Voter Check-In

Voter Check-In

168.523 Identification of registered elector; presenting identification for election purposes; execution of application; challenge; affidavit; approval, initial, & notation of application; application as poll list; filing application; notations on cards or lists; record of voting participation.

1) Except as otherwise provided in subsection (2), at each election, before given a ballot, each registered elector offering to vote must identify himself/herself by presenting identification for election purposes, & executing an application on a form prescribed by the secretary of state, in the presence of an election official that includes all of the following:

- The name of the elector.
- The elector's address of residence.
- The elector's date of birth.
- An affirmative statement by the elector that is included in the signature statement indicating citizenship of the United States.
- The elector's signature or mark.

2) If an elector's signature contained in the qualified voter file is available in the polling place, the election official shall compare the signature upon the application with the digitized signature provided by the qualified voter file. If an elector's signature is not contained in the qualified voter file, the election official shall process the application in the same manner as applications are processed when a voter registration list is used in the polling place. If voter registration lists are used in the precinct, the election inspector shall determine if the name on the application to vote appears on the voter registration list. If the name appears on the voter registration list, the elector shall provide further identification or other information stated upon the voter registration list. If the signature or an item of information does not correspond, the vote of the person must be challenged, & the same procedure must be followed as provided in this act for the challenging of an elector. If the elector does not have identification for election purposes as required under this section, the individual shall sign an affidavit to that effect before an election inspector & be allowed to vote as otherwise provided in this act. However, an elector being allowed to vote without identification for election purposes as required under this section is subject to challenge as provided in section 727.

3) If, upon a comparison of the signature or other identification as required in this section, it is found that the applicant is entitled to vote, the election officer having charge of the registration list shall approve the application & write his or her initials on the application, after which the number on the ballot issued must be noted on the application. The application serves as 1 of the 2 poll lists required to be kept as a record of a person who has voted. The application must be filed with the township clerk. If voter registration cards are used in the precinct, the date of the election must be noted by 1 of the election officials upon the precinct registration card of each elector voting at an election. If voter registration lists are used in the precinct, the election official shall clearly indicate upon the list each elector voting at that election. The clerk of a city, village, or township shall maintain a record of voting participation for each registered elector.

168.523A Individual not listed on voter registration list; issuance of ballot; procedure.

1) If an individual who has applied to register to vote on/before election day appears at a polling place on election day & completes an application under section 523 is not listed on the voter registration list, the election inspector shall issue a ballot to the individual as follows:

(a) Individual who presents a receipt issued by a department of state office, designated voter registration agency, elector's county/city, or township clerk's office verifying the acceptance of a voter registration application & completes a new voter registration application, then election inspector shall allow the individual to vote a ballot in the same manner as a name listed on the voter registration list.

168.769 Absent voter ballots; voting in person; return of ballot; voting in person and absent voter ballot as felony; report.

Sec. 769.

(1) An absent voter may vote in person within the absent voter's precinct at an election, notwithstanding that the absent voter applies for an absent voter ballot and the absent voter ballot is mailed or otherwise delivered to the absent voter by the clerk. This subsection applies only if the absent voter does not vote the absent voter ballot mailed or otherwise provided in this section, the absent voter shall return the absent voter ballot to the board of election inspectors in the absent voter's precinct. If an absent voter ballot is returned under this subsection, the board of election inspectors shall mark the absent voter ballot "CANCELED" and place the absent voter ballot in the regular box with other canceled ballots. This subsection does not apply to an absent voter who brings the absent voter's marked absent voter ballot to be cast on the tabulator at the absent voter's election day polling place or early voting site as provided under section 768a.

(3) An absent voter who did not receive an absent voter ballot that the absent voter applied for or lost or destroyed an absent voter ballot the absent voter received, and who desires to vote in person in the absent voter's precinct on election day, shall sign an affidavit to that effect before an election inspector and be allowed to vote as otherwise provided in this act. However, a voter being allowed to vote under this subsection is subject to challenge as provided in section 727.

(4) An individual who votes at an election both in person and by means of an absent voter ballot or an individual who attempts to vote both in person and by means of an absent voter ballot is guilty of a felony.

(5) An election official who becomes aware of an individual who votes or attempts to vote both in person and by means of an absent voter ballot shall report that information to the prosecuting attorney for that county and to the secretary of state.



Paper Ballots and Ballot Box

Ballot box is locked and kept in plain view of election officers and watchers. It should be secured with self-sealing metal seals as described in Ch. 168 Sec. 666a.

As noted in Voter Check-In, the election judge will initial the ballot and record the number of the ballot assigned to the voter (Ch. 168 Sec. 523)

To vote: Voter makes selection, fold the ballot and delivers it to the inspector. The inspector will deposit it in the ballot box without opening the ballot to ensure secrecy of the vote. (Ch. 168 Sec. 738)

If a voter spoils their ballot, the ballot must be returned to the election officials and a new ballot will be given bearing the same numbers as the previous ballot. The inspectors of the election will record the number on the new ballot. (Ch. 168 Sec. 741)

Paper ballots will be scanned using an electronic tabulating equipment (Ch. 168 Sec. 795)

Electronic Ballots

Electronic tabulating equipment is used to count paper ballots (Ch. 168 Sec. 795).

Voters will be offered instructions on how to vote on an electronic voting system if they need instructions. Two inspectors from opposite parties can help the voter if they need further instruction.

Inspectors will compare the number on the ballot stub to the number recorded on the poll list to insure that the ballot returned was the same ballot given. If so, it will be deposited into the ballot box. If not, it will be marked as "rejected". (Ch. 168 Sec. 797a)

If the stub is no longer attached to the ballot, it can't be accepted. (Ch. 168 Sec. 797a).

"If required for the proper operation of the electronic tabulating equipment, 2 election inspectors from different political parties may periodically open the equipment to rearrange voted ballots and may transfer voted ballots to another approved ballot container. The requirement to compare a ballot number with the poll list does not apply to a ballot used for early voting that is produced by an on-demand ballot printing system." (Ch. 168 Sec. 797a)

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Paper Ballots

Electronic Ballots

Paper Ballots

168.738 Voting; ballots; folding; deposit in ballot box; rejection for exposure.

1) Before leaving the booth or voting compartment, the elector shall fold each of the ballots so that no part of the face shall be exposed, & with the detachable corner on the outside. Upon leaving the booth, elector shall at once deliver in public view the ballot(s) to the inspector designated to receive the ballot(s). Except as provided in subsection (2), the inspector shall tear off the corner of the ballot, where perforated, containing the number & shall then in the presence of the elector & the board of inspectors deposit each ballot in the proper ballot box without opening the ballot.

2) If an elector shows their ballot or any part of the ballot to any person other than a person lawfully assisting in the preparation of the ballot, minor child accompanying elector in the booth/compartment under section 736a, after the ballot has been marked, disclosing any part of the face of the ballot, the ballot shall not be deposited in the ballot box, but shall be marked "rejected for exposure", & disposed as are other rejected ballots. A note of the occurrence shall be entered on the poll list opposite electors' name & the elector shall not be allowed to vote at the election.

168.740 Voting; ballots; spoiling.

Sec. 740.

Elector inadvertently spoils a ballot(s), return ballot(s) given him to the board, & said board shall deliver another ballot(s), bearing the same number(s). An inspectors of election shall, upon the poll book & list, note the change in the number on the ballot(s) given to such elector.

168.741 Voting; unused & spoiled ballots; preservation.

The board of inspectors of election shall preserve the unused ballots, together with spoiled ballots & in place of which other ballots have been issued, & returned to the city/township clerk, or officer provided by a city charter, with statement of number of ballots voted, & the clerk shall give to the election inspectors a receipt filed with chairperson of the board.

Electronic Ballots

168.795 Electronic voting system; requirements; method for rendering electronic tabulating equipment inoperable; equipping each polling place with accessible voting device.

Electronic voting system acquired or used under sections 794 to 799a must meet all of the following requirements:

(a) Provide for voting in secrecy, except in the case of voters who receive assistance as provided by this act.

(b) Utilize a paper ballot for tabulating purposes.

...(f) Prevent an elector from voting for the same person ...

(g) Reject a ballot on which no valid vote is cast. ...

(h) Be suitably designed ... to provide for safety, accuracy, and efficiency.

(i) Be designed to accommodate needs of elderly voter/person with 1 or more disabilities.

(j) Record correctly & count accurately each vote properly cast.

(k) Provide an audit trail.

... (2) Electronic tabulating equipment that counts votes at the precinct before the close of the polls must provide a method for rendering the equipment inoperable if vote totals are revealed before the close of the polls. Electronic tabulating equipment that tabulates ballots, including absentee ballots, at a central location must be programmed to reject a ballot if the choices recorded on an elector's ballot for an office or a question exceed the number that the elector is entitled to vote for on that office or question, if no valid choices are recorded on an elector's ballot, or if, in a primary election, votes are recorded for candidates of more than 1 political party.

168.797a Instruction in method of voting on electronic voting system; use of ballot processed through electronic tabulating equipment; procedure; detached stub.

Spoiled ballot; processing or challenged voter ballot; removal of ballot.

(1) Before entering the voting station, each elector shall be offered instruction in the proper method of voting on the electronic voting system. If the elector needs additional instruction after entering the voting station, 2 election inspectors from different political parties may, if necessary, enter the voting station and provide the

additional instructions.

(2) If the electronic voting system provides for the use of a ballot that is processed through electronic tabulating equipment after the elector votes, the elector shall transport the ballot to the ballot box, or other approved ballot container, without exposing any votes. Except as otherwise provided in this subsection, an election

inspector shall ascertain, by comparing the number appearing on the ballot stub with the number recorded on the poll list, that the ballot delivered by the voter is the same ballot that was issued to the elector. Except as otherwise provided in this subsection, if the numbers do not agree, the ballot must be marked as "rejected", and the elector must not be allowed to vote. Except as otherwise provided in this subsection, if the numbers agree, an election inspector shall remove and discard the stub. Except as otherwise provided in this subsection, the election inspector shall deposit the ballot in the ballot box or other approved ballot container. If electronic tabulating equipment that deposits the voted ballot into the ballot box or other approved ballot container is used at the precinct, the election inspector shall return the ballot to the elector, and the elector shall deposit the ballot into the electronic tabulating equipment. The electronic tabulating equipment must be arranged so that the secrecy of the ballot is not violated. If required for the proper operation of the electronic tabulating equipment, 2 election inspectors from different political parties may periodically open the equipment to rearrange voted ballots and may transfer voted ballots to another approved ballot container. The requirement to compare a ballot number with the poll list does not apply to a ballot used for early voting that is produced by an on-demand ballot printing system.

(3) A ballot from which the stub is detached must not be accepted by the election inspector in charge of the ballot box or other approved ballot container. An elector who spoils the elector's ballot may return the ballot and secure another ballot. The word "spoiled" must be written across the face of the ballot, and the ballot must be marked and secured for later return.

(4) A ballot of a challenged voter that has the names of candidates and questions printed directly on the voted ballot must be processed in the manner prescribed for challenging a vote cast by paper ballot. A challenge to a voter voting on an electronic voting system that does not use an individual hard copy ballot must be

processed in the manner prescribed for challenging a vote cast on a voting machine.

(5) Except as otherwise provided in this act, an election inspector shall not allow any portion of a ballot, including a ballot stub, to be removed by any individual

other than an election inspector from the polling place.



Provisional Ballots

When the eligibility of the voter is in question, a voter should be given a provisional ballot.

Some examples given under Ch. 168 Sec. 523 are:

- An elector who cannot be found in the system as a registered voter, but can provide the receipt of their accepted application.
- A voter who does not have a receipt and may be in the wrong polling place but insists on voting
- An election inspector will direct a voter to their proper polling place if the voter's name does not appear on the voter registration list. If the individual refuses to go to a new polling place, they can be issued a provisional ballot.
- If the voter can produce a receipt proving they their application to vote was accepted, the election inspector will require them to sign a sworn statement of their application to vote, then will contact the city/township clerk to verify their application. If the clerk affirms their information, and the voter presents a proper form of ID, then they will be permitted to vote by provisional ballot.

Provisional ballot procedures that should be followed in your state:

"6) Provisional ballot must be placed in a provisional ballot return envelope prescribed by the secretary of state & delivered to city/township clerk after the polls close as prescribed by the secretary of state.

8) As used in this section & sections 813 & 829, "provisional ballot" means a special ballot utilized for an individual who is not listed on the voter registration list at the polling place tabulated only after verification of the individual's eligibility to vote." Ch. 168 Sec. 523

Mail Ballots

Mail Ballots: Any qualified, registered voter can vote by absent voter ballot. They can submit their absent ballot to the clerk in person on election day until 8 p.m. Their ballot must be signed physically or electronically. (Ch. 168 Sec 758a, & Ch. 168 Sec. 759)

- Absent voter ballots may be mailed in, deposited in an absent voter ballot box, or delivered to a polling place in person.
- Under Ch. 168 Sec. 761d:
- Each city or township must have at least one absent voter ballot drop box. The ballot drop boxes will be under video monitoring.
- 75 days before each election, the absent voter ballot drop boxes must be regularly inspected.
- Beginning 35 days before the election, only a city or township clerk, the clerk's deputy clerk, or a sworn member of the clerk's staff will be authorized to collect absent voter ballot applications and absent voter ballots from an absent voter ballot drop box. Unless traveling to more than one ballot box, the collector of the absent ballots must immediately return the ballots to the city or township clerk's office.

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Provisional Ballots

Mail Ballots

Provisional Voting

168.523a Individual not listed on voter registration list; issuance of ballot; procedure. If an individual who has applied to register to vote on/before election day appears at a polling place on election day & completes an application under section 52.3 is not listed on the voter registration list, the election inspector shall issue a ballot to the individual as follows:

- (a) Individual who presents a receipt issued by a department or state office, designated voter registration agency, elector's county/city, or township clerk's office verifying the acceptance of a voter registration application & completes a new voter registration application, then election inspector shall allow the individual to vote a ballot in the same manner as a name listed on the voter registration list.
- (b) Individual who does not present a receipt verifying the acceptance of a voter registration application under subdivision (a), the election inspector shall determine appropriate polling place based on residence information provided. The election inspector shall review any documents, maps in the polling place, or communicate with city/township clerk to verify appropriate polling place. Election inspector shall direct an individual not in the appropriate polling place to proper polling place. If the individual refuses to go to appropriate polling place, the election inspector shall issue the individual a provisional ballot processed according to subsection (5).
- (2) Except an individual who produces a receipt under subsection (1)(a), the election inspector shall require individual who is not listed on the voter registration list to execute a sworn statement affirming submission of voter registration application on or before election day & eligible to vote in the election. The individual shall state the approximate date & in what manner the registration application was submitted:
- (a) To a department or state office.
- (b) To a designated voter registration agency.
- (c) To the office of his or her county, city, or township clerk.
- (d) By a mailed application.
- (3) Election inspector shall contact the city/township clerk to verify whether individual who signed the sworn statement under subsection (2) is listed in the registration records of the jurisdiction or information is contrary to content of sworn statement:
- (4) If the city/township clerk verifies the elector information, finds no information contrary to information provided in the sworn statement, & individual presents identification for election purposes that contains current residence address to establish identity & residence address, the individual is permitted to vote provisional ballot tabulated on election day in the same manner as an elector whose name is listed on the voter registration list, except the election inspectors shall process ballot as challenged ballot under sect. 745 & 746.
- (5) If election inspector is not able to contact the city/township clerk, the individual is not in the correct precinct, or the individual is unable to present identification for election containing current residence address, the individual must be issued a provisional ballot not tabulated on election day but is secured for verification after the election. A provisional ballot must also be issued under this subsection to a voter who presents identification for election purposes not bearing the voter's current residence address, if the voter also presents a document to establish the voter's current residence address. The election inspector shall accept a document containing the name & current residence address of the voter as sufficient documentation to issue a provisional ballot if it is 1 of the following documents:
- (a) A current utility bill.
- (b) A current bank statement.
- (c) A current paycheck, government check, or other government document.
- (6) Provisional ballot must be placed in a provisional ballot return envelope prescribed by the secretary of state & delivered to city/township clerk after the polls close as prescribed by the secretary of state.
- (7) Provisional ballot voted under subsection (4), the election inspector shall provide the voter with a notice that his or her ballot has been tabulated. For a provisional ballot voted under subsection (5), election inspector shall provide voter with a notice the voter's info will be verified by the clerk of the jurisdiction within 6 days after the election
- (8) As used in this section & sections 813 & 829, "provisional ballot" means a special ballot utilized for an individual who is not listed on the voter registration list at the polling place tabulated only after verification of the individual's eligibility to vote.

Mail Ballots

168.761d Absent voter ballot drop box; requirements; procurement and distribution of drop boxes; video monitoring; inspections; transportation of absent voter ballot return envelopes.

- (1) Each city or township must have at least 1 absent voter ballot drop box that registered electors in the city or township may use to return completed absent voter ballot applications and voted absent voter ballots.(2) (2) The secretary of state bears the cost of delivery, installation, repair, and video monitoring for each absent voter ballot drop box provided under this subsection to ensure that each absent voter ballot drop box meets the requirements of this section....As used in this subsection, "video monitoring" does not include video data storage.(7) Except as otherwise provided in this subsection, for an absent voter ballot drop box that was not ordered or installed in a city or township before October 1, 2020, the city or township clerk must use video monitoring of that absent voter ballot drop box during the 75 days before each election and on election day to ensure effective monitoring of each absent voter ballot drop box in the city or township.(9) Only a city or township clerk, the clerk's deputy clerk, or a sworn member of the clerk's staff is authorized to collect absent voter ballot applications and absent voter ballots from an absent voter ballot drop box. (10) Seventy-five days before each election and until each absent voter ballot drop box used in that city or township to confirm that the election day, an individual who is authorized under subsection (9) must regularly inspect each absent voter ballot drop box compiles with all of the requirements under this section. (1) Beginning 35 days before each election and until election day, an individual who is authorized under subsection (9) must collect, on any day in which the city or township clerk's office is open for business, the election materials deposited in an absent voter ballot drop box located in the city or township. (12) When an individual who is authorized under subsection (9) collects absent voter ballot applications and absent voter ballot return envelopes from an absent voter ballot drop box, that individual must, unless traveling from 1 absent voter ballot drop box to another absent voter ballot drop box, immediately return those collected absent voter ballot applications and absent voter ballot return envelopes to the city or township clerk's office. (13) All absent voter ballot return envelopes collected from an absent voter ballot drop box must be transported in a ballot container approved under section 24j.
- (1) Except as otherwise provided under subsection (4), an absent voter may take the absent voter's marked absent voter ballot to the absent voter's election day polling place or to an appropriate early voting site during the early voting period as provided under section 4(1)(m) of article II of the state constitution of 1963 to personally put the absent voter's marked absent voter ballot into a tabulator to be tabulated. An absent voter described under this subsection shall do all of the following:
- (a) Place the marked absent voter ballot in the secrecy sleeve that was provided to the absent voter.
- (b) Bring the marked absent voter ballot in the secrecy sleeve to the absent voter's election day polling place or early voting site.
- (c) Comply with the same identification requirements as an elector voting in person under section 52.3.
- (2) If an elector brings an absent voter ballot to an election day polling place or to an early voting site without a secrecy sleeve, an election inspector shall provide a secrecy sleeve to that elector and instruct the elector to place the absent voter ballot in the secrecy sleeve.
- (3) The election inspectors processing an absent voter under this section must note in the poll book that the absent voter returned the absent voter's absent voter ballot to the election day polling place or early voting site and that the absent voter's absent voter ballot was tabulated.
- (4) If the tabulators in an election day polling place cannot be programmed to accept and tabulate absent voter ballots as provided under section 764a(3), an absent voter is not authorized to return the absent voter's absent voter ballot to an election day polling place to be tabulated as provided under section 764a(3). An absent voter may still return the absent voter's absent voter ballot to an election inspector, be issued another ballot, and vote that ballot in the polling place.

**Curbside Voting**

Ballots cannot legally be removed from within the polling place. (Ch. 168 Sec. 726)

Rules on Voters Needing Assistance

If a voter cannot mark their ballot they may be assisted by in marking their ballot by two election inspectors. If the voter is disabled due to blindness, a member of their family or a person above the age of 18 can assist them in marking their ballot. (Ch. 168 Sec. 751). Electronic voting systems that cater to the blind and visually impaired will be included at the polls (Ch. 168 Sec. 795(n)).

Who may provide assistance to a voter?

Elections inspectors will provide assistance to voters, unless otherwise specified in Ch. 168 Sec. 751. (Ch. 168 Sec. 754)

Electioneering

No electioneering (posting, using or distributing political signs or literature), campaigning for or against any party, candidate or measure within 100 feet of outside entry door of polling station during polling station opening hours. No influencing another voter at polling place. No wearing any political badges related to any parties, candidates or measures on the ballot within 100 feet of any polling station voter entry door. (Ch. 168 Sec. 744, & Ch. 168 Sec. 744a).

Curbside Voting**Voters Needing Assistance****Electioneering**

Curbside Voting

168.726 Ballots; delivery to elector. No ballots shall be delivered to an elector by any person other than 1 of the inspectors of election & only within the polling place, except as provided in this act for absent voters' ballots.

Voters Needing Assistance

168.751 Assisting elector in marking ballot.
When at an election an elector shall state the elector cannot mark his/her ballot, the elector shall be assisted in the marking of his/her ballot by 2 inspectors of election. If an elector is so disabled on account of blindness, the elector may be assisted in the marking of his/her ballot by a member of his/her immediate family or by a person over 18 years of age designated by the blind person.
168.754 Assistance of electors; duties and restrictions.

The inspectors upon whom shall fall the duty of assisting a voter shall render such assistance inside the voting booth by showing him how to mark his ballot in order to vote as he desires, or the inspector shall himself mark the ballot as directed by the voter, but no ballot shall be marked by the inspector from any written or printed list or slip furnished him by the voter or any other person. The inspector shall not suggest to the voter how he should vote, or in any manner attempt to influence him as to the marking of his ballot, nor allow any other person so to do: Provided, That the duties & restrictions with respect to inspectors as provided for in this section shall apply to & govern any person assisting the voter in the marking of his ballot, in accordance with the authorization in section 751 of this act.
168.755a Elector unable to write or sign name; execution of election document by making mark or using signature stamp; "election document" defined.
(1) If an elector is unable to write or sign his/her name on an election document because of a physical disability, the elector may execute the election document where a signature is required either by making his/her mark or by using a signature stamp.
(2) As used in this section, "election document" includes, but is not limited to, any of the following:

(a) A voter application as described in section 523.
(b) An absent voter ballot application as described in section 759 or 759a.
(c) An emergency absent voter ballot application as described in section 759b.
(d) An absent voter ballot return envelope as described in section 761.
168.795 Electronic voting system; requirements; method for rendering electronic tabulating equipment inoperable; equipping each polling place with accessible voting device.
(n) Be compatible with or include at least 1 voting device that is accessible for an individual with disabilities to vote in a manner that provides the same opportunity for access and participation, including secrecy and independence, as provided for other voters. The voting device must include nonvisual accessibility for the blind and visually impaired. ...

Electioneering

168.744 Prohibited acts; violation as misdemeanor.
An election inspector or any other person in a polling room, in a compartment connected to a polling room, or within 100 feet from any entrance to a building in which a polling place is located shall not persuade or endeavor to persuade a person to vote for or against any particular candidate or party ticket or for or against any ballot question that is being voted on at the election. A person shall not place or distribute stickers, other than stickers ...
(3) On election day, a person shall not post, display, or distribute in a polling place, in any hallway used by voters to enter or exit a polling place, or a ballot question. Except as otherwise provided in section 744a, this subsection does not apply to official material that is required by law to be posted, displayed, or distributed in a polling place on election day. ...
168.744a Appearance of name of elected or appointed official in polling place or room prohibited; violation; fine.
1) Notwithstanding any provision of law to the contrary, the name of an elected or appointed official of this state or a political subdivision of this state shall not appear on any material that is temporarily posted, displayed, or distributed in a polling place or polling room on election day. ...



Closing Procedures

"Immediately on closing the polls, the board of inspectors of election in each precinct shall proceed to canvass the vote. Such canvass shall commence by a comparison of the poll lists & correction of any mistakes that may be found therein until they shall be found or made to agree. Such canvass shall be public, at least 1 door in the building housing the polling open giving ready access & shall not be locked during canvass." Ch. 168 Sec. 801

"Immediately after the canvass has been completed, the result, stating the total number of votes received by each person voted for in said precinct for any office & the number of votes for & the number of votes against any proposed constitutional amendment or other submitted proposition, shall be made available to interested persons who may be present." Ch. 168 Sec. 807

Voting After the Polls Close

- The polls will close at 8:00 p.m.
- Every qualified elector present in line at the close of the polls will be allowed to vote.

Securing and Transporting Ballots / Equipment

"After the polls close on election day, the precinct board of election inspectors shall place the ballots in the ballot container provided for ballots under section 669. The board of election inspectors shall securely fasten and seal the ballot container with an approved seal furnished with the election supplies. The seal must be affixed to render it impossible to open the ballot container without breaking the seal. The board of election inspectors shall then deliver the ballot container to the township or city clerk." Ch. 168 Sec. 805.

The election inspectors will make duplicate statements showing the whole number of votes cast for all offices voted that are to be canvassed by the board of county canvassers, the names of the persons for whom the votes were given, and the number each person received, and in the same manner they'll make a statement on the results on any proposed constitutional amendment or other propositions submitted to the voters at the election that are to be canvassed by the board of county canvassers. Each member of the board of election inspectors will sign a certificate of the correctness of these statements, then they will be packaged and sealed. (Ch. 168 Sec. 806)

Breaking Down Equipment

- _____
- _____
- _____
- _____
- _____
- _____
- _____

Closing the Poll

Closing the Poll

168.720 Polls; times of opening and closing.

On the day of any election, the polls shall be opened at 7 o'clock in the forenoon, and shall be continuously open until 8 o'clock in the afternoon and no longer. Every qualified elector present and in line at the polls at the hour prescribed for the closing thereof shall be allowed to vote.

168.801 Canvass of votes by precinct inspectors; public access.

Immediately on closing the polls, the board of inspectors of election in each precinct shall proceed to canvass the vote. Such canvass shall commence by a comparison of the poll lists and a correction of any mistakes that may be found therein until they shall be found or made to agree. Such canvass shall be public and the doors to the polling places and at least 1 door in the building housing the polling places and giving ready access to them shall not be locked during such canvass.

168.807 Election results; availability.

Immediately after the canvass has been completed, the result, stating the total number of votes received by each person voted for in said precinct for any office & the number of votes for & the number of votes against any proposed constitutional amendment or other submitted proposition, shall be made available to interested persons who may be present.

168.805 Placement in ballots in ballot container; seal; delivery.

After the polls close on election day, the precinct board of election inspectors shall place the ballots in the ballot container provided for ballots under section 669. The board of election inspectors shall securely fasten and seal the ballot container with an approved seal furnished with the election supplies. The seal must be affixed to render it impossible to open the ballot container without breaking the seal. The board of election inspectors shall then deliver the ballot container to the township or city clerk.

168.806 Duplicate statements of returns; contents; certificate as to correctness.

The election inspectors shall then prepare duplicate statements of the returns showing the whole number of votes cast for all offices voted that are to be canvassed by the board of county canvassers, the names of the persons for whom the votes were given, and the number each person received. The election inspectors shall also prepare duplicate statements of the results on any proposed constitutional amendment or other proposition submitted to the voters at the election that are to be canvassed by the board of county canvassers, showing the whole number of votes cast, the number of votes cast for, and the number of votes cast against the proposed constitutional amendment or other proposition.

Each member of the board of election inspectors shall sign the certificate on the statement of returns as to the correctness of the returns and that the ballots have been packaged, sealed, and indorsed in the manner specified.



Election Observers MUST

- Challengers must bring their credentials. Poll watchers are not required to have credentials. (Ch. 168 Sec. 731)
- A challenger must be a registered voter; a poll watcher does not need to be a registered voter.
- If a poll watcher arrives to oversee the election process at an absent voter ballot processing facility, the poll watcher must take the same oath as a challenger and is bound by all the same restrictions.

Election Observers MAY

- Poll watchers may be present within the public viewing area at a polling place, an early voting location, or an absent voter ballot processing facility.
- Poll watchers may communicate to the challenger as a liaison. They may ask the challenger liaison to allow them to view the poll book without handling it, but this request can be denied.
- Challengers may: inspect without handling the poll books, keep records of votes cast & other election procedures as the challenger desires, observe the recording of absent voter ballots on voting machines, and remain during the canvass of votes & until the statement of returns is duly signed & made. (Ch. 168 Sec. 733)

Election Observers MAY NOT

- A challenger cannot drink alcoholic beverages or display disorderly conduct.
- A challenger cannot threaten or intimidate an elector while the elector is entering the polling place, applying to vote, entering voting compartment, voting, or leaving the polling place.
- Poll watchers are subject to all the same restrictions as credentialed challengers.
- Poll watchers cannot speak with voters, issue challenges, handle election equipment or materials, stand behind the election inspectors as voters are processed, or be present in any part of the polling place, early voting site, clerk's office, or absent voter ballot processing facility except the designated Public Viewing Area.
- If a poll watcher or challenger photographs, or audio or video records, within an absent voter ballot processing facility, the clerk must expel the individual from the absent voter ballot processing facility.

Please reference: MI Bureau of Elections, *The Appointment, Rights, and Duties of Election Challengers and Poll Watchers*
https://www.michigan.gov/sos/-/media/Project/Websites/sos/01vanderroest/SOS_ED_2_CHALLENGERS.pdf?rev=35366ca14b9e45798a3887dea7efa615&hash=61B5E3CB1FE16FA9BB5C67FC4582EB95

Election Observer Rules & Privileges

Election Observer Rules & Privileges

- 168.733 Challengers: space in polling place; rights; space at counting board; expulsion for cause; protection; threat or intimidation.
- 1) The board of election inspectors shall provide space for the challengers within the polling place that enables the challengers to observe the election procedure & each person applying to vote. A challenger may do 1 or more of the following:
- (a) Under scrutiny of an election inspector, inspect without handling the poll books as ballots are issued to electors & the electors' names being entered in the poll book.
- (b) Observe the manner in which the duties of the election inspectors are being performed.
- (c) Challenge the voting rights of a person who the challenger has good reason to believe is not a registered elector.
- (d) Challenge an election procedure that is not being properly performed.
- (e) Bring to an election inspector's attention any of the following:
- (i) Improper handling of a ballot by an elector or election inspector.
- (iii) A violation of a regulation made by the board of election inspectors pursuant to section 742.
- (iiii) Campaigning being performed by an election inspector or other person in violation of section 744.
- (iv) A violation of election law or other prescribed election procedure.
- (f) Remain during the canvass of votes & until the statement of returns is duly signed & made.
- (g) Examine without handling each ballot as it is being counted.
- (h) Keep records of votes cast & other election procedures as the challenger desires.
- (i) Observe the recording of absent voter ballots on voting machines.
- 2) The board of election inspectors shall provide space for each challenger, if any, at each counting board that enables the challengers to observe the counting of the ballots. A challenger at the counting board may do 1 or more of the activities allowed in subsection (1), as applicable.
- 3) Any evidence of drinking of alcoholic beverages or disorderly conduct is sufficient cause for the expulsion of a challenger from the polling place or the counting board. The election inspectors & other election officials on duty shall protect a challenger in the discharge of his or her duties.
- 4) A person shall not threaten or intimidate a challenger while performing an activity allowed under subsection (1). A challenger shall not threaten or intimidate an elector while the elector is entering the polling place, applying to vote, entering voting compartment, voting, or leaving the polling place.
- 168.732 Presence of challenger in room containing ballot box: evidence of right to be present.
- Authority signed by the recognized chairman or presiding officer of the chief managing committee of any organization or committee of citizens interested in the adoption or defeat of any measure to be voted for or upon at any election, or interested in preserving the purity of elections and in guarding against the abuse of the elective franchise, or of any political party in such county, township, city, ward or village, shall be sufficient evidence of the right of such challengers to be present inside the room where the ballot box is kept, provided the provisions of the preceding sections have been complied with. The authority shall have written or printed thereon the name of the challenger to whom it is issued and the number of the precinct to which the challenger has been assigned.
- 68.734 Challengers; preventing presence, penalty.
- Any officer or election board who shall prevent the presence of any such challenger as above provided, or shall refuse or fail to provide such challenger with the conveniences for the performance of the duties expected of him, shall, upon conviction, be punished by a fine not exceeding \$1,000.00, or by imprisonment in the state prison not exceeding 2 years, or by both such fine and imprisonment in the discretion of the court

