



Senate Fiscal Agency
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Senate Bill 286 (as introduced 3-24-21)
Sponsor: Senator Ed McBroom
Committee: Elections

Date Completed: 5-5-21

CONTENT

The bill would amend the Michigan Election Law to do the following:

- **Prohibit an elector from using an absent voter ballot drop box after 5 PM on the day before election day or on election day to return his or her absentee ballot.**
- **Require the clerk of each city or township to ensure that each drop box in that city or township automatically locked or was locked at 5 PM on the day before election day and remained locked until after the election.**
- **Require return instructions furnished to an elector with an absentee ballot to specify that the elector could deliver a return envelope to a drop box only until 5 PM on the day before election day.**

Currently, the Law prescribes certain requirements for absent voter ballot drop boxes, including requirements that the boxes must meet for use and for placement outdoors. The Law also specifies that only a city or township clerk, his or her deputy clerk, or a sworn member of his or her staff, is authorized to collect absent voter ballots from an absent voter ballot drop box.

Under the bill, an elector would be prohibited from using a drop box after 5 PM on the day before election day or on election day to return his or her absentee ballot. The clerk of each city or township would have to ensure that each drop box in that city or township automatically locked or was locked at 5 PM on the day before election day, and remained locked until after the election, to prevent an elector from using that drop box to return his or her ballots.

Additionally, the law provides for instructions that must be included with each ballot furnished to an absentee voter. Those instruction include information regarding the return of absentee ballots. Currently, an absentee ballot can be returned by one of the following methods:

- Placing the necessary postage on the return envelope and depositing it in the United States mail or with another public postal service, express mail, parcel post service, or common carrier.
- Delivering the envelope personally to the office of the clerk, to the clerk, or to an authorized assistant of the clerk, or to a secure drop box location located in the city or township.

Under the bill, an elector could deliver a return envelope to drop box until 5 PM on the day before election day.

MCL 168.761d et al.

Legislative Analyst: Dana Adams

FISCAL IMPACT

The bill would not have a significant fiscal impact on State or local units of government. The cost of ensuring that a drop box was locked by the specified time likely would be covered by existing staffing expenditures within local governments. A local unit could incur additional expenditures if it were required to upgrade or modify an existing drop box to comply with the bill.

Fiscal Analyst: Elizabeth Raczkowski

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.