

Implementing Proposal 2022-2 for 2024



Michigan.gov/***VOTE***

Overview

2024 – Looking Ahead

Proposal 2022-2

- Revisit and Overview
- Status: Where Are We Now?
 - Immediate Effect
 - In Process
 - Future Effective Date

Funding available

Early Voting Model Agreements

- Between locals
- Between a local and their county

One of the Nation's Strongest Election Systems

Secure

- Decentralized prevents systemic attack
- Home grown technology thwarts hacking
- Paper ballots and tallies for reference
- Security checks throughout the system

Accurate

- Tabulator accuracy confirmed before and after
- Post election audits identify best practices to ensure continuous improvement
- Officials prioritize accuracy over speed in results

Fair

- Republican, Democratic, and independent clerks ensure integrity
- Bipartisan boards of canvassers certify results
- Transparency throughout the system

Accessible

- Record setting turnout in 2020 and 2022
- Online and automatic voter registration
- Vote by mail, early in person with an absentee ballot, early, or at polls

Democracy is a Team Sport

Michigan's elections are carried out on the local level by 1,520 city and township clerks across the state.

- **83 county clerks** support and supplement the work of local clerks by coordinating election materials, managing county-level contracts with election vendors, programming election equipment, and providing information to voters.
- **The Michigan Bureau of Elections** is a nonpartisan office within the Michigan Department of State that provides guidance and standards to all clerks to ensure elections are carried out uniformly and in accordance with state and federal laws.
- **The Secretary of State** is the state's chief election officer. She has broad authority over elections but does not directly administer them.

2024

	Presidential Primary Election**	May Election	Primary Election	Presidential / General Election
Candidate Filing Deadline	Dec. 8, 2023 @ 4 PM	Jan. 23 @ 4 PM	April 23 @ 4 PM	n/a
Petitions (160 days, 120 days)	n/a	n/a	n/a	May 29 / July 8
Ballot Certification (60 days)	Dec. 29, 2023	March 8	June 8	Sept. 7
MOVE Ballots (45 days)	Jan. 13	March 23	June 22	Sept. 21
No Reason AV Ballots (40 days)	Jan. 18	March 28	June 27	Sept. 26
In-Person Only Voter Reg (14 days)	Feb. 13	April 23	July 23	Oct. 22
Early Voting (≥9 days)	Feb. 18	April 28*	July 28	Oct. 27
ELECTION DAY	FEB. 27**	MAY 7	AUG. 6	NOV. 5
MOVE Ballot Receipt (6 days)	March 4	May 13	Aug. 12	Nov. 11
Canvass / Certification (14 days)	March 12	May 21	Aug. 20	Nov. 19
Board State Canvassers Certification (meet by 20 th day)	March 18	May 27	Aug. 26	Nov. 25
Recount Request (48 hours)	March 20	May 29	Aug. 28	Nov. 27
Electoral College “Safe Harbor”	n/a	n/a	n/a	Dec. 10

2018

Candidate Filing Deadline
Petitions (160 days, 120 days)
Ballot Certification (60 days)
MOVE Ballots (45 days)
No Reason AV Ballots (40 days)
In-Person Only Voter Reg (14 days)
Early Voting (≥9 days)
Pre-processing
ELECTION DAY
MOVE Ballot Receipt (6 days)
Canvass / Certification (14 days)
BSC Certification (meet by 20 th day)

2020

Candidate Filing Deadline
Petitions (160 days, 120 days)
Ballot Certification (60 days)
MOVE Ballots (45 days)
No Reason AV Ballots (40 days)
In-Person Only Voter Reg (14 days)
Early Voting (≥9 days)
Pre-processing (<u>1</u> day)
ELECTION DAY
MOVE Ballot Receipt (6 days)
Canvass / Certification (14 days)
BSC Certification (meet by 20 th day)

2022

Candidate Filing Deadline
Petitions (160 days, 120 days)
Ballot Certification (60 days)
MOVE Ballots (45 days)
No Reason AV Ballots (40 days)
In-Person Only Voter Reg (14 days)
Early Voting (≥9 days)
Pre-processing (<u>3</u> days)
ELECTION DAY
MOVE Ballot Receipt (6 days)
Canvass / Certification (14 days)
BSC Certification (meet by 20 th day)

Proposal 2022-2

Amended **Section 4 and Section 7 of Article II** of the state constitution to enumerate the following rights:

- Fundamental right to vote
- Early voting at least 9 days before Election Day
- Counting of MOVE (Military and Overseas Voters) ballots received within 6 days after Election Day
- Permanent AV list
- Prepaid Postage and Ballot Tracking
- Ballot Drop Boxes
- Donations and Contributions
- Audits
- Outcome Decided by Ballots
- Certification

8-Bill Package

Early Voting	PA 81 of 2023	(SB 367)
Prepaid postage/signature cure	PA 82 of 2023	(SB 370)
Early voting penalties	PA 83 of 2023	(HB 4696)
Ballot tracking	PA 84 of 2023	(SB 339)
Drop boxes	PA 85 of 2023	(HB 4697)
Permanent mail ballot list	PA 86 of 2023	(HB 4699)
Election ID definition	PA 87 of 2023	(SB 373)
Precinct size	PA 88 of 2023	(HB 4702)

Signed by the governor July 18, 2023
Effective 90 days after sine die (the date the legislature adjourns for the year)

Immediate Effect (or Not)

The Legislature did not give “immediate effect” to the 8-Bill package.

What does that mean?

Effective 90 days *after* the legislature *adjourns for the year*.

When will the Legislature adjourn for the year?

Ask them.

Remember: regardless of when legislative provisions take effect ...

The right to early voting is in the constitution, with or without legislation. That means that early voting will certainly be in place for the 2024 presidential primary, but the exact date some specific provisions related to early voting and other election policies will take effect is currently unknown.

Early Voting Immediate Effect Issues

The early voting provisions included in the 8-bill package fall into three main categories:

- Provisions that are explicitly guaranteed by the Constitution and will be in place regardless of the status of the early voting bills (e.g. 9 days of early voting; 8 hours per day)
- Provisions that are expanded or clarified by the early voting bills and that do not conflict with current statute (e.g. configuration sets for tabulators, approval of EV sites by local legislative bodies)
- Provisions that are expanded or clarified by the early voting bills and that potentially **do** conflict with current statute (e.g. return of AV ballots at EV sites)

Early Voting provisions that may conflict with current law

The early voting provisions that may conflict with current statute are below:

- Election Day vote centers (SB 367; 523b)
- Limit of 29 days on early voting (SB 367; 720e, 720f, 720g)
- Processing and tabulation of AV ballots in the 8 days (or 1 day, depending on population) prior to Election Day. Instead, municipalities may utilize pre-processing as is currently in sec. 765 (SB 367; 765a(11))
- Return of AV ballots at EV sites (SB 367; 768a)
- Expansion of allowable polling places and EV sites (SB 367; 662)
- Moving spoilage deadline to second Friday before Election Day (SB 367; 765b)
- Precinct size increase from 2,999 to 5,000 (HB 4702)

This means that unless the bill takes effect in time to complete necessary preparations, these items will not be in effect for the 2024 Presidential Primary.

SB 367 Administration of Early Voting

All voters must have access to an EV site. In order to achieve that, municipalities must do one of the following:

- Conduct EV as a single municipality as described in MCL 168.720e (municipality may go solo for presidential primary and enter agreement for following elections under 720d(4))
- Enter into a municipal agreement and jointly conduct EV with one or more other municipalities in the same county as described in MCL 168.720f
- Enter into a county agreement and authorize the county to conduct EV as described in MCL 168.720g

Early Voting Agreements

Municipal / County Agreements must include:

- Names of:
 - Participating municipalities / counties
 - Coordinator organizing and monitoring EV
 - Board of Election Commissioners appointing election inspectors & conducting testing of equipment
- Number of precincts in each participating municipality / county
- Plan:
 - Supervision and staffing of EV sites during each EV day
 - Communication strategy for informing electors and publicizing EV
- Processes for:
 - Approving EV sites, days, and hours
 - Developing the EV budget and cost-sharing agreement
 - Determining which party will provide tabulators and poll books
 - Withdrawing from the agreement (requires 30 days' notice; cannot withdraw during the period beginning 150 days before first statewide general November election in an even year and ending after the county canvass)

Early Voting Model Agreements

MODEL¹ AGREEMENT FOR ELECTION SERVICES
BETWEEN [INSERT COUNTY NAME] AND [INSERT MUNICIPALITY A NAME] And [INSERT MUNICIPALITY B
NAME]

This County Early Voting Site Agreement (the "Agreement") is made between [Insert County Name], [insert address], [Insert Municipality A name], [insert address], and [Insert Municipality B name], [insert address]. In this Agreement, the county and each municipality will be represented by their respective clerk in their official capacity.

PURPOSE OF THE AGREEMENT. The county and the municipalities enter into this Agreement pursuant to Article II, Section 4(m) of the Michigan Constitution of 1963 and the Michigan Election Law, 1954 Public Act 116, MCL 168.720a *et seq.*, for the purpose of operating a joint early voting site.

Name of county

Name of municipality	Number of precincts in municipality	Number of registered electors in municipality

1. **DEFINITIONS.** The following words and expressions used throughout this Agreement, whether used in the singular or plural, shall be defined, read, and interpreted as follows:
 - 1.1 **Agreement** means the terms and conditions of this Agreement and any other mutually agreed to written and executed modification, amendment, exhibit, and attachment to this Agreement.

Early Voting Plans

Required for each category: (1) single municipality; (2) municipal agreement parties; (3) county agreement parties.

Must include many of the same items required for the municipal and county agreements.

Approval Process:

- All plans submitted to the relevant county clerk
- County clerk reviews all submissions for compliance, then creates a countywide EV plan and submits to SOS.
- County clerk must certify that the electors of each municipality are served by one or more EV site
- If any municipality fails to submit an EV plan, the county clerk must indicate their names and what steps the county clerk has taken to determine their plan.

Early Voting Plans

Early Voting Plan

No later than 120 days before the first statewide or federal election in each even numbered year, the clerk of the municipality is responsible for ensuring an Early Voting Plan is filed with the county clerk of the county in which the municipality is located.

Not less than 45 days before the first early voting day allowed by statute, the clerk will be responsible for providing the Secretary of State any changes made to a previously submitted Early Voting Plan that affect the locations, dates, and hours of operation for each early voting site operated by the municipality. This ensures that the correct information is posted on the Michigan Voter Information Center (MVIC) portion of the Department of State's website.

Plan Coverage: Single Municipal

Municipality Information:

Name of municipality	Clerk of municipality	Number of precincts in municipality	Number of registered electors in municipality

Early Voting Information:

	Early voting site #1	Early voting site #2	Early voting site #3
Location of site			
Number of Election Workers at site			
Is this an EV site for all 9 days of <u>Constitutionally-required</u> early voting? (Y/N)			
Hours for 9 days of <u>Constitutionally-required</u> early voting			

PA 199 (HB 4437)- FY 24 Omnibus Budget Bill

Early Voting Grants

- Funding must be *“expended for incentive grants to counties to coordinate the implementation of early voting by local governments within their jurisdiction in the most efficient way possible.”*
- Grants will be distributed to counties, so counties and locals must work together on their submission to the Bureau
- **September 8th**: “Deadline” for grant applications and countywide voting plans. Applications submitted after that time will be reviewed as they are received
- **October 2nd**: Latest clerks should apply so equipment arrives for Presidential Primary

Budget Bill Cont.

Early Voting Grants

- Grants will be distributed in one of the following four ways:
 - The approved materials will be ordered by the county clerk or local clerk and billed to BOE (this method will likely be used for ***tabulators and VATs***)
 - A grant amount will be approved for the county, specifying the approved materials; the county clerk or local clerk will purchase the approved materials; the county clerk will submit the reimbursement request to BOE; BOE will transmit the grant amount to the county clerk (this will likely be used for ***staffing support reimbursement***)
 - The approved materials will be ordered through the BOE similar to the drop box procurement (this will likely be used for ***early voting poll book laptops***)
 - A grant amount will be approved and transmitted to the county, specifying the approved materials, and the county will either pay for the approved materials using that grant amount or transmit it to the requesting municipality within the county to pay for the approved materials

Budget Bill Cont.

The following materials will be prioritized for the grant:

Electronic poll book laptops (EPBs): These will be ordered by and billed to BOE.

Number of Dell Latitude 5540 laptops (or equivalent model) requested:

Staffing support for August 2024 and November 2024: BOE anticipates that staffing support individuals will be reimbursed at \$15 per hour. To calculate the total cost, multiply the number of requested staffing support individuals by the number of hours, by \$15. Reimbursement for 2024 presidential primary early voting staffing will be rolled into the reimbursement for the presidential primary.

Number of staffing support individuals requested:

Total cost:

Tabulators: These will be ordered by the local or county clerk and billed to BOE. Note that the same tabulator may **not** be used at both an early voting site and an Election Day site.

Number owned and expected to be used for early voting:
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Number requested:

Voting system vendor:

Cost per item requested:

Total cost:

Voter assist terminals (VATs): These will be ordered by the local or county clerk and billed to BOE. Note that the same VAT **may** be used at an early voting site and an Election Day site.

Number owned and expected to be used for early voting:
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Number requested:

Voting system vendor:

Cost per item requested:

Total cost:

Timeline

2024 Presidential Primary: February 27, 2024
(pending immediate effect or early *sine die* adjournment)

SEP 25, 2023

155 days before:
County clerk
notifies
municipal clerks
whether county
intends to
conduct EV
through county
agreement

SEP 30, 2023

150 days before:
Municipal clerks
notify county clerk
whether
municipality will
conduct EV as a
single
municipality, enter
into a municipal
agreement, or
enter into a
county agreement

OCT 25, 2023

125 days before:
Municipal
agreements and
county
agreements
must be
finalized and
signed (90 days
before a special
statewide or
federal election)

OCT 30, 2023

120 days before:
EV plans
prepared (single
municipalities
and municipal
agreements file
with county
clerk; county
clerk that is
party to a
county plan
prepares plan)

Timeline

2024 Presidential Primary: February 27, 2024
(pending immediate effect or early *sine die* adjournment)

NOV 9, 2023

110 days before:
County clerks
submit
countywide EV
plan to SOS

NOV 29, 2023

90 days before:
Configuration
finalized for
those
participating in
municipal or
county
agreements

DEC 29, 2023

60 days before:
EV locations
finalized

FEB 27, 2024

Presidential
Primary

(Presidential
primary will be
March 12, 2024
if PA 2 of 2023
does not take
effect in time)

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Thank you.

