

# U.S. ELECTION ASSISTANCE COMMISSION



## *2010 Election Administration & Voting Survey*

### **Michigan**

## *Statutory Overview*

In order to better understand state laws governing federal elections, the U.S. Election Assistance Commission, as part of its biennial Election Administration and Voting Survey, is collecting information on state election laws and procedures. These answers will help EAC to better understand the quantitative data relating to the 2010 general election that we are collecting from all U.S. states and territories.

EAC understands that responding to this Statutory Overview may require significant staff time on the part of your office. Please be assured that we have attempted to minimize the burden, and we appreciate your cooperation in this very important project.

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## DIRECTIONS AND EXAMPLE

Please provide your state's legal citation for the responses to these questions (where applicable). Prior to beginning the Statutory Overview, please ensure that "track changes" is turned on; this will provide a record of all changes that are made including insertions, deletions, and formatting changes. To turn on track changes hold down "Control" and "Shift" and "E" at the same time. For additional assistance in working with "track changes" please contact your Technical Assistance point of contact at ICF International.

We have provided you with your answers to the 2008 Statutory Overview. If there has not been a change in your State's laws or legal citation in the response to a question, please mark No Change Since 2008 with an "X" as shown below:

X No Change Since 2008

If the response has changed since 2008, please mark Changed Since 2008 with an "X" and modify the answer as needed using track changes. If you need to replace the entire answer, please delete the 2008 response and record your 2010 response between the red bracketed text lines, as described below.

X Changed Since 2008

Please answer each question to the best of your ability. If terms are ambiguous or not relevant, please explain why. If a question is not applicable to your state, please explain why. If a definition or term lacks statutory reference but is widely understood in practice, please explain. If election procedures vary at the local level within your state, please explain to the best of your ability.

If state laws are currently enjoined or otherwise blocked from enforcement by a state or federal court, or executive decision, please specify.

Please keep your responses between the red, bracketed text lines. This will help us extract your answers into our central database.

### Example:

A1. How does your state define the following terms related to votes and ballots? Please provide your state's legal citation defining these terms, where applicable.

- a. Over-vote

[Begin definition (a) below this line.]

*Your answer goes here. You may enter the text directly, or cut and paste from another word processing program.*

*There is no limit to the length of your response.*

[End definition (a) above this line.]

## SECTION A: GENERAL

**A1. How does your state define the following terms related to votes and ballots? Please provide your state's legal citation defining these terms, where applicable.**

**a. Over-vote**

☒ **No Change Since 2008**    ☐ **Changed Since 2008**

**2008 Response:**

[Begin definition (a) below this line.]

No statutory definition. Understood to mean any instance where the choices recorded on an elector's ballot for an office or a question exceeds the number of choices that the elector is entitled to make.

[End definition (a) above this line.]

**b. Under-vote**

☒ **No Change Since 2008**    ☐ **Changed Since 2008**

**2008 Response:**

[Begin definition (b) below this line.]

No statutory definition. Understood to mean any instance where the number of valid votes recorded on an elector's ballot for an office or a question is less than the number of votes that the elector is entitled to cast.

[End definition (b) above this line.]

**c. Blank ballot**

☒ **No Change Since 2008**    ☐ **Changed Since 2008**

**2008 Response:**

[Begin definition (c) below this line.]

No statutory definition. Understood to mean a ballot returned by a voter that does not contain a single valid vote.

[End definition (c) above this line.]

**d. Void/Spoiled ballot**

  X   No Change Since 2008             Changed Since 2008

**2008 Response:**

[Begin definition (d) below this line.]

No statutory definition. Understood to mean a ballot returned by a voter that is not processed or counted because 1) the voter asked for a replacement ballot or 2) because the ballot is deemed “illegal.”

[End definition (d) above this line.]

**e. Provisional/Challenged ballot**

  X   No Change Since 2008             Changed Since 2008

**2008 Response:**

[Begin definition (e) below this line.]

See MCL 168.523a for a definition of “provisional ballot” and an explanation of Michigan’s provisional balloting process. A “challenged” ballot is understood to mean a ballot that has been marked so that it can be retrieved after the election to resolve any legal disputes involving the ballot. See MCL 168.745 for ballot identification procedure. (A court order is needed to retrieve and question a “challenged” for ballot.)

[End definition (e) above this line.]

**f. Absentee**

  X   No Change Since 2008             Changed Since 2008

**2008 Response:**

[Begin definition (f) below this line.]

No statutory definition. Understood to mean a ballot issued to a voter who has requested an absentee ballot in writing in advance of the election. In order to obtain an absentee ballot, a voter must meet one of the qualifications specified under MCL 168.759(5).

[End definition (f) above this line.]

**g. Early voting**

☒ **No Change Since 2008**      ☐ **Changed Since 2008**

**2008 Response:**

[Begin definition (g) below this line.]

Not applicable as Michigan does not maintain an “early voting” program.

[End definition (g) above this line.]

**h. Active Voter**

☒ **No Change Since 2008**      ☐ **Changed Since 2008**

**2008 Response:**

[Begin definition (h) below this line.]

No statutory definition. Understood to mean any voter in Michigan who is currently registered to vote.

[End definition (h) above this line.]

**i. Inactive Voter**

☒ **No Change Since 2008**      ☐ **Changed Since 2008**

**2008 Response:**

[Begin definition (i) below this line.]

Not applicable as Michigan does not maintain an “inactive” voter registration file.

[End definition (i) above this line.]

**j. Other terms (please specify) \_\_\_\_\_**

☐ **No Change Since 2008**      ☐ **Changed Since 2008**

**2008 Response:**

[Identify each TERM and definition separately and begin below this line.]

[End TERM(s) and definition(s) above this line.]

**A2. Please provide the legal citation for any *significant* changes to election laws or procedures that have been enacted or adopted since the previous Federal election.**

**“Significant” does not include routine or technical changes (such as changes to election district boundaries or polling place changes). However, EAC would like to learn about any new identification requirements for voters or registrants; changes in eligibility for voting or registering; adoption of alternative voting methods; and other changes that you believe represent a significant change in the way your state runs its elections.**

       No Change Since 2008

  X   Changed Since 2008

**2008 Response:**

[Begin response to above question (A2) below this line.]

Four bills that conform Michigan election law to the requirements of the MOVE Act were signed into law in 2010. The new laws provide the following:

- Extend voters covered under the MOVE Act the opportunity to receive absentee ballots for *all* elections via email and fax starting with the August 3, 2010 primary. (Public Act 50 of 2010)
- Establish a 45-day absentee ballot delivery deadline for *all* Michigan elections. (Public Acts 43 and 51 of 2010)
- Establish a 12-week filing deadline for cities that 1) do not conduct a primary and 2) hold their municipal elections on the odd-year November election date. (Public Act 44 of 2010)

[End response to above question (A2) above this line.]

## SECTION B: VOTER REGISTRATION

**B1. Is your state's voter registration database system best described as a bottom-up, a top-down, or a hybrid? (Note: A bottom-up system generally uploads information retained at the local level and compiled at regular intervals to form the statewide voter registration list. A top-down system is hosted on a single, central platform/mainframe and is generally maintained by the state with information supplied by local jurisdictions. A hybrid is some combination of both systems described above.)**

     No Change Since 2008        X   Changed Since 2008

**2008 Response:**

[Begin response to above question (B1) below this line.]

Michigan's Qualified Voter File in a "top down" system. The voter registration software is developed and maintained on the state level and is downloaded to local system users. All voter registration data submitted through the state's driver license agency offices is downloaded on a daily basis while all voter registration data accepted on the local level is uploaded on a daily basis.

[End response to above question (B1) above this line.]

**If your state uses a bottom-up or hybrid system, how often do local jurisdictions transmit registration information to the state list?**

  X   No Change Since 2008           Changed Since 2008

**2008 Response:**

[Begin response to above clarification question to B1 below this line.]

While Michigan does not maintain a bottom-up or a hybrid system, all voter registration data accepted on the local level is uploaded on a daily basis as noted above.

[End response to above clarification question to B1 above this line.]

**B2. Please describe the process used in your state to move voters from the active list to the inactive list, and from the inactive list to the active list. Is a different process used for UOCAVA voters?**

  X   No Change Since 2008           Changed Since 2008

**2008 Response:**

[Begin response to above question (B2) below this line.]

Not applicable as Michigan does not maintain an "inactive" voter registration file.

[End response to above question (B2) above this line.]

**B3. Please describe your state's process for removing voters from the voter registration rolls (not merely moving them from active to inactive). Please include information**

**regarding notices and confirmations. Are these procedures the same for UOCAVA voters?**

     No Change Since 2008        X   Changed Since 2008

**2008 Response:**

[Begin response to above question (B3) below this line.]

Two changes were effected in 2010:

- 1) If a voter identification card is returned by the post office as “undeliverable” and there is no indication that the voter has moved out of the city or township, a cancellation notice is no longer sent to the voter. The procedural change applies to both an “original” voter identification card issued in response to the receipt of a new voter registration application as well as to any subsequent “duplicate” voter identification cards which may be sent to a voter in response to a name change, precinct reassignment, change in a political district or polling place change.

In an instance where the scenario described above occurs and the voter appears to vote on election day or requests an absent voter ballot, the voter is questioned regarding his or her place of residence. If it is confirmed that the voter has not lost his or her right to vote in the jurisdiction, a ballot is issued to the voter.

- 2) In an instance where the state is notified that a Michigan voter has surrendered his or her Michigan driver’s license in another state, the voter’s registration record is no longer immediately cancelled. Instead, a cancellation notice is sent to the voter to confirm the voter’s residency status. If confirmation is received that the voter intends to remain a resident of Michigan, the voter’s status is restored to “Active.” If confirmation is received that the voter has discontinued his or her residence within Michigan or a response is not received over the course of two even-numbered year general elections, the voter registration record is cancelled.

[End response to above question (B3) above this line.]

**B4. Can your state’s voter registration database (or equivalent) share information electronically with your state’s drivers license agency (for example, to match records or trace changes in address)? Can your voter registration database be similarly linked with databases in any other state or federal agencies? Please describe these links, including any use of database matching to verify voter registration applications.**

  X   No Change Since 2008           Changed Since 2008

**2008 Response:**

[Begin response to above question (B4) below this line.]

Voter registration database and state’s driver license agency offices are electronically linked at the present time. Voter registration database is not presently linked with databases in any



other state or federal agencies. The link with the state's driver license agency offices permits the daily transmittal of all voter registration transactions handled in the agency offices to the proper jurisdiction.

[End response to above question (B4) above this line.]

**B5. Please describe how your state uses National Change of Address (NCOA). What has been your state's experience with NCOA?**

☒ **No Change Since 2008**      ☐ **Changed Since 2008**

**2008 Response:**

[Begin response to above question (B5) below this line.]

Not applicable as Michigan does not use NCOA.

[End response to above question (B5) above this line.]

**B6. Please describe your state's voting eligibility requirements as they relate to individuals with a felony conviction. (For example, are convicted felons allowed to vote while in prison or while on parole or probation? Are voting rights automatically restored or does the individual have to apply for a pardon, certificate of eligibility or other similar certificate? Does an individual whose voting rights have been restored have to produce documentation of his/her status when registering to vote?)**

☒ **No Change Since 2008**      ☐ **Changed Since 2008**

**2008 Response:**

[Begin response to above question (B6) below this line.]

A Michigan resident confined in jail or prison who is awaiting arraignment or trial is eligible to vote. A Michigan resident who is serving a sentence in jail or prison after conviction cannot vote during his or her period of confinement. After a Michigan resident who is serving a sentence in jail or prison is released, he or she is free to participate in elections without restriction.

[End response to above question (B6) above this line.]

**B7. Does your state currently use the Internet in any way to facilitate voter registration? If yes, please describe how your state allows voters to use the Internet in the registration process (e.g., entire registration completed online; completed online but then must be printed, signed, and mailed by voter, etc.).**

☒ **No Change Since 2008**      ☐ **Changed Since 2008**

**2008 Response:**

[Begin response to above question (B7) below this line.]

Online registration form provided; must be printed, signed and submitted by mail or by hand.  
Web site feature permits voters to verify their voter registration status.

[End response to above question (B7) above this line.]

## SECTION C: ELECTION ADMINISTRATION

**C1. Please describe how all votes cast at a place other than the voter's precinct of registration are tabulated (for example, please include descriptions of such votes as absentee ballots, mail-in ballots, votes cast at vote centers, provisional ballots, early voting locations, etc.).**

**a. Are the votes counted centrally or at the precincts?**

☒ **No Change Since 2008**      ☐ **Changed Since 2008**

**2008 Response:**

[Begin response to above question (a) below this line.]

All ballots cast in the polls on election day are counted at the precincts. Absentee ballots are counted by absent voter counting boards if the jurisdiction employs such boards. Absentee ballots are counted at the precincts if the jurisdiction does not employ absent voter counting boards. Provisional ballots preserved for later evaluation are hand tallied in instances where the ballot is determined valid.

[End response to above question (a) above this line.]

**b. If centrally tabulated, are the votes redirected to the appropriate precinct for reporting in the canvass?**

☒ **No Change Since 2008**      ☐ **Changed Since 2008**

**2008 Response:**

[Begin response to above question (b) below this line.]

In instances where absent voter counting boards process and tabulate absentee ballots from multiple precincts, the votes cast on the ballots are aggregated together; the votes are not attributed to the various precincts involved.

[End response to above question (b) above this line.]

**c. Are the absentee, mail, etc., votes reported separately for each precinct, or are they added to the in-precinct results and reported as just a single number?**

☒ **No Change Since 2008**      ☐ **Changed Since 2008**

**2008 Response:**

[Begin response to above question (c) below this line.]

If the jurisdiction employs absent voter counting boards, the votes are reported separately. If the jurisdiction does not employ absent voter counting boards, the votes cast on absentee ballots are added to the in-precinct results.

[End response to above question (c) above this line.]

**d. How are UOCAVA ballots counted and reported?**

☒ **No Change Since 2008**      ☐ **Changed Since 2008**

**2008 Response:**

[Begin response to above question (d) below this line.]

See above. No difference in counting and reporting procedures.

[End response to above question (d) above this line.]

**C2. Does your state require a reason for voting absentee, or does your state allow no-excuse absentee voting? (If a reason is required, please provide the legal citation.)**

☒ **No Change Since 2008**      ☐ **Changed Since 2008**

**2008 Response:**

[Begin response to above question (C2) below this line.]

A reason is required. See MCL 168.759(5).

[End response to above question (C2) above this line.]

**C3. Does your state provide for in-person early voting? If so, how is early voting defined? When early voting is used, are the ballots counted at the precinct or at a central location? How are these votes reported?**

☒ **No Change Since 2008**      ☐ **Changed Since 2008**

**2008 Response:**

[Begin response to above question (C3) below this line.]

Not applicable as Michigan does not maintain an "early voting" program.

[End response to above question (C3) above this line.]

**C4. Do any jurisdictions in your state use a vote-by-mail system to replace (and not merely supplement) at-the-precinct voting in any elections?**

☒ **No Change Since 2008**      ☐ **Changed Since 2008**

**2008 Response:**

[Begin response to above question (C4) below this line.]

No.

[End response to above question (C4) above this line.]

**C5. Please list each of the situations that require a provisional ballot in your state. Please provide the relevant legal citation for each situation.**

☒ **No Change Since 2008**      ☐ **Changed Since 2008**

**2008 Response:**

[Begin response to above question (C5) below this line.]

Provisional ballots are issued in instances where 1) the voter's name does not appear on the precinct's voter registration list 2) a voter subject to the federal identification requirement is unable to satisfy the requirement when offering to vote and 3) there are questions over a voter's identity after an inspection of the picture identification produced by the voter. See MCL 168.523a.

[End response to above question (C5) above this line.]

**C6. Does your state count provisional ballots of voters who are registered in different precincts, or are those ballots automatically rejected? Please describe the process used by local election officials in determining whether to count a provisional ballot.**

☒ **No Change Since 2008**      ☐ **Changed Since 2008**

**2008 Response:**

[Begin response to above question (C6) below this line.]

A provisional ballot obtained by a voter in the wrong precinct is rejected.

In instances where a voter is issued a provisional ballot because the voter's name does not appear on the precinct's voter registration list, the ballot is counted in the precinct if the voter 1) signs an affidavit asserting that he or she submitted a voter registration application on or

before the close of registration for the election at hand 2) is in the proper precinct 3) is able to identify himself or herself by showing a Michigan driver's license, a Michigan personal identification card, any other type of government issued photo identification card or a photo identification card issued by a Michigan university or college and 4) is able to confirm that he or she currently resides in the precinct by showing a Michigan driver's license, Michigan personal identification card, any other government issued photo identification card or a photo identification card issued by a Michigan university or college.

In instances where a voter is issued a provisional ballot that is preserved for later evaluation, the ballot is counted under the following conditions:

*Voter does not appear on precinct's registration list:* The ballot is counted if:

- 1) A valid voter registration application for the voter is located; the registration application was submitted by the voter on or before the "close of registration" for the election at hand; and the provisional ballot was issued in the proper precinct.
- 2) The voter signed the affidavit; the voter identified himself or herself by showing acceptable identification; and the voter confirmed that he or she currently resides in the precinct where the ballot was issued by showing a current utility bill, current bank statement, current paycheck or government check or any other government document.
- 3) The voter signed the affidavit and satisfies the identification requirement and/or residence verification requirement within six calendar days after the election.

*Voter required to satisfy the federal identification requirement:* The ballot is counted if the voter satisfies the federal identification requirement within six calendar days after the election.

*Voter produced picture identification that left questions over the voter's identity:* The ballot is counted if the voter appears in person and presents an acceptable form of picture identification that confirms over the voter's identity.

[End response to above question (C6) above this line.]

**C7. Please describe your state's laws regarding post-election audits, if any.**

  X   **No Change Since 2008**             **Changed Since 2008**

**2008 Response:**

[Begin response to above question (C7) below this line.]

While Michigan does not conduct "post-election audits," Michigan election law grants candidates administrative recounts upon request. The candidate is required to file a petition asserting error in the results and submit a \$10.00 per precinct deposit.

[End response to above question (C7) above this line.]

**C8. Please describe any state requirements for poll worker training.**

  X   **No Change Since 2008**             **Changed Since 2008**

**2008 Response:**

[Begin response to above question (C8) below this line.]

An individual cannot serve as a poll worker unless he or she attended a training class within the last preceding two years. See MCL 168.683. Those responsible for instructing the poll workers must receive accreditation under a state-level training program. See MCL 168.33.

[End response to above question (C8) above this line.]

## SECTION D: ELECTION DAY ACTIVITIES

**D1. Please describe your state's process for capturing "over-vote" and "under-vote" counts.**

☒ **No Change Since 2008**      ☐ **Changed Since 2008**

**2008 Response:**

[Begin response to above question (D1) below this line.]

While "over-vote" and "under-vote" data is recorded by tabulators at the precinct level, it is not aggregated or reported.

[End response to above question (D1) above this line.]

**D2. What identification does your state require from voters in the following situations:**

**a. registering to vote;**

☒ **No Change Since 2008**      ☐ **Changed Since 2008**

**2008 Response:**

[Begin response to above question (a) below this line.]

Voter must satisfy the identity verification requirements provided under HAVA.

[End response to above question (a) above this line.]

**b. casting an in-person ballot;**

☒ **No Change Since 2008**      ☐ **Changed Since 2008**

**2008 Response:**

[Begin response to above question (b) below this line.]

Voter must appear in person to vote if he or she 1) registers by mail and 2) has never previously voted in Michigan. (Requirement does not apply if voter 1) personally hand delivers registration form 2) is 60 years of age or more 3) is disabled or 4) is eligible to vote under Uniformed and Overseas Citizens Absentee Voting Act.)

Voter must show picture identification or sign an affidavit attesting that he or she is not in possession of picture identification.



Voter can satisfy the 1D requirement by showing a Michigan driver's license or a Michigan personal identification card. Voters who do not possess either document may show any of the following forms of picture ID as long as it is current:

- a. Driver's license or personal ID card issued by another state.
- b. Federal or state government-issued photo ID.
- c. U.S. passport.
- d. Military identification card with photo.
- e. Student identification with photo from a high school or an accredited institution of higher education.
- f. Tribal identification card with photo.

Voters who do not have acceptable picture ID or forgot to bring acceptable picture ID to the polls can vote like any other voter by signing the affidavit form.

[End response to above question (b) above this line.]

**c. casting a mail-in or absentee vote;**

  X   No Change Since 2008             Changed Since 2008

**2008 Response:**

[Begin response to above question (c) below this line.]

No identification required (unless voter is subject to the federal identification requirement).

[End response to above question (c) above this line.]

**d. casting a ballot under UOCAVA;**

  X   No Change Since 2008             Changed Since 2008

**2008 Response:**

[Begin response to above question (d) below this line.]

No identification required.

[End response to above question (d) above this line.]

**e. any other stage in registration or voting process in which identification is required (please specify).**

  X   **No Change Since 2008**             **Changed Since 2008**

**2008 Response:**

[Begin response to above question (e) below this line.]

None other than the federal identification requirement and the identification requirement associated with the provisional balloting process.

[End response to above question (e) above this line.]

**D3. Please describe your state's laws regarding access to the polling place for election observers. Election observers are people allowed inside the polling place who are not poll workers, election officials or voters. If decisions on access to observers are left to local jurisdictions, please explain.**

  X   **No Change Since 2008**             **Changed Since 2008**

**2008 Response:**

[Begin response to above question (D3) below this line.]

Michigan polling places are public places. Consequently, anyone who wishes to observe the election process is free to do so. Such individuals must sit or stand in the "public area" of the polling place where they will not interfere with the voting process. In addition, Michigan election law provides for the appointment of election "challengers."

Political parties may appoint election challengers to serve at partisan and nonpartisan elections. The appointments may be made at any time through the date of the election. A political party is not required to follow an application process to appoint election challengers.

An incorporated organization, a group interested in the adoption or defeat of a proposal on the ballot or a group interested in preserving the purity of elections and in guarding against the abuse of the elective franchise may appoint election challengers if authorized to do so under an application process. To apply for appointment authorization, the organization or group must file, not less than 20 days nor more than 30 days prior to the election, the two items described below with the clerk of the county, city, township or village where the election will be held.

- 1) A statement which sets forth the organization's or group's intention to appoint election challengers and the reason why the right to make the appointments is claimed. The statement must be signed under oath (notarized) by the chief presiding officer, secretary or any other officer of the group or organization.

- 2) A copy of the identification card which will be carried by the challengers appointed by the group or organization. The identification card must have entry spaces for the challenger's name, the group's or organization's name, the precinct or precincts in which the challenger is authorized to serve and the signature of a recognized officer of the group or organization.

[End response to above question (D3) above this line.]

## SECTION E: OTHER

**E1. Under HAVA, Section 402, states are required to establish and maintain administrative complaint procedures to remedy grievances. Has your state revised its administrative complaint procedures since they were first implemented? If so, how?**

  X   No Change Since 2008             Changed Since 2008

### 2008 Response:

[Begin response to above question (E1) below this line.]

No revisions have been made.

[End response to above question (E1) above this line.]

**E2. The Military and Overseas Voter Empowerment Act (MOVE) was signed into law on October 22, 2009. The MOVE Act contains, among other things, provisions regarding States' methods of communication with UOCAVA voters and UOCAVA ballot transmission.**

**Please describe your State's processes and procedures for implementing MOVE (including any changes in your State's laws or regulations) as they relate to:**

- **Protecting the security and integrity of the voter registration and ballot application process, the privacy and personal information of the voter, and absentee ballots. (Sect. 577, 578)**
- **Designating a means of electronic communication for all voting-related materials to UOCAVA voters. (Sect. 577)**
- **Establishing a ballot tracking mechanism to allow voters to determine whether their ballots were received by the appropriate election official. (Sect. 580(d))**

**Also, please describe your State's plans to capture data related to the number of registration applications, ballot applications, and blank ballots transmitted to UOCAVA voters via mail and electronic means (Internet, email, fax) *and* the number of registration applications, ballot applications, and completed ballots returned by UOCAVA voters via mail and electronic means (Internet, email, fax).**

**This question was not asked in 2008. Please provide your answer below.**

[Begin response to above question (E2) below this line.]

- 1) The following measures have been implemented to protect the "security and integrity of the voter registration and ballot application process, the privacy and personal information of the voter, and absentee ballots":
  - The Department's Web site includes a page devoted to the special needs of military and overseas civilian voters. All services extended to military and overseas civilian voters are explained on the page.

- A statewide email system furnished by the Department of State provides a fixed email address for every Michigan election official. The email system is monitored by the Department to ensure its proper utilization. Military and overseas civilian voters are encouraged to use the email system when requesting voter registration application forms, requesting absent voter ballot application forms, returning scanned voter registration application forms or returning scanned absent voter ballot application forms.
- Michigan election officials are trained on the proper handling and processing of voter registration application forms and absent voter ballot application forms. In addition, Michigan election officials are trained on handling and processing voted absent voter ballots. The training includes the various measures that must be taken to protect the secrecy of the ballot.
- Military and overseas civilian voters are provided with full instructions on marking and returning their absent voter ballot. If the electronic transmission of the ballot was requested, specially tailored instructions are provided that detail the procedure for returning the ballot by mail. The instructions emphasize the measures that can be taken to protect the integrity and privacy of the ballot.
- The following information provided by military and overseas civilian voters on their voter registration application forms are exempted by law from public disclosure:
  - The birth date of the voter other than the year of the voter’s birth.
  - Driver’s license or personal identification card number.
  - Telephone number.
  - Digitized signature.

In addition to the above, any email addresses provided by military and overseas civilian voters are exempted by law from public disclosure.

- 2) Michigan election law, MCL 168.759a as amended under PA 50 of 2010, provides for the “electronic transmission” of blank absent voter ballot application forms, blank voter registration application forms and blank ballots. The statute was further amended to provide for the “electronic transmission” of completed absent voter ballot application forms and completed voter registration application forms. The forms can be electronically transmitted via email or fax as preferred by the voter.
- 3) An online system introduced prior to Michigan’s August 3, 2010 primary permits any absentee voter to check the status of his or her absent voter ballot. The site provides the date the voter’s absent voter ballot application was received by the clerk, the date the ballot was sent to the voter and the date the clerk received the voted ballot.

- 4) A survey will be distributed to Michigan's city and township clerks after the conduct of the November 2, 2010 general election to determine the number of blank ballots transmitted to UOCAVA voters and the number of completed ballots returned by UOCAVA voters. No arrangements have been made to capture data related to the number of blank voter registration applications or absent voter ballot applications transmitted to UOCAVA voters; the method used to transmit blank ballots to UOCAVA voters; or the number of completed voter registration applications or absent voter ballot applications returned by UOCAVA voters. (Note that in Michigan, a UOCAVA voter cannot return his or her voted absent voter ballot via email or fax; the mail must be used.)

[End response to above question (E2) above this line.]

**E3. Please add any additional comments or information about your state's election administration processes that would help to inform the EAC's interpretation of your data.**

\_\_\_\_\_ **No Change Since 2008**

\_\_\_\_\_ **Changed Since 2008**

**2008 Response:**

[Begin response to above question (E3) below this line.]

[End response to above question (E3) above this line.]

\* The information collection associated with the Election Administration and Voting Survey is required for the EAC to meet its statutory requirements under the Help America Vote Act (HAVA) of 2002 (42 U.S.C. 15301), the National Voter Registration Act (NVRA) (42 U.S.C. 1973gg-1 et seq.), and the Uniformed and Overseas Citizens Absentee Voters Act (UOCAVA) (42 U.S.C. 1973ff-1). Respondent's obligation to reply to this information collection is mandatory as required under NVRA (42 U.S.C. 1973gg-1 et seq.) and UOCAVA (42 U.S.C. 1973ff-1). This part of the information collection is being requested to help the EAC to better understand state laws governing federal elections. Respondents include the fifty states, the District of Columbia, and the U.S. Territories. This information will be made publicly available on the EAC website ([www.eac.gov](http://www.eac.gov)). According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is OMB Control No. 3265-0006 (expires 5/31/2013). The time required to complete this information collection is estimated to average 59 hours per state response. This estimate includes the time for reviewing the instructions, gathering information, and completing the form. Comments regarding this burden estimate should be sent the U.S. Election Assistance Commission – 2010 Election Administration and Voting Survey, 1201 New York Avenue, Suite 300, Washington, DC 20005.