



Senate Fiscal Agency
P.O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 369 (Substitute S-1 as reported)

Sponsor: Senator Sam Singh

Committee: Elections and Ethics

CONTENT

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

- Allow any registered elector to become a permanent mail ballot voter by filling out a single absent voter application to receive absent voter ballots for every future election.
- Prescribe the reasons for which an absent voter application for all future elections could be rescinded.
- Require each city and township clerk to maintain and track permanent mail ballot voters.
- Require the Secretary of State (SOS) to issue instructions to clerks regarding the discontinuation of any permanent absent voter ballot application list.
- Require a city or township clerk or the SOS to notify an elector, upon the elector's change of address, that any prior permanent voter ballot application submitted by the elector would be rescinded and the elector would not be sent an absent voter ballot unless the elector submitted a new absent voter ballot application.
- Require the SOS to prescribe the presidential primary ballot selection form and make the form available in person, by mail, and online.
- Require each city and township clerk to mail a presidential primary ballot selection form to all permanent mail ballot voters in a city or township who had not made a ballot selection for the presidential primary election at least 60 days before the election.
- Require a clerk to notify a permanent mail in elector of the time frame to return the ballot to receive a presidential primary election ballot if the elector had not returned the ballot selection form.
- Modify the period after an election that returns would have to be preserved from two years to 22 months.
- Allow ballots containing a Federal office and all presidential primary ballot selection forms to be destroyed after 22 months.

MCL 168.499 et al.

BRIEF RATIONALE

According to testimony before the Senate Committee on Elections and Ethics, some people claim that requiring voters to fill out an absent voter ballot application form each time they wish to vote absentee in an election provides clerks with unnecessary paperwork. In November 2022, Proposal 2 addressed these concerns and amended the State Constitution to allow voters to fill out one application to vote absentee for all future elections. With the presidential primary occurring in February 2024, it has been suggested that the Law be amended to reflect the provisions of Proposal 2 and give clerks the time to prepare.

Legislative Analyst: Abby Schneider

FISCAL IMPACT

The bill would have significant costs for both the Department of State and local units of government related to the mailing of absentee voter (AV) applications, ballots, presidential primary ballot selection forms, and pre-paid return postage costs. Based on data from the elections held in 2022, there are an estimated 8.2 million registered voters in Michigan, of which 2.2 million voted absentee in November. The bill would require each city and township clerk to issue an absent voter ballot application to any elector who requested an absent voter ballot application, and to then send ballots with pre-paid return envelopes for all future elections to those who registered. Proposal 2 requires the State to pay for the costs of pre-paid return postage for AV applications and AV ballots. Based on the elections in 2022, the costs to the State for pre-paid return postage for AV applications and AV ballots for those elections totaled an estimated \$1.4 million (averaging \$0.64 per parcel) while the average cost to locals for mailing applications and ballots for the November 2022 election totaled \$1.75 million (averaging \$0.80 per parcel). Beginning with the elections in 2024, all costs for pre-paid return postage for AV applications and AV ballots will be paid by the State. The Department of State is currently working with the United State Postal Service to establish a direct billing system for the costs of pre-paid postage. Locals will continue to bear the costs of mailing AV applications and ballots.

Thus, the total cost to the State and local units of government for mailing AV applications and ballots with pre-paid return postage is indeterminate. Based on the average costs stated above, the State will be expected to pay for the costs of pre-paid postage for AV applications and AV ballots at an estimated \$0.64 per parcel while locals will continue to pay the costs of mailing AV applications and ballots at an average cost of \$0.80 per parcel. The Department has estimated annual costs at \$5.2 million beginning in 2024 for costs of pre-paid postage for AV applications and AV ballots as well as presidential primary forms, for all elections in 2024, including the presidential primaries.

Date Completed: 6-14-23

Fiscal Analyst: Joe Carrasco, Jr.

SAS\Floors2324\sb369

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.