

Act No. 84  
Public Acts of 2023  
Approved by the Governor  
July 18, 2023  
Filed with the Secretary of State  
July 19, 2023  
EFFECTIVE DATE: Sine Die  
(91st day after final adjournment of the 2023 Regular Session)

**STATE OF MICHIGAN  
102ND LEGISLATURE  
REGULAR SESSION OF 2023**

Introduced by Senators McMorrow and Wojno

# ENROLLED SENATE BILL No. 339

AN ACT to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,” by amending section 764c (MCL 168.764c), as amended by 2018 PA 120.

*The People of the State of Michigan enact:*

Sec. 764c. (1) The secretary of state shall establish, acquire, or approve an electronic tracking system that allows each elector who applies to vote by absent voter ballot at an election to track, on a website or mobile application, that elector’s absent voter ballot application and absent voter ballot.

(2) For each elector who votes by absent voter ballot at an election, the electronic tracking system described in subsection (1) must indicate all of the following:

- (a) The date the elector’s city or township clerk received the elector’s absent voter ballot application.
- (b) If the elector’s absent voter ballot application was accepted, the date of the acceptance, and if the elector’s absent voter ballot application was rejected, all of the following:
  - (i) A brief statement of the reason for the rejection.
  - (ii) Instructions for curing the issue with the elector’s absent voter ballot application, along with the deadline for curing the issue with the elector’s absent voter ballot application.
  - (iii) If the issue with the elector’s absent voter ballot application is cured by the elector and the absent voter ballot application is accepted by the elector’s city or township clerk, an update that the elector’s absent voter ballot application was accepted and the date of the acceptance.
- (c) The date the elector’s city or township clerk mailed or delivered the absent voter ballot to the elector, or for an absent uniformed services voter or overseas voter under section 759a, the date the absent uniformed services voter’s or overseas voter’s city or township clerk mailed or electronically transmitted the absent voter ballot to the absent uniformed services voter or overseas voter.
- (d) If the elector’s absent voter ballot was returned to the city or township as undeliverable.
- (e) The date the elector’s city or township clerk received the elector’s absent voter ballot return envelope, or for an eligible member, as that term is defined under section 759a(17), who returns the absent voter ballot electronically, the date the eligible member’s absent voter ballot is electronically received.

(f) If the elector's absent voter ballot return envelope was accepted, the date of the acceptance, and if the elector's absent voter ballot return envelope was rejected, all of the following:

(i) A brief statement of the reason for the rejection.

(ii) Instructions for curing the issue with the elector's absent voter ballot return envelope, along with the deadline for curing the issue with the elector's absent voter ballot return envelope.

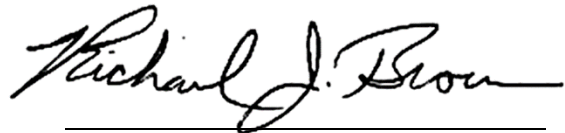
(iii) If the issue with the elector's absent voter ballot return envelope is cured by the elector and the absent voter ballot return envelope is accepted by the elector's city or township clerk, an update that the elector's absent voter ballot return envelope was accepted and the date of the acceptance, and a statement that the elector's absent voter ballot is eligible to be tabulated.

(3) An elector must be permitted to opt in to receive notifications from the electronic tracking system by email, text message, or both email and text message. If an elector opts in under this subsection, each time any of the events described in subsection (2) occurs regarding that elector's absent voter ballot application, absent voter ballot return envelope, or absent voter ballot, the electronic tracking system must immediately notify that elector of the event by email, text message, or both email and text message, as requested by that elector.

(4) An email address or telephone number provided by an elector in order to receive notifications from the electronic tracking system must be used only by authorized individuals who have access to the qualified voter file or by individuals authorized by the secretary of state to maintain the electronic tracking system, and is confidential and exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.



Secretary of the Senate



Clerk of the House of Representatives

Approved \_\_\_\_\_

\_\_\_\_\_  
Governor