

Act No. 253
Public Acts of 2023
Approved by the Governor
November 30, 2023
Filed with the Secretary of State
December 1, 2023
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**STATE OF MICHIGAN
102ND LEGISLATURE
REGULAR SESSION OF 2023**

Introduced by Reps. Hope, Tsernoglou, Steckloff, Young, Rheingans, McFall, Andrews, Price, Hoskins, Coffia, Conlin, Haadsma, Mentzer, Arbit, Wegela, Wilson, Breen, Liberati, Byrnes, Miller, Morgan, Brixie, Glanville, Martus, Hood, Morse, Churches, Weiss, Rogers, McKinney, O’Neal and Aiyash

ENROLLED HOUSE BILL No. 4129

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,” (MCL 168.1 to 168.992) by adding section 931b.

The People of the State of Michigan enact:

Sec. 931b. (1) An individual who intimidates an election official because of the election official’s status as an election official, with the specific intent of interfering with the performance of that election official’s election-related duties, is guilty of a crime as provided under subsection (3).

(2) An individual who prevents an election official from performing the election official’s duties in conducting an election is guilty of a crime as provided under subsection (3).

(3) An individual who violates subsection (1) or (2) is guilty of a crime as follows:

(a) For a first offense, the individual is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both.

(b) For a second offense, the individual is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$1,000.00, or both.

(c) For a third or subsequent offense, the individual is guilty of a felony.

(4) This section does not apply to constitutionally protected activity, including, but not limited to, engaging in reporting, news gathering, protesting, lobbying, advocacy, or other activities intended to inform or influence the public or public officials, including election officials, on matters of public interest or public concern.

(5) As used in this section:

(a) “Duties” include, but are not limited to, any of the following:

(i) Creating, disseminating, collecting, or delivering applications or ballots, including absent voter ballots or absent voter ballot applications.

(ii) Registering voters.

(iii) Opening, closing, and maintaining order at polling places, early voting sites, and absent voter counting board locations.

(iv) Processing and assisting voters at polling places or early voting sites.

(v) Processing and tabulating ballots at polling places, early voting sites, and absent voter counting board locations.

(vi) Tallying ballots at polling places and absent voter counting board locations.

(vii) Certifying election results by a board of county canvassers or the board of state canvassers.

(b) "Election official" means a public officer, public employee, election inspector, member of the board of state canvassers, member of a board of county canvassers, member of an absent voter counting board, or a county, city, or township clerk who has a duty to perform in connection with an election conducted under this act.

(c) "Intimidate" means a willful course of conduct involving harassment of another individual that is intended to cause the individual to fear physical injury, that would cause a reasonable individual to fear physical injury, and that actually causes the individual to fear physical injury. Intimidate does not include constitutionally protected activity or conduct that serves a legitimate purpose.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor