



Election Officials Manual

Chapter 8: Absent Voter Ballot Processing

October 2024

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I. Introduction

Every Michigan voter has the right to request, vote, and return an absent voter ballot. *Chapter 6: Michigan's Absent Voter Process* lays out how a voter may apply for, receive, and return an absent voter ballot. This chapter explains how returned absent voter ballots are processed and tabulated. Questions about the content of this chapter should be directed to Elections@Michigan.gov.

II. Overview of absent voter ballot processing

Returned absent voter ballots may be processed in one of three ways. First, absent voter ballots may be counted by election inspectors at the polling place where the absent voter otherwise would have voted on Election Day. Second, the city or township's election commission may establish one or more absent voter counting boards for the purpose of processing and tabulating absent voter ballots separately from Election Day polling places. Eligible jurisdictions can establish absent voter counting boards to process and tabulate returned absent voter ballots before Election Day. Tabulation can occur starting as early as eight days before Election Day, depending on the population of the jurisdiction. Third, cities or townships may enter into an agreement with one another or their county clerk to form a combined absent voter counting board.

The absent voter counting board structure: reporting returns and sharing resources

Absent voter counting boards (AVCBs) are precincts specially established to process absent voter ballots that mirror Election Day precincts. Because AVCBs are precincts separate from in-person precincts operating on Election Day, AVCBs must report their election results separately from in-person precincts. For the county canvass, however, election results must report the vote totals of all in-person ballots cast on Election Day at a particular precinct as well as the vote totals of all absent voters assigned to that precinct.



Jurisdictions where absent voter ballots are processed in the precinct on Election Day report their absent voter ballot returns in the pollbook and the *Statement of Votes*.

Each AVCB must use a separate AVCB-specific paper pollbook, ballot container, and tabulator from any in-person precinct. In addition, each AVCB must produce individual precinct ballot summaries and a *Statement of Votes*. A single tabulator may be used for multiple AVCBs, so long as the tabulator uses an appropriately assigned ballot program and certain other procedures are followed. If an AVCB uses a single ballot container to secure ballots from multiple precincts, special care shall be taken to sort and bundle each precinct's ballots separately within the ballot container and document on ballot container certificate.

Duties of the local election commission

The local election commission decides whether to establish AVCBs or to process returned absent voter ballots at the precinct on Election Day. If the election commission establishes AVCBs, the commission must appoint a minimum of three inspectors to each AVCB. A single group of precinct inspectors may process multiple AVCB precincts. Election inspector appointments must be made under the same procedures established for the appointment of the precinct inspectors who will serve at in-person precincts on Election Day. The commission is also responsible for securing a suitable location for the AVCBs to meet to process and tabulate ballots on Election Day. This location is referred to as an "absent voter ballot processing facility." Multiple AVCBs can be located in the same building or room of the absent voter ballot processing facility.

The election commission is required to set the time that election inspectors working at the AVCB must report to the absent voter ballot processing facility. The work of the AVCB may begin as early as 7 a.m.

Duties of the local clerk

The city or township clerk is responsible for providing either the precincts or the AVCBs with all necessary supplies to process absent voter ballots, depending on the absent voter ballot processing method selected by the election commission. In addition, the clerk should provide instruction on the operation of the AVCB to election inspectors assigned to work at an AVCB.



Oath required of persons present in the AVCB

All election inspectors and election challengers and any person other than a member of the clerk's staff present at the absent voter ballot processing facility at the time absent voter ballots are being tabulated must take and sign the following oath:

I (name of individual taking oath) do solemnly swear (or affirm) that I shall not communicate in any way information relative to any ballots or the tabulation of votes that may come to me while in this counting place until after the polls are closed. Further, I shall not photograph, or audio or video record, within the counting place, except for posted election results.

The oath for election inspectors can be found and completed in the AVCB pollbook. All others should complete the oath and sign a separate oath log to be placed in the local clerk envelope.

Disclosing an election result or in any manner characterizing how any ballot being counted has been voted before 8 p.m. on Election Day is a felony.

Prohibition on recording video or audio in the absent voter ballot processing facility

Individuals may have a cell phone or other electronic device in an absent voter ballot processing facility. However, with only a few exceptions, no person, including election inspectors and challengers, may record video or audio in an absent voter ballot processing facility at any point. This prohibition, unlike other prohibitions, extends to periods prior to the beginning of tabulation and after the close of polls.

The only exceptions to this rule are when the person is photographing or audio or video recording posted results within the facility, when the clerk or the clerk's employee is photographing or audio or video recording as part of their official duties, and by the news media when authorized by the person in charge of the absent voter ballot processing facility to take wide-angled photographs or video.

Number of AVCBs required

One AVCB must be designated to correspond to each precinct in the jurisdiction. A single AVCB, however, can correspond to more than one precinct. Absent voter ballots should be processed on a precinct basis and should not be intermingled to allow for precinct-level absent voter ballot and



combined results to be recorded. As long as absent voter ballots from different precincts are kept separated, a single AVCB can process ballots from multiple precincts.

Establishing early tabulation AVCBs

Any local election commission may establish an AVCB on the Monday immediately before Election Day to process and tabulate AV ballots. Additionally, the local election commission of a jurisdiction with a population of over 5,000 can establish an AVCB on any of the eight days before Election Day, beginning on the second Monday before Election Day.

For each day of early processing and tabulation, the participating city or township clerk will deliver approved absent voter ballots to the AVCB. Absent voter ballots must be processed and tabulated in the same manner as on Election Day, but unlike on Election Day, election results are not generated at the end of the night.

Clerks should review the Early Absent Voter Ballot Processing and Tabulating procedures document on eLearning for additional and specific procedures.¹

Notice and posting requirements

Eligible clerks wishing to process and tabulate absent voter ballots before Election Day must do the following:

- Provide written notice to the Secretary of State at least 28 days before Election Day.
- Post the hours and location of the AVCB, as well as the number of election inspectors working, on the city or township website and in the clerk's office at least 18 days before Election Day. If the time or location changes after the initial notice, post the revised details on the city or township website and in the clerk's office as soon as possible, but no later than 11 days before Election Day.
- If the time, location, or staffing changes after early processing and tabulating begins, updated notice must be provided no later than 10 a.m. on the day before a change occurs.

¹ <https://mielections.csod.com/ui/lms-learning-details/app/material/e6ae8c33-685b-422f-87d3-cff8fa10e61e>



If notice is provided after this time, and a staffing change would reduce the eligible number of challengers in the facility, the previous number of challengers must be allowed to remain.

III. Absent voter ballot counting procedures

The work performed by election inspectors regarding AV ballots is divided into two separate tasks: processing absent voter ballots and tabulating absent voter ballots.

Clerk's office signature verification

The clerk must verify that the signature on a returned absent voter ballot envelope matches the voter's signature on file. This comparison should be done immediately upon receipt of the absent voter ballot envelope to assist with accurate recordkeeping and provide timely information to the voter. Written or stamped on each absent voter ballot return envelope must be the date of receipt, the time and date of receipt if received on election day, and a written or stamped statement that the ballot is approved for tabulation. Approval can be expressed by completing and initialing the portion of the "clerk section" indicating that the signature was verified. Once the ballot is verified and deemed valid, the clerk should mark the "received" date in QVF with the date of receipt and make sure the date of receipt is included on the "clerk section" on the envelope.

If the signature does not match, or if the signature is missing, the clerk must immediately attempt to contact the voter and "cure" the signature. If the voter has signed up to receive electronic notifications, marking the signature as accepted in QVF will notify the voter that their ballot was received and marking the signature as rejected in QVF will notify the voter that they need to cure their signature. Voters have until 5 p.m. on the third day following the election to cure this issue. If the missing or mismatched signature is not cured by election day, the clerk should keep the ballot at their office and not send to the AVCB. If the missing or mismatched signature is not cured by third day after election day, the ballot should be rejected.

A voter may leave the date entry next to the signature on the absent voter ballot return envelope blank, so long as the voter has signed the absent voter return envelope. A signed absent voter ballot envelope that is missing



a date is processed in the same way as an absent voter ballot envelope that is not missing the date.

When the signature on an absent voter ballot envelope has been determined to match the absent voter's signature on file, the voter's ballot is referred to as an "accepted absent voter ballot."

Processing absent voter ballots

If a jurisdiction processes absent voter ballots using AVCBs, all absent voter ballots received by the clerk prior to Election Day are delivered to the absent voter ballot processing facility on Election Day or during the early tabulation period.

If a jurisdiction processes absent voter ballots at polling places, all absent voter ballots received by the clerk prior to Election Day are delivered to the appropriate polling place shortly after the opening of the polls.

After receipt of the absent voter ballots at the absent voter ballot processing facility, ballot processing begins. The processing of absent voter ballots is divided into the two steps explained in the following sections. While jurisdictions may deviate from the process described here, jurisdictions must take care that whatever process they select does not compromise ballot secrecy.

Ballot envelope verification using AVCBs

During this stage, election inspectors verify that the clerk's record area of the return envelope was completed. If the clerk's record area of the return envelope is incomplete, the election inspectors should alert the clerk, or a member of the clerk's staff, present in the absent voter ballot processing facility to remedy the issue. If the clerk's record area of the return envelope is complete, the election inspector should open the return envelope and continue processing.

Ballot envelope verification at the polling place

Inspectors must verify that the clerk's record area of the return envelope was completed. If the clerk's record area of the return envelope is incomplete, the election inspectors should contact the clerk and alert them of the issue. If the clerk's record area of the return envelope is complete, the election inspector should open the return envelope and continue processing.



Ballot verification

After the absent voter ballot envelope has been verified at either an AVCB or a polling place, the election inspector should open the absent voter ballot envelope. Without exposing any votes, the election inspector must verify that the number on the ballot stub agrees with the ballot number on the face of the absent voter return envelope.

If the ballot was returned in a secrecy envelope, the ballot and secrecy envelope may be removed from the return envelope to make the comparison. If the ballot was not returned in a secrecy envelope, the election inspector should first verify that the ballot was folded by the voter so that the votes are concealed before removing the ballot from the return envelope to make the comparison. If the ballot must be placed in a secrecy envelope, the election inspector must take care placing the ballot into a secrecy sleeve to avoid exposing any votes cast on the ballot.

If the number on the ballot does not agree with the ballot number recorded for the voter in the absent voter return envelope, and no explanation for the discrepancy can be found, the ballot must be processed as a challenged ballot. One possible explanation for a discrepancy that does not require the ballot to be processed as a challenged ballot is that the voter lives in the same household as a second voter and that the voters accidentally switched absent ballot return envelopes.

If the ballot is missing its stub, the election inspector should check to see if the detached stub is included inside the absent voter ballot envelope. If the stub is inside the envelope, the stub should be treated as if it were attached to the ballot. If the stub is not inside the envelope, the ballot should be processed as a challenged ballot.

If the absent voter ballot envelope or secrecy sleeve is empty, the election inspector should note the missing ballot in the *Remarks* page of the ePollbook or physical pollbook. The note should include the expected ballot number and the fact the ballot was not returned, but it should not include the voter's name. If processing absent voter ballots in the precinct, this envelope without a ballot may be accounted for in the Ballot Summary to balance the precinct.

Finally, the election inspector should remove the absent voter ballot from the absent voter ballot envelope. The envelope should be set aside. At the end of Election Day, all absent voter ballot envelopes should be returned to the clerk. Without removing the ballot from the secrecy sleeve, the election inspector should remove the numbered stub from the ballot. At the



discretion of the clerk, the stub may be either discarded or retained for later review.

After the election inspector completes these steps, the absent voter ballot in its secrecy sleeve is sent for tabulation.

Tabulating absent voter ballots

To begin the tabulation process, an election inspector who was not involved in the ballot processing should move the absent voter ballots with stubs detached to a different location within the absent voter ballot processing facility or the polling place. This maintains ballot secrecy by ensuring that the election inspector who processed the ballot cannot see how a particular ballot was voted.

The election inspector should then remove the anonymized ballot from its secrecy sleeve and feed the ballot into the tabulator. If the ballot is accepted by the tabulator, the ballot's tabulation is complete.

If a ballot is rejected by the tabulator, the election inspector should visually inspect the ballot to determine the reason the ballot was rejected. If the reason for the ballot's rejection can be cured—for example, because the ballot was damaged—the ballot should be placed in the tabulator auxiliary bin to be duplicated later using the normal duplication procedures. Duplication cannot occur in an in-person polling place until after the close of polls, but duplication can occur in an absent voter ballot counting facility at any time.

After the close of polls at 8 p.m., election inspectors should confirm with the clerk that no additional absent voter ballots will be delivered for processing. Once election inspectors have confirmed that no further absent voter ballots will be delivered, that all absent voter ballots have been processed and tabulated, and that all necessary ballot duplication has occurred and those duplicate ballots have been tabulated, election inspectors may begin closing the AVCB or polling place.

No election results may be generated prior to 8 p.m. on Election Day, even for jurisdictions using early tabulation.

Closing procedures

Election inspectors processing absent voter ballots at the polling place should follow the regular closing procedures explained in this section.



Election inspectors serving at AVCBs should follow the closing instructions specific to AVCBs.

Once all ballots have been tabulated and all ballots requiring duplication have been duplicated and tabulated, the election inspectors should compare the total number of ballots tabulated, as displayed on the tabulator's public counter, to the total number of absent voter ballots delivered to the board for processing. These totals should agree.

If the total number of ballots tabulated and total number of absent voter ballots received for processing do not agree, the election inspectors should attempt to identify the reason for the discrepancy. Possible explanations for a discrepancy may be noted in the *Remarks* page of the pollbook, and may include that an absent voter ballot envelope that did not contain a ballot was opened at the AVCB. If the discrepancy cannot be reconciled after reviewing the *Remarks* page, the election inspectors should physically count all tabulated ballots. If the number of ballots differs from the number displayed on the tabulator's public counter, the ballots must be retabulated. The election inspectors should contact their clerk for instructions on how to conduct a retabulation.

Once the election inspectors have determined that the total number of tabulated ballots displayed on the tabulator's public counter and the total number of absent voter ballots delivered for processing agree, or the election inspectors have identified the specific reason for any discrepancies and noted those reasons in the *Remarks* page of the pollbook, the election inspectors must prepare the *Statement of Votes* and *Ballot Summary*. The *Statement of Votes* and *Ballot Summary* for each AVCB should be completed in the same manner each document would be completed for an in-person precinct on Election Day. A minimum of three copies of each document are required. Often, the pollbook is designed so that completing each document once creates an original and two copies, satisfying the three-copy requirement.

Next, the election inspectors should complete the *Certificate of Election Inspectors* included in the pollbook. The election inspectors must fill in the following four blanks in the pollbook:

- The number of voters who were issued absent voter ballots (according to this pollbook): _____
- The number of absent voter ballot return envelopes received by the board: _____



- The number of invalid absent voter ballot return envelopes that the clerk did not deliver to board (according to this pollbook): _____
- The number of absent voters who did not return their absent voter ballot to the clerk (according to this pollbook): _____

The election inspectors should then complete any remaining required entry in the pollbook.

After the pollbook is complete, the election inspectors should seal all ballots into an approved ballot container and record the seal number in the pollbook, on all three copies of the *Statement of Votes*, and on the *Ballot Container Certificate*. Two election inspectors who have expressed a preference for different political parties must attest to the sealing. If ballots for more than one AVCB are placed into the ballot container, election inspectors should sort and bundle each AVCB's ballots separately within the container. The absent voter ballot envelopes and the absent voter ballot applications should be placed in the Absent Voter Envelope.

The pollbook and other materials prepared at the AVCB will be reviewed by a receiving board. If a mistake is found at the receiving board that requires the ballot container to be opened and resealed, the replacement seal number must be recorded on all documents where the original seal number was recorded. Once the pollbook and other materials are verified by the receiving board, the ballot container may not be opened unless authorized by the board of county canvassers.

IV. Absent voter ballots received on Election Day

All accepted absent voter ballots received by the clerk through 8 p.m. on Election Day must be delivered to the location where absent voter ballots are being processed. If absent voter ballots are being processed using AVCBs, the election inspectors at the AVCB should record the date on which the absent voter ballot was returned in the QVF absent voter list or refer to the addendum AV List provided by the clerk. If absent voter ballots are being processed in the polling place, the election inspectors at the polling place should record the absent voter ballot in the EPB or refer to the addendum AV List provided by the clerk .



To ensure the secrecy of all votes cast, the election inspectors at the location where absent voter ballots are being processed should set aside several of the absent voter ballot envelopes that were returned prior to Election Day until after 8 p.m. These envelopes should then be intermingled with any absent voter ballot envelopes delivered by the clerk during or after the close of polls on Election Day. This intermingling preserves ballot secrecy and ensures the votes cast by persons returning their absent voter ballots remains anonymous.

V. Absent voter ballots rejected by tabulator

Tabulators are programmed to reject damaged and invalid ballots. Damaged and invalid absent voter ballots should be duplicated to remove the issue causing the tabulator to reject the ballot.

Damaged and improperly completed ballots

A damaged ballot is a ballot that is crumpled, is water damaged, or has another physical defect that prevents the tabulator from reading the ballot.

Blank ballots

Blank ballots occur when a voter does not complete their ballot, but a tabulator may also interpret a ballot as being blank if the voter attempts to complete their ballot with ink that is not black or blue or if the voter makes marks on the ballot that are not dark enough to be detected by the tabulator.

Ballots with overvotes

Overvotes occur when a voter votes for more candidates than permitted for a given office. An overvote may also occur if the voter has crossed out a mark, attempted to erase a mark, or otherwise made a mark on the ballot that the tabulator interprets as an attempt to vote for more candidates than allowed for that office.

Ballots with crossover votes

Crossover votes occur when a voter has voted in races for both parties during a partisan primary. Although primary elections for the two major parties appear on the same ballot in partisan primaries, the voter is only



permitted to participate in one party's primary. The voter cannot participate in one party's primary for one office and the other party's primary for a second office. As with overvotes, inadvertent or erased marks may be interpreted by the tabulator as an attempt to cast a crossover vote.

Ballots with stray marks

A ballot with stray marks—or markings outside of the voting target area—may be interpreted by the tabulator as a ballot with an overvote or a crossover vote.

Duplicating damaged or improperly completed ballots

If an absent voter ballot is rejected by the tabulator, the election inspector should check the tabulator to determine the reason for the rejection. The election inspector should then examine the ballot to determine where the issue on the ballot occurs.

Once the election inspector has determined what mark or marks are causing the tabulator to reject the absent voter ballot, the election inspector should set the ballot aside for duplication. In an absent voter ballot processing facility, particular teams of election inspectors are often assigned to duplicate ballots. In a precinct processing absent voter ballots on Election Day, the election inspectors should duplicate the ballot after the close of polls.

Two election inspectors, each of whom has expressed a preference for a different political party, must be present for every step of the ballot duplication process.

The duplication process consists of the following steps:

1. The election inspectors should obtain one blank ballot for each ballot which needs to be duplicated. The numbered stub should be removed from the blank ballot and discarded. The election inspectors should then identify the blank ballot and the corresponding ballot to be duplicated by numbering the pair of ballots, starting with the number one. The ballot to be duplicated should be identified with a numeral, and the corresponding blank ballot should be identified with "Dup." followed by the same numeral. For example, the first ballot to be duplicated would be labeled "1", and the corresponding blank ballot would be labeled "Dup. 1"



2. The votes recorded on the ballot to be duplicated should be transferred to the blank ballot using a reader-checker process. One election inspector should call out the valid votes on the original ballot, while the other election inspector records those votes on the duplicate ballot. If the voter's intent is uncertain, the election inspector should consult the section *Determining ambiguous voter intent*. If the voter has overvoted in a race, the election inspector should consult the section *Correcting an overvote*.
3. After completing the duplication process, both election inspectors should verify that the original ballot and the now-duplicated ballot are identified with the correct number and that all valid votes have been transferred from the original ballot to the duplicate ballot.

After all ballots requiring duplication have been duplicated, the original ballots are placed into an envelope designated to hold original ballots that have been duplicated due to a rejection by the tabulator. The envelope is sealed into the ballot container with all other ballots. The newly-duplicated ballots are fed into the tabulator and tabulated.

Determining ambiguous voter intent

Different ballot styles require voters to fill in ovals or boxes. While voter intent is ultimately decided by the team of election inspectors assigned to the duplication process, the following are examples of valid and invalid ballot markings.

Valid markings

These are examples of markings on a ballot which may be rejected by a tabulator but which the election inspectors duplicating the ballot should interpret as votes for the candidate or ballot question at issue. The mark must be inside the vote target area and consistent with other markings on the ballot.



Invalid markings

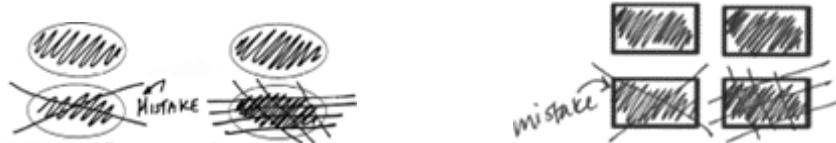
These are examples of markings on a ballot which may be rejected by a tabulator and which the election inspectors duplicating the ballot should not

interpret as votes for the candidate or ballot question at issue because the voter's intent cannot be clearly understood from the marking and the marking is not in the voting target area.



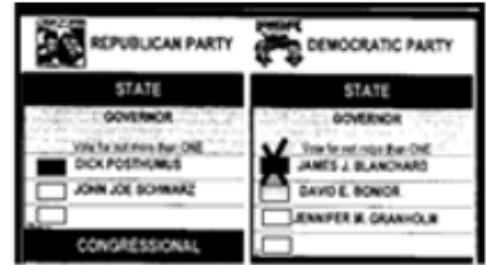
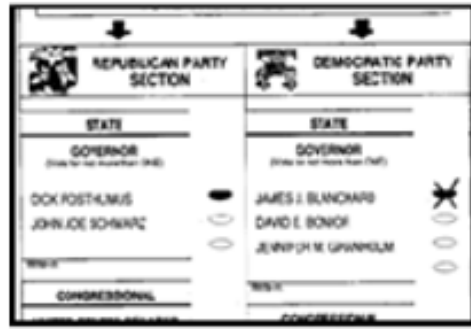
Corrections

These are examples of markings on a ballot which may be rejected by a tabulator but which the election inspectors duplicating the ballot should interpret as a voter's attempt to correct a mistake on the voter's ballot. The election inspectors should duplicate these votes as being cast for the candidate or ballot question at issue.

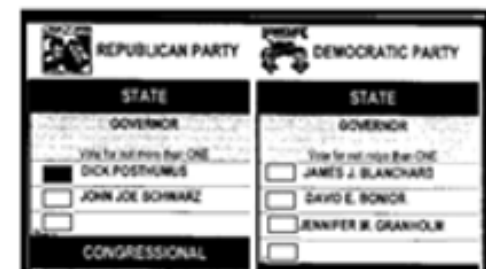
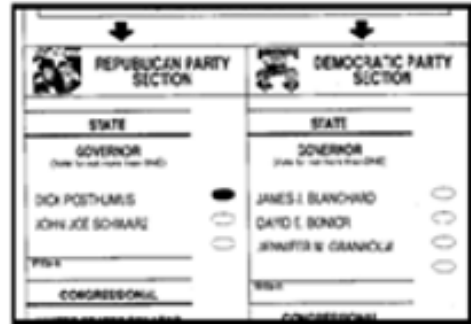


A corrected crossover vote may also cause a tabulator to reject a ballot. Election inspectors duplicating the ballot should interpret the correction as a voter's attempt to vote for only one party as permitted.

False Crossover/
Ballot Correction:



Proper Duplication:



Stray marks

The marks in the third oval and box in the following image are examples of stray marks on a ballot which may be rejected by a tabulator but which the election inspectors duplicating the ballot should not interpret as the voter's attempt to vote for the candidate opposite the stray mark because the marking is not consistent throughout the ballot.

For ballots with ovals:

Candidate A



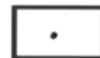
Candidate B



Candidate C



For ballots with boxes:



In all three examples above, count the top two positions only.

Correcting an overvote

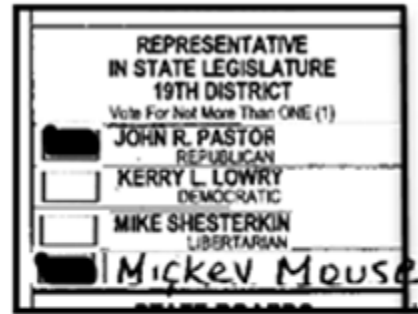
A true overvote on an absent voter ballot—one which is caused by a voter clearly and intentionally attempting to vote for more candidates than allowed for a particular office—cannot be corrected, because the election inspector



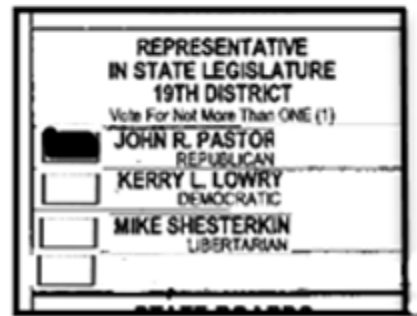
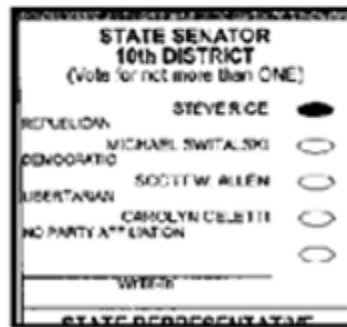
cannot determine for which candidate the voter intended to vote. The voter's validly cast votes on the ballot, however, can be counted. To correct an overvote for one office on the ballot when the correct number of votes have been cast for other offices on the ballot, the election inspectors should leave the office for which the voter has overvoted entirely blank on the duplicate ballot.

Overvotes caused by write-in votes for a write-in candidate who has not submitted a *Declaration of Intent*, however, can be corrected by removing the write-in candidate during duplication.

False Overvote/
Invalid Write-in:



Proper Duplication:

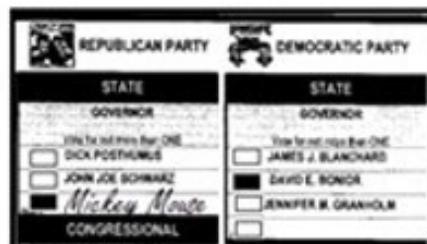


Likewise, a crossover write-in vote for a write-in candidate who has not submitted a *Declaration of Intent* may be corrected by removing the write-in candidate during duplication.

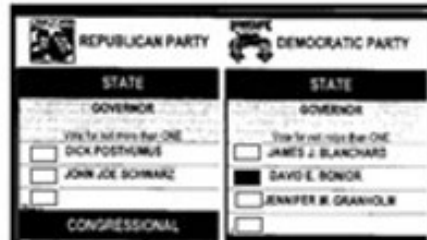
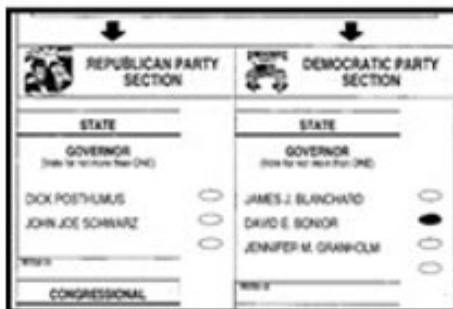


False Overvote/

Invalid Write-in:



Proper Duplication:



VI. Challengers and poll watchers at absent voter ballot processing facilities

Challengers have a right to be present at absent voter ballot processing facilities. Absent voter ballot processing facilities do not include a clerk's office or other locations where absent voter ballots are stored, signatures appearing on absent voter ballot envelopes are checked, or other activities are conducted prior to absent voter ballots being removed from absent voter ballot envelopes and prepared for tabulation.

Poll watchers should be allowed to observe the operation of the absent voter ballot processing facility if there is sufficient space to accommodate poll watchers within the facility without impeding the processing and tabulation of absent voter ballots.

For more information on challengers and poll watchers at absent voter ballot processing facilities, consult the Bureau of Elections publication *The Appointment, Rights, and Duties of Election Challengers and Poll Watchers*.²

Number of challengers at an absent voter ballot processing facility on Election Day

An absent voter ballot processing facility may contain a single absent voter counting board, multiple absent voter counting boards, a single combined absent voter counting board, or multiple combined absent voter counting boards. The Michigan Election Law uses the term “absent voter counting board” simultaneously to refer to a single absent voter counting board corresponding to an individual in-person precinct; a station within a facility processing absent voter ballots for multiple in-person precincts; the entire facility at which all absent voter ballots are processed for a jurisdiction; and an entire facility at which combined absent voter ballots are processed for multiple jurisdictions in a county. Michigan Election Law does not expressly state how many challengers may be present at an AVCB on Election Day.

When determining how many challengers each credentialing organization is allowed to have in an absent voter ballot processing facility, clerks must balance the rights of challengers to meaningfully observe the absent voter ballot counting process and the clerk’s responsibility to ensure safety and maintain orderly movement within the facility. Clerk considerations in setting the number of challengers each credentialing organization may field in the absent voter ballot processing facility should include the following:

- The number of processing teams and the number of election inspectors
- The number of tables or discrete stations at which ballots are processed
- The physical size and layout of the facility
- The number of rooms and areas used to process absent voter ballots within the facility

At least seven calendar days before the election, the clerk must make publicly available the number of challengers each credentialing organization will be allowed to field in the absent voter ballot processing facility.

² Available at https://www.michigan.gov/sos/-/media/Project/Websites/sos/01vanderroest/SOS_ED_2_CHALLENGERS.pdf.



Challengers in an early absent voter counting board

Challengers are allowed in a facility where absent voter ballots are being processed and tabulated before Election Day and have the same rights and responsibilities as challengers at an Election Day AVCB. Eligible entities may designate one challenger for every eight election inspectors or one challenger if seven or fewer election inspectors are present.

Challenger liaisons

Every polling place or absent voter ballot processing facility should have an election inspector designated as the challenger liaison. Unless otherwise specified by the local clerk, the challenger liaison at a polling place is the precinct chairperson. The challenger liaison or precinct chairperson may designate one or more additional election inspectors to serve as challenger liaison, or as the challenger liaison's designees, at any time. Unless otherwise specified by the local clerk, the challenger liaison at an absent voter ballot processing facility is the most senior member of the clerk's staff present, or, if no members of the clerk's staff are present, the challenger liaison is the chairperson of the facility. Unless otherwise specified by the local clerk, the challenger liaison at the clerk's office is the most senior member of the clerk's staff present.

To ensure accuracy and consistency, challengers must not communicate with election inspectors other than the challenger liaison or the challenger liaison's designee unless otherwise instructed by the challenger liaison or a member of the clerk's staff.

Permissible challenges at an absent voter ballot processing facility

Challengers at absent voter ballot processing facilities may make challenges to election processes. Permissible challenges at absent voter ballot processing facilities include challenges to ensure that the review of any portion of the absent voter ballot envelope reviewed at the absent voter ballot processing facility is properly completed. City and township clerks review the portion of the absent voter ballot envelope containing the absent voter's signature prior to Election Day, or when the ballot envelope is received by the clerk on Election Day, to ensure that the signature matches and the absent voter is eligible to cast a ballot. If the clerk has verified the signature and the absent voter's eligibility prior to the ballot envelope being transmitted to the absent voter ballot processing facility, a challenge may



not be made on the same issue at the absent voter processing facility or during processing and tabulation period before Election Day.

Because an absent voter's eligibility is verified by the clerk prior to the absent voter ballot envelope being processed at the absent voter ballot processing facility, election inspectors serving at the absent voter ballot processing facility are not responsible for verifying voter eligibility at the facility. Instead, election inspectors serving at the absent voter ballot processing facility confirm that the clerk has verified the absent voter's eligibility to cast a ballot by confirming that the clerk has reviewed the signature section of the absent voter ballot envelope. Additionally, because the voters are not present at the absent voter ballot processing facility, the oath administration and questioning process set out in the Michigan Election Law and explained in the previous sections cannot be carried out at an absent voter ballot processing facility and a challenged voter would have no chance to refute the challenge leveled against them. For these reasons, challenges to voter eligibility at absent voter ballot processing facilities are not permissible and need not be recorded.

Challenging an election process

A challenger may challenge a voting process, including the way that election inspectors are operating a polling place or processing absent voter ballots at an absent voter ballot processing facility. A challenge to an election process must **state the specific element or elements of the process that the challenger believes are being improperly performed and the basis for the challenger's belief.**

Impermissible challenge to an election process

A challenge to an election process is impermissible and should not be recorded by the election inspectors if the challenger cannot identify a specific element or multiple elements of the process whose performance the challenger believes improper. A challenge to an election process is also impermissible if the challenger cannot adequately explain why the election process is being performed in a manner prohibited by state law. An explanation for a challenge to an election process must include an explanation of the proper performance of the element or elements in question but need not take the form of a direct citation to statute or election administration materials.



Rejecting a challenge to an election process

A permissible challenge to an election process will be rejected if the challenger liaison determines that the specific element or elements of the election process being challenged are being carried out in accordance with state law. A challenger liaison's determination that a challenge to an election process is rejected may be appealed using the process laid out at the end of this document.

Accepting a challenge to an election process

A permissible challenge to an election process will be accepted if the challenger liaison determines that the challenger is correct and that the specific element or elements of the election process being challenged are not being carried out in accordance with state law. The challenger liaison shall inform the relevant election inspectors how to properly carry out the process and take any other remedial action necessary to correct the error.

Recording challenges to an election process

A permissible challenge to an election process should be recorded in both the *Remarks* section of the electronic pollbook and on the "Challenged Procedures" section of the physical pollbook. The record should include the following:

- The challenger's name.
- The time of the challenge.
- The substance of the challenge.
- If the challenge was rejected, the reason why the challenge was rejected.
- If the challenge was accepted, the reason the challenge was accepted, and any remedial actions taken in response to the challenge.

Challenges to recurring election processes: blanket challenges

If a challenger wishes to challenge recurring elements of the election process, the challenger must make a blanket challenge in order to avoid unnecessary delay or disruption to the process. The blanket challenge shall be treated as a challenge to each occurrence of the process but need only be made and recorded in the pollbook once. **A challenger may only challenge recurring processes through a blanket challenge; a challenger may not challenge every occurrence of a recurring process in lieu of making a blanket challenge.**



Warning and ejecting challengers

If a challenger or poll watcher acts in a prohibited manner or fails to follow a direction given by an election inspector serving at the location at which the challenger is present, the challenger will be warned of their prohibited action and of their responsibility to adhere to the instructions in this manual and to directions issued by election inspectors. The warning and the reason that the warning was issued should be noted in the pollbook. The warning requirement is waived if the prohibited action is so egregious that the challenger is immediately ejected.

A challenger who repeatedly fails to follow any of the instructions or directions set out in *The Appointment, Rights, and Duties of Election Challengers and Poll Watchers* or issued by election inspectors may be ejected by any election inspector. A challenger who acts in a manner that disrupts the peace or order of the polling place or absent voter ballot processing facility, who acts to delay the work of any election inspector, or who threatens or intimidates a voter, election inspector, or election staff, may also be ejected by any election inspector. The ejection should be noted in the pollbook. If the challenger refuses to leave after being informed of their ejection by an election inspector, the election inspector may request that law enforcement remove the challenger from the polling place or absent voter ballot processing facility.

Challenger appeal of election inspector determinations

A challenger may appeal a decision by the challenger liaison or any other election inspector relating to the validity of a challenge, to a challenger's conduct, or to a challenger's ejection to the city or township clerk of the jurisdiction in which the challenger is serving. At the request of a challenger, the challenger liaison must provide the contact information of the city or township clerk. The appeal must be made outside of the hearing of voters. If the challenger is appealing their ejection, the appeal must be made after the challenger has left the polling place, early voting site, or absent voter ballot processing facility. If the city or township clerk rejects the challenger's ejection as improper, the clerk shall inform the challenger liaison and the challenger shall be allowed to reenter the polling place or absent voter ballot processing facility.

The challenger may appeal the decision of the local clerk to the Bureau of Elections.



A challenger may not appeal to the city or township clerk an election inspector's resolution to a challenge to a voter's eligibility to vote. Appeals of an election inspector's resolution to an eligibility challenge can only be adjudicated through the judicial process after Election Day.

A poll watcher may not appeal any determination made by an election inspector.

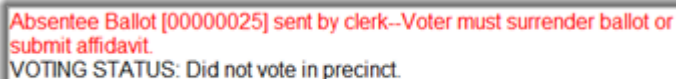
VII. Absent voters appearing at the polls

If a voter who has been issued an absent voter ballot appears at an early voting site or an in-person precinct on Election Day to offer to vote, the e-pollbook will alert the election inspector that the voter was issued an absent voter ballot. The election inspector should take the following actions, depending on whether the voter did not receive their absent voter ballot, received but did not return their absent voter ballot, received and returned their absent voter ballot to the clerk, or is appearing with the absent voter ballot in person.

Voter was sent but did not receive their absent voter ballot

A voter who requested but not receive their absent voter ballot may opt to vote in person at an early voting site or their polling place on Election Day instead of requesting a new absent voter ballot. The voter must complete an *Affidavit of Lost or Destroyed Absent Voter Ballot* at their precinct when they appear to vote, and then will be permitted to cast a regular ballot.

Such a voter will appear in the EPB with the following alert:



Absentee Ballot [00000025] sent by clerk--Voter must surrender ballot or submit affidavit.
VOTING STATUS: Did not vote in precinct.

Before issuing a ballot on Election Day, the election inspector must call the clerk's office to confirm that the voter's AV ballot has not yet been returned. During the early voting period, the Early Voting Electronic Pollbook will automatically show whether the AV ballot has been returned to the clerk.

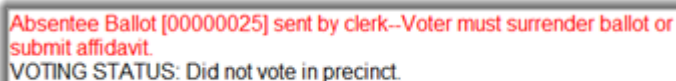


A voter who signs the *Affidavit of Lost or Destroyed Absent Voter Ballot* may be subject to challenge by a properly credentialed election challenger as an absent voter in the polls.

Voter was sent and received but did not return their absent voter ballot

A voter who requested and received, but did not return, their absent voter ballot may opt to vote in person at an early voting site or their polling place on Election Day instead of requesting a new absent voter ballot. The voter must complete an *Affidavit of Lost or Destroyed Absent Voter Ballot* at their precinct when they appear to vote, and then will be permitted to cast a normal ballot. Alternatively, the voter may surrender their absent voter ballot to the election inspectors at the precinct, and then will be permitted to cast a regular ballot.

This type of voter will appear in the EPB with the same alert as appears for a voter who was sent but did not receive their ballot:



Absentee Ballot [00000025] sent by clerk--Voter must surrender ballot or submit affidavit.
VOTING STATUS: Did not vote in precinct.

Before issuing a ballot on Election Day, the election inspector must call the clerk's office to confirm that the voter's AV ballot has not yet been returned. During the early voting period, the Early Voting Electronic Pollbook will automatically show whether the AV ballot has been returned to the clerk.

A voter whose signature on their absent voter ballot was rejected by the clerk is treated as a voter who received but did not return their absent voter ballot and may vote in person at a polling place on Election Day once the voter fulfills the voter identification requirement.

A voter who surrenders their absent voter ballot to election inspectors in the polling place or who appears in person to cast their absent voter ballot is not subject to a challenge as an absent voter in the polls. A voter who signs the *Affidavit of Lost or Destroyed Absent Voter Ballot* may be subject to challenge by a properly credentialed election challenger as an absent voter in the polls.



Voter appears in person with their absent voter ballot

A voter who requested and received their absent voter ballot may bring the ballot with them to an early voting site or their polling place on Election Day. The voter may either vote their absent voter ballot and place it into the tabulator or surrender it and receive a new ballot.³

If the voter wants to place their absent voter ballot into the tabulator, after the voter completes the application to vote, the election inspector should verify that the ballot presented by the voter is the ballot that was issued by comparing the number on the ballot stub to the ballot number appearing in the EPB. During this verification, the election inspector should be careful not to expose the ballot. If the numbers match, the voter will be converted from an “absent voter” to an “in-person” voter.

Once the election inspector has confirmed that the ballot number matches the ballot number issued to the voter, the election inspector should provide the voter with a full-size secrecy sleeve in which to place their ballot. The voter may then vote their ballot, if not done already, and place it into the tabulator.

Alternatively, the voter may surrender their ballot and be issued a new one. If the ballot is surrendered, the election inspector should write “surrendered” on the ballot, place it into the clerk envelope, and issue the voter a new ballot. A voter who surrenders their absent voter ballot to election inspectors in the polling place or who appears in person to cast their absent voter ballot is not subject to a challenge as an absent voter in the polls.

Voter was sent, received, and returned their absent voter ballot

A voter who requested, received, and returned their absent voter ballot, and whose ballot was accepted by the clerk after the voter’s signature was found to match the signature on file with the clerk, cannot request that their ballot be spoiled on Election Day. This type of voter is not eligible to cast a ballot at their precinct on Election Day.

This type of voter will appear in the EPB with the following alert:

³ If the tabulators in an Election Day polling place cannot be programmed to accept and tabulate absent voter ballots, the voter can instead surrender their AV ballot and be issued a new ballot.



Absentee Ballot [0000028] sent/received by clerk--Do not issue ballot.
VOTING STATUS: Did not vote in precinct.

VIII. Staffing absent voter counting boards and working in shifts

Multiple shifts of election inspectors may be assigned to AVCBs, so long as the following requirements are observed:

- The city or township's board of election commissioners must appoint all election inspectors who will serve on Election Day at least 21 days prior to the election. The city or township clerk is responsible for determining how many election inspectors are required to staff each AVCB.
- Every election inspector present at the absent voter ballot counting facility at the start of tabulation must take and sign the required oath.

Additionally, to avoid delay in the processing of absent voter ballots and to allow the ending shift of election inspectors to instruct the new shift of inspectors, any replacement shift of election inspectors beginning their work after the close of polls should have at least a one-hour overlap with the earlier shift. This will allow a smooth transition of information from the earlier shift to the replacement shift, including the identification and documentation of any issues that may have arisen during the earlier shift. For AVCBs using high-speed scanners, shifts should overlap by two hours so that the new shift can be instructed on the use of the high-speed equipment.

Documenting shift changes

The shift change should be noted in the *Remarks* section of the pollbook. The election inspector ending their shift should note the name of the election inspector replacing them and should provide a brief description of the last tasks they completed and handed off to the relief election inspector. The new election inspector must take the oath and sign the oath section at the front of the pollbook. Any election inspectors present at the close of the AVCB are required to sign both the totals tape and the *Certificate of Election Inspectors*. The signature of election inspectors relieved prior to the closing



of the AVCB will not appear on either document, but those election inspectors should sign a separate signout sheet provided by the jurisdiction before leaving the absent voter ballot processing facility.

IX. Combined absent voter counting boards

City or townships may enter into agreements with each other or with the county in which they are located to operate a combined absent voter counting board. In general, the same rules and procedures apply to combined AVCBs that apply to other AVCBs. To establish a combined AVCB, local and county clerks should enter into an agreement to establish a combined AVCB. The agreement must be entered into at least 75 days prior to Election Day. The Bureau provides model language for the agreement on eLearning.⁴

Additionally, local and county jurisdictions should agree in advance whether the local clerk or election inspectors working in the AVCB will complete the pre-tabulation processing of the absent voter ballots. If the local clerk completes the verification, the local clerk should provide a signed statement that the local clerk has verified that the names on the absent voter ballot envelopes and absent voter list or pollbook match, and that the number of envelopes delivered to the combined AVCB matches the number of names on the absent voter list or pollbook.

Finally, jurisdictions participating in a combined AVCB should also agree on answers to the following issues in advance of the operation of the combined AVCB:

- How and when all necessary equipment will be delivered by the local jurisdiction to the location of the combined AVCB
- How equipment will be stored at the location of the AVCB and what security measures will be in place at the combined AVCB before Election Day
- Procedures for the operation of the combined AVCB, including the number of challengers and poll watchers who will be permitted in the

⁴ Available at <https://mielections.csod.com/ui/lms-learning-details/app/material/5efeb893-d754-4472-bea5-4aa059b26408>.



facility, how election inspectors will be selected, and shift schedules for election inspectors

- Procedures for how unofficial election results will be reported, established in consultation with election management system vendors
- How ballot containers will be used, sealed, and stored
- How election equipment will be returned to local jurisdictions following the canvass

