

**STATE OF MICHIGAN
IN THE COURT OF CLAIMS**

MICHELLE McQUEER, individually
and in her official capacity as Clerk of
the Township of Bridgewater,

Plaintiff,

Case No. 2026- 000172 -MZ

v

HON. MICHAEL J. RIORDAN

JOCELYN BENSON, in her official
capacity as Michigan Secretary of State,
JONATHAN BRATER, in his official
capacity as Director of Elections, and
the **MICHIGAN DEPARTMENT OF
STATE**,

Defendants.

D LAW

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**PLAINTIFF'S VERIFIED COMPLAINT FOR DECLARATORY JUDGMENT
AND INJUNCTIVE RELIEF**

IMMEDIATE AND EXPEDITED CONSIDERATION REQUESTED

There is no other pending or
resolved civil action arising out of
the transaction or occurrence alleged
in the complaint.

NOW COMES Plaintiff Michelle McQueer, individually and in her official

capacity as Clerk of the Township of Bridgewater, by and through her attorney, Kevin

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Kijewski, and for her Complaint against Defendants Jocelyn Benson, in her official capacity as Michigan Secretary of State, Jonathan Brater, in his official capacity as Director of Elections, and the Michigan Department of State, states as follows:

INTRODUCTION

1. This action asks the Court to resolve a direct conflict between one administrative rule and three higher sources of law: federal statute, the Michigan Election Law, and the Michigan Constitution. Plaintiff seeks declaratory and injunctive relief against the State and its officers.
2. Plaintiff is a Michigan clerk, an officer of election, and a custodian of election records. The Secretary of State has promulgated R 168.48 of Rule Set 2025-014. That rule directs clerks to delete the electronic poll book software and associated files within seven days after the election is certified.
3. The seven-day command conflicts with each higher source. Under 52 USC 20701, Plaintiff must preserve voting records for twenty-two months, and 52 USC 20702 makes their willful destruction a crime. State law bars destruction of election returns and federal-office ballots before twenty-two months elapse. MCL 168.811. The Constitution requires election officials to keep ballots and election materials secure during an audit. Const 1963, art 2, § 4(1)(l).
4. Plaintiff does not seek to enjoin any election. Plaintiff seeks only a declaration that R 168.48 is invalid, or must be read narrowly, where it commands destruction of records the law requires be kept, and an injunction barring its enforcement against those records.

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5. Plaintiff brings two claims. Each is independently sufficient to grant relief, and Plaintiff prevails if either one is sustained.

PARTIES

6. Plaintiff Michelle McQueer is the duly elected Clerk of the Township of Bridgewater, Washtenaw County. The law charges her with conducting the township's elections, operating the electronic poll book under MCL 168.668b, and keeping the election records in her custody. R 168.48 operates on her directly. She sues in her official capacity, in her own right and not on behalf of the township as a corporate entity, because the conflicting duties the rule creates and the exposure it imposes run to her as the officer.

7. Defendant Jocelyn Benson is the Secretary of State and the State's chief election officer. MCL 168.21. The Secretary, through the Department, promulgated and enforces Rule Set 2025-014. She is sued in her official capacity, so this action is against the State.

8. Defendant Jonathan Brater is the Director of Elections. He directs the Bureau of Elections and, under the Secretary's supervision, administers the election laws, including the electronic poll book program and the data deletion R 168.48 requires. He is sued in his official capacity.

9. Defendant Michigan Department of State is the principal department housing the Bureau of Elections, through which the Secretary administers the election laws.

JURISDICTION AND VENUE

10. This Court has exclusive jurisdiction. MCL 600.6419(1)(a) gives the Court of Claims exclusive jurisdiction over claims for declaratory and equitable relief

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against the State and its officers, notwithstanding any other law that confers jurisdiction on the circuit court. An official-capacity suit against the Secretary is a suit against the State. *See Mays v Snyder*, 323 Mich App 1, 89 (2018), *aff'd sub nom Mays v Governor*, 506 Mich 157 (2020).

11. This Court may grant declaratory relief under MCR 2.605 and injunctive relief under MCL 600.6419(1)(a) and MCR 3.310. Plaintiff's claims arise under the Supremacy Clause, the Michigan Constitution, and the Michigan Election Law, and seek relief against state officers. They fall within this Court's exclusive jurisdiction.

12. Plaintiff has satisfied any prerequisite to suit. On July 6, 2026, Plaintiff herself asked the Secretary in writing, in a request for a declaratory ruling under MCL 24.263, whether R 168.48 requires her to delete these records, how she can comply with both the rule and the retention statutes, and for a stay of the deletion under the rule's own stay provision, and she asked for a response by July 27, 2026. **Exhibit 1.** As of the filing of this complaint, thirty-seven days after the request, the Department has not ruled, granted the stay, or otherwise responded, and the deletion deadline is imminent; the agency has failed to act expeditiously upon the request.

13. That silence is a pattern in this case: written testimony presented to the Joint Committee on Administrative Rules on September 10, 2025 raised the conflict between the proposed rule and 52 USC 20701, and on October 22, 2025 the Speaker Pro Tempore of the Michigan House of Representatives asked the Secretary in writing, in a request for a declaratory ruling under MCL 24.263, how a local clerk can comply with both R 168.48 and the twenty-two month retention

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requirement of 52 USC 20701; on information and belief, neither has ever been answered. **Exhibit 2.** In any event, an agency may rule only on how a rule applies to facts; it cannot declare its own rule invalid, preempted, or unconstitutional, which is the relief Plaintiff seeks, so any further request would be futile. The Administrative Procedures Act preserves the right to assert a rule's invalidity in any proceeding. MCL 24.264, and Plaintiff's constitutional claims stand apart from that Act.

14. Venue is proper in this Court under MCL 600.6419 and the rules governing claims against the State and its officers.

15. Plaintiff has satisfied the Court of Claims Act. This claim arose on or about October 23, 2025, when Rule Set 2025-014 took effect, in Washtenaw County, where Plaintiff administers elections and would be compelled to delete the records the rule reaches. **Exhibit 3.** The state department involved is the Michigan Department of State, acting through the Bureau of Elections. The nature of the claim is that R 168.48 is preempted by federal law and exceeds the Secretary's authority under, and conflicts with, Michigan law, as set forth below. Plaintiff seeks only declaratory and injunctive relief and claims no money damages. Plaintiff files this verified complaint within one year of accrual, and it satisfies the notice and verification requirements of MCL 600.6431 and MCL 600.6434.

STANDING AND ACTUAL CONTROVERSY

16. Plaintiff has standing. A litigant has standing who holds a special right or a substantial interest harmed differently from the public at large. *Lansing Schools Ed Ass'n v Lansing Bd of Ed*, 487 Mich 349, 372 (2010).

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17. R 168.48 is directed at Plaintiff. She sues individually as well as in her official capacity because the retention duties, the rule's command, and the criminal exposure run to her personally as the officer of election. Plaintiff bears the very federal, statutory, and constitutional duties to preserve the records the rule orders her to destroy, including the custody duty the Constitution places on election officials. Const 1963, art 2, § 4(1)(l). Because the rule commands her, by virtue of her office, to delete records the law requires her to keep, it impairs her own legal rights and duties as the officer it regulates, an interest different in kind from the citizenry's general interest in lawful elections. She need not be the only clerk the rule reaches; the test is whether her interest differs from the public's, and it does.
18. An actual controversy exists. A declaratory action needs no completed injury; it lets a litigant fix rights before acting at peril. *Shavers v Attorney General*, 402 Mich 554, 588-589 (1978). *Accord MedImmune, Inc v Genentech, Inc*, 549 US 118, 128-129 (2007) (where threatened action by government is concerned, a plaintiff need not expose herself to liability before suing to challenge the basis for the threat).
19. Plaintiff faces that dilemma now. The rule and the retention laws give her contradictory commands she cannot both obey. Comply with R 168.48 and destroy records, risking federal criminal exposure under 52 USC 20702 and the destruction of public records outside an approved schedule contrary to MCL 750.491; or keep the records and face the Secretary's enforcement, including the misdemeanor mechanism of MCL 168.931. Without a declaration she must choose which binding authority to obey, and a declaration of rights resolves the conflict.

20. The controversy is ripe and immediate. The August 4, 2026 primary elected nominees for the United States Senate and House, so it generated records subject to the twenty-two-month federal retention period, and Plaintiff holds those records now. Under MCL 168.822(1) the Board of County Canvassers of Washtenaw County must canvass and certify the primary within fourteen days, and R 168.48 then requires Plaintiff to delete the electronic poll book and its associated files by the seventh day after that certification. **Exhibit 4.**

21. Deletion is therefore certain and only days away. No recount, scheduled post-election audit, or stay applies or is anticipated, so none of R 168.48's exceptions will excuse it. Because deletion is irreversible, Plaintiff cannot wait for the clock to run before seeking relief; once the records are destroyed the controversy can no longer be remedied. Plaintiff therefore brings this action now, while the records still exist, and asks the Court to preserve them pending judgment.

22. The rule's exceptions do not dissolve the controversy. The recount, audit, and stay exceptions operate only on a contingency or an act of the Department or a court. In the ordinary election with no recount, audit, or stay, they preserve nothing as of right. The deletion bar lifts only when the Department issues its own release of security memorandum, and the Department issues that release as a matter of course. To keep federal records past day seven, then, Plaintiff must win discretionary relief the rule does not guarantee.

23. An informal promise not to enforce would not moot the dispute. The rule stays in force, backed by the Secretary's supervisory authority and the misdemeanor

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mechanism of MCL 168.931. Guidance the Department can withdraw at will is no substitute for a binding declaration.

GENERAL ALLEGATIONS

A. The Electronic Poll Book and the Records at Issue

24. Each city and township uses electronic poll book software supplied by the Bureau of Elections to process voters and generate precinct reports. MCL 168.668b. On election day the poll book records who was processed, the ballots issued, each voter's processing time, and entries for challenges, spoiled ballots, and other irregularities.
25. After the election, the clerk generates reports, transfers data to approved media, uploads voter history to the qualified voter file, and, under R 168.48, deletes the poll book software and associated files.
26. The electronic poll book and its associated files hold records relating to acts requisite to voting in elections that include federal candidates. During voting the software maintains an Activity Log Report that records every action taken in the poll book: the issuance, spoiling, rejection, and challenge of each ballot, and every entry that reverses or corrects a prior action, each stamped with its time and the operator who took it. The poll book also records the time each voter was processed. These records document each elector's statutorily required application to vote: under MCL 168.523(1) every registered elector must execute an application before being given a ballot, and under MCL 168.523(3) the number of the ballot issued is noted on the approved application, which serves as one of the two poll lists required to be kept as a record of a person who has voted. The electronic poll book

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is the instrument through which those applications are processed and the resulting ballot transactions are recorded. Those records come into the clerk's possession from the electors themselves in the course of voting; the clerk does not create them. Each such action is an act requisite to voting, and the Activity Log Report is the record of those acts and of the custody and handling of the poll book and the ballots it controls.

27. The Bureau's own poll book manual describes what the closing procedure retains.

The Activity Log Report may be viewed and printed on the device, but it is not among the reports the closing procedure requires the clerk to retain, and whether a clerk separately prints or keeps it is a matter of local practice the rule does not require. At closing the procedure prints the ballot summary, the list of voters, and the remarks reports into the paper binder pollbook, and the voter history enters the qualified voter file. In Plaintiff's township, the poll book inspector also backs up the election day electronic pollbook to a secure USB drive every hour during election day; the final backup at the close of the polls is saved to the same drive, an encrypted drive of the kind the rules themselves designate for storing election files, R 168.41 (b); and that drive remains in the Clerk's records after the election. The contents of that drive are subject to the same deletion requirement: R 168.48 requires deletion of the pollbook software and every associated electronic file from all devices by the seventh day, the drive is such a device, and neither the rule nor the closing procedure retains the electronic records themselves in any form.

Exhibit 5.

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28. The nonpartisan House Fiscal Agency's analysis likewise recognizes that the contents of the electronic poll book are unique to each precinct. **Exhibit 6.**

29. The printed precinct reports do not capture this detail. The printed list of voters shows only each voter's name, address, voting category, and summary status flags. It omits the per-voter processing times, the ballot-transaction and reversal log, the operator login and failed-login audit, and the device security metadata that reside in the electronic poll book.

30. The qualified voter file does not fill the gap. On information and belief, whether the poll book uploads its data after the election or transmits it over a secure live connection during voting, the qualified voter file records only that a voter participated and does not preserve the transaction-level detail above. The Department has confirmed related limits in writing. In a December 8, 2025 response to a Freedom of Information Act request for the list of voters in the November 5, 2024 general election, the Bureau stated that its report omits the precinct in which the voter voted, omits any column showing whether the voter voted absentee or in person, and is limited to persons who remain active registered voters. **Exhibit 7.** The qualified voter file thus provides, in the reports the Department produces, no fixed precinct-level record of who voted in a given federal election, and its contents change as voters move or are cancelled.

31. The retention duties imposed by 52 USC 20701 and MCL 168.811 attach to the records themselves. Deleting the electronic poll book and its associated files destroys those records regardless of what any printed report contains. The printed reports are outputs generated from the poll book database; they are not the

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electronic records and are not complete copies of the data those records hold, just as the Department's own qualified voter file reports omit fields the database contains. Retaining a printed output is not retaining the electronic record. R 168.48 orders deletion of the software and all associated files without requiring that any electronic copy of the poll book's records be retained by any office, so in the ordinary cycle the electronic records are destroyed in their entirety.

B. The Federal Retention Requirement

32. 52 USC 20701 makes every officer of election keep, for twenty-two months after any federal election, all records that come into the officer's possession relating to an act requisite to voting. Under 52 USC 20706, an "officer of election" is anyone who, under color of state law, performs a function connected to such an act.

33. 52 USC 20702 makes it a federal crime, punishable by fine and imprisonment, for any person to willfully steal, destroy, conceal, mutilate, or alter any record or paper required to be retained under 52 USC 20701.

34. Section 20701 is not limited to paper; its text reaches all records. The United States Department of Justice, which enforces the statute, has published guidance stating that the covered materials extend beyond papers to include other records, that jurisdictions must therefore retain and preserve records created in digital or electronic form, and that the retention duty requires election officials to maintain the security and integrity of those records and their chain of custody so that a complete and uncompromised record of federal elections remains available. On information and belief, that guidance remains published as current policy of the Department's Civil Rights Division. The electronic poll book files are records

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relating to acts requisite to voting, including each elector's application to vote, and they fall within 52 USC 20701.

35. The Department's own instructions to clerks state the same duty. The Bureau of Elections' current Election Officials' Manual instructs that if the office of President, United States Senator, or Representative in Congress appears on the ballot, all documents relating to the election, including ballots and tabulator programs, must be retained for twenty-two months. The electronic poll book files are documents relating to the election. **Exhibit 5.**

C. The Michigan Retention Statute

36. The Legislature has fixed how long election records survive. MCL 168.811 bars destruction of election returns, including poll lists, statements, and tally sheets, and of federal-office ballots, until twenty-two months pass. The statute sets a twenty-two-month floor.

D. The Records Retention and Disposal Scheme

37. Michigan law fixes the exclusive path for disposing of a public record. A public record may be disposed of only as an approved records retention and disposal schedule provides. MCL 750.491(1); MCL 399.811. A schedule that governs the disposal of records is submitted to the State Administrative Board, which approves or disapproves it and orders the destruction of valueless records accordingly. MCL 399.811(3). Willful destruction of a public record outside an approved schedule is a misdemeanor. MCL 750.491(2).

38. The electronic poll book and the records it holds are public records subject to that scheme. The challenged rule itself confirms as much: R 168.42(1) declares that the

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voter data contained in the electronic poll book are public records subject to the Freedom of Information Act. The Bureau of Elections publishes an Election Document Retention Schedule that treats poll books and their component lists, statements, and tally sheets as records governed by MCL 168.811, preserves them for years after the election, and preserves federal-office records for twenty-two months. **Exhibit 8.**

39. Retention does not turn on the medium of the record. A record must be kept for its full retention period whatever the format in which it exists, and the office must keep it accessible throughout that period. A clerk does not satisfy the retention duty by keeping a paper summary while deleting electronic records that exist nowhere else.

40. The State's approved retention schedule does contain a seven-day item for electronic pollbook data. Item 23.339 of General Schedule #23, with a county counterpart at item 23.242, approved October 24, 2023, permits destruction of electronic pollbook data seven days after the canvass, but only after the data is uploaded into the qualified voter file or converted to paper. That approval does not authorize this destruction, for two reasons. First, the item's own condition is not satisfied: the electronic records the rule destroys are neither uploaded into the qualified voter file, into which R 168.47 directs the upload of the voting history and other required files, extracts generated from the poll book rather than the poll book's records, nor converted to paper, because the printed reports are field-limited outputs rather than conversions of the records. Second, the same schedule retains ballots from federal elections for twenty-two months, expressly citing 52 USC

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20701, item 23.306, while giving the electronic pollbook data seven days; a schedule, like a rule, is subordinate to the statutes and cannot shorten the retention that MCL 168.811 and 52 USC 20701 command.

E. The Constitutional Audit Right

41. The Constitution guarantees audits of statewide elections and requires public election officials to maintain the security and custody of all ballots and election materials during an audit. Const 1963, art 2, § 4(1)(I). The right is self-executing and is construed in favor of voters. The Legislature implemented it in MCL 168.31a(2), which makes audits review the documents, ballots, and procedures used in an election. Deleting the electronic poll book on day seven, within the retention and audit windows, removes from any audit the documents and data the audit exists to review.

F. The Challenged Rule

42. Rule Set 2025-014, Mich Admin Code R 168.41 to R 168.48, governs the use of the electronic poll book. The rule defines the electronic poll book to include the early voting electronic poll book, the election day vote center electronic poll book, and the election day electronic poll book, or any combination of them. R 168.41. The deletion command therefore reaches every electronic poll book a clerk uses. The Department filed the rule set with the Secretary of State on October 23, 2025, under the authority of MCL 168.31, and it took effect on filing. R 168.48(1) requires that the electronic poll book software and associated files "must be deleted from all devices by the seventh day following the final canvass and certification of

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the election," subject to exceptions for a pending recount, a scheduled post-election audit, and a stay ordered by a court or the Secretary of State. **Exhibit 9.**

43. The rule bars deletion until the Bureau of Elections or county clerk issues a release of security memorandum. R 168.48(2). The rule's own audit exception extends retention whenever a precinct is selected for a post-election audit, and the Department's manual identifies the electronic poll book among the subjects of those audits; the State's own oversight process uses the records the rule otherwise destroys.

44. The rule has already operated in Plaintiff's township. Following at least one election conducted since the rule took effect on October 23, 2025, the electronic pollbook files for that election were deleted as the rule requires, and they cannot be recovered. No election involving a federal office was conducted under the rule before the August 4, 2026 primary; this primary presents the first collision between the rule's deletion command and the federal retention duty.

45. R 168.48's exceptions reach only recounts, scheduled audits, and stays. They do not reach the ordinary election that generates twenty-two-month records under 52 USC 20701 and MCL 168.811 but draws no recount, audit, or stay. In that ordinary case, including the August 4, 2026 primary, the rule orders deletion on day seven, far short of the twenty-two months federal and state law require.

**COUNT I. DECLARATORY JUDGMENT: FEDERAL PREEMPTION OF
R 168.48 BY 52 USC 20701 AND 20702 UNDER THE SUPREMACY CLAUSE
(AS APPLIED)**

46. Plaintiff realleges and incorporates the preceding paragraphs.

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47. A state rule that conflicts with federal law is void to the extent of the conflict. US Const, art VI, cl 2. Conflict preemption arises when a party cannot obey both commands at once, or when the state rule obstructs the purposes of Congress.

48. As an officer of election, Plaintiff must keep all voting records from a federal election for twenty-two months. 52 USC 20701. Their willful destruction is a federal crime. 52 USC 20702. The August 4, 2026 primary is such an election.

49. R 168.48 makes destruction the default, ordering that the files "must be deleted" by day seven absent a recount, audit, or stay. R 168.48(1). Federal law sets the opposite default: under 52 USC 20701 the officer "shall retain and preserve" the records for twenty-two months, and 52 USC 20702 makes their destruction a crime. The federal duty attaches to the records that come into the officer's possession, the poll book files themselves, not to substitutes the officer might generate, so deleting those files violates the federal duty even if some of the same information survives in another form. R 168.48 inverts the federal command and orders destruction of what federal law requires be kept.

50. The discretionary stay does not cure the conflict. The federal duty is mandatory and self-operative; it does not wait on a clerk persuading the Secretary or a court to suspend a state deletion order. A rule that forces destruction unless the clerk wins relief each cycle to do what federal law already requires obstructs the purpose of 52 USC 20701: preserving records for the full twenty-two months for federal inspection. A State may not make a mandatory federal duty hinge on a discretionary state dispensation.

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51. In the ordinary election with no recount, audit, or stay, R 168.48 and 52 USC 20701 give Plaintiff opposite commands as to the same records, and Plaintiff cannot obey both. To that extent R 168.48 is preempted, invalid, and unenforceable.

WHEREFORE, Plaintiff requests judgment declaring that R 168.48 is preempted by 52 USC 20701 and 20702, and is invalid and unenforceable, to the extent it requires deletion of records within the twenty-two-month federal retention period, together with the further relief set forth below.

**COUNT II. DECLARATORY JUDGMENT: R 168.48 EXCEEDS THE
SECRETARY'S AUTHORITY AND CONFLICTS WITH MICHIGAN
RETENTION LAW**

52. Plaintiff realleges and incorporates the preceding paragraphs.

53. Statute both grants and limits the Secretary's rulemaking power. MCL 168.31(1)(a) lets her promulgate rules for the conduct of elections and registrations in accordance with state law. A rule is valid only if it falls within the enabling statute, fits the legislative intent, and is not arbitrary or capricious. *Ins Institute of Mich v Comm'r of Financial & Ins Services*, 486 Mich 370, 385 (2010); *see also Luttrell v Dep't of Corrections*, 421 Mich 93, 100 (1984). When a rule conflicts with the governing statute, the statute controls. *Brighmoore Gardens, LLC v Marijuana Regulatory Agency*, 337 Mich App 149, 161 (2021).

54. A rule that conflicts with a statute is invalid to that extent, and an agency may not swap its policy for the Legislature's. *Slis v State*, 332 Mich App 312, 335-336 (2020). An agency's interpretation cannot conflict with the plain meaning of the statute. *In re Complaint of Rovas Against SBC Mich*, 482 Mich 90, 108 (2008).

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55. The Legislature has fixed how long these records survive. MCL 168.811 bars destruction of election returns, poll lists, and federal-office ballots before twenty-two months pass. Outside its narrow exceptions, R 168.48 orders deletion on day seven. Where the poll book files are or contain election returns or poll lists under MCL 168.811, the rule shortens the statutory period and conflicts with it. It is invalid to that extent.

56. R 168.48 also collides with the statutes governing how a public record may be destroyed. A public record may be disposed of only as an approved retention and disposal schedule provides, through the process the Legislature prescribed, MCL 750.491(1); MCL 399.811, and only to the extent the schedule is itself lawful.

Exhibit 10. The schedule item that purports to authorize seven-day deletion, General Schedule #23 item 23.339, authorizes destruction only of data uploaded into the qualified voter file or converted to paper, a condition the electronic records do not meet, and neither that item nor R 168.48 can authorize destruction the retention statutes forbid.

57. That the Department directed similar deletion through its election manuals in earlier cycles, and obtained a schedule item reflecting the practice, does not cure the defect. A retention and disposal schedule is an administrative instrument subordinate to the statutes; it can no more shorten the twenty-two months that MCL 168.811 and 52 USC 20701 require than the rule can, because neither an agency nor the records-management process can change a period the Legislature and Congress fixed. To the extent R 168.48 orders destruction those statutes forbid, it conflicts with MCL 168.811, MCL 750.491, and MCL 399.811 and is invalid.

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58. That a clerk may keep a paper summary does not save the rule. The retention duty attaches to the record in whatever medium it exists. The electronic poll book files are records, and deleting them destroys those records whatever paper remains.

59. A rule ordering the destruction of election records is also not a rule for the "conduct of elections and registrations" under MCL 168.31(1)(a). By ordering destruction the Legislature never authorized and the retention statute forbids, R 168.48 exceeds the Secretary's delegated power, intrudes on the records-retention-schedule process the Legislature committed to the State Administrative Board, and is ultra vires. MCL 168.668b authorizes the Secretary to prescribe procedures for using the electronic poll book, but not to destroy records the retention statutes require be kept; regulating how the poll book is used is not authority to erase the records it holds.

WHEREFORE, Plaintiff requests judgment declaring that R 168.48 exceeds the Secretary's authority under MCL 168.31 and conflicts with MCL 168.811, MCL 750.491, and MCL 399.811, and is invalid and unenforceable to the extent it requires deletion of records within the statutory retention period, together with the further relief set forth below.

**COUNT III. IN THE ALTERNATIVE: R 168.48 IS INVALID FOR FAILURE
OF SUBSTANTIAL COMPLIANCE WITH THE ADMINISTRATIVE
PROCEDURES ACT**

60. Plaintiff realleges and incorporates the preceding paragraphs.

61. A rule is not valid unless it is processed in compliance with MCL 24.242 and in substantial compliance with MCL 24.241(2), (3), (4), and (5). MCL 24.243(1).

Among the requirements is that the notice of the public hearing include a statement

of the terms or substance of the proposed rule, a description of the subjects and issues involved, and the proposed effective date. MCL 24.241(2)(c).

62. The notice of public hearing for the rule set that became R 168.41 through R 168.48 was published in three newspapers on June 14 and 15, 2025 and in the Michigan Register on July 1, 2025. Its entire statement of the substance of the proposed rules read: "The proposed rules would provide that an electronic pollbook must have a secure live connection to the Qualified Voter File while voting is taking place, if the site has internet access. Further, the proposed rules would provide that the electronic pollbook software download provided in MCL 168.668b must still take place and serve as a backup to the live connection." **Exhibit 11.** The notice added that the proposed rules were published on the State of Michigan's website and in the July 1, 2025 issue of the Michigan Register. **Exhibit 12.**

63. Deletion of the electronic poll book appears nowhere in that statement and nowhere in any description of the subjects and issues involved. A reader of the notice was told that the rule set concerned a secure live connection to the qualified voter file and the retention of the statutory download as a backup. The reader was not told that the rule set would order the destruction of the poll book's records seven days after certification.

64. The omission pervades the rulemaking record. The request for rulemaking that opened the docket, approved March 6, 2025, described the purpose as clarifying the electronic pollbook rules in light of technological advances, early voting, and the security benefits of a live connection, and certified that the rules do not conflict with any similar rules, requirements, or standards. The regulatory impact statement

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stated that there are no parallel federal rules or standards, the comparison MCL 24.245(3)(a) requires, and that no laws, rules, or other legal requirements duplicate, overlap, or conflict with the proposed rules; it contains no demonstration that the deletion requirement is necessary and suitable to achieve its purpose in proportion to its burdens, MCL 24.245(3)(k), no identification of any harm the deletion requirement addresses, and no estimate of its benefits. The agency's report to the Joint Committee on Administrative Rules summarized the rules in the same terms.

65. No individual attended or testified at the July 15, 2025 public hearing; the only two written comments supported the live connection proposal and addressed nothing else; and the clerk feedback the agency relied on concerned only live connectivity.

Exhibits 13, 14, and 15.

66. The notice requirement exists to invite public participation, to prevent precipitous agency action, and to notify affected persons of the subjects and issues involved so that they may be heard. As to the deletion command, that purpose failed completely: no member of the public, no clerk, and no organization commented on, testified about, or was told of the requirement that election records be destroyed, and the first public opposition came only after the comment period closed.

67. A notice whose affirmative statement of substance omits the rule set's most consequential command is not in substantial compliance with MCL 24.241(2)(c), and R 168.48 is therefore invalid. MCL 24.243(1). This claim is brought within two years after the rules' October 23, 2025 effective date. MCL 24.243(2).

68. In the alternative and at minimum, the regulatory impact statement's certifications were inaccurate as to R 168.48, and its failure to analyze the deletion requirement

at all deprived the rulemaking of the analysis the Administrative Procedures Act requires, which independently supports declaratory relief in this action. MCL 24.264.

69. R 168.48 is severable from R 168.41 through R 168.47. The notice described the live connection and download provisions those rules contain, the defect identified in this count is specific to the deletion requirement, and the remaining rules operate independently of it.

WHEREFORE, Plaintiff requests judgment declaring that R 168.48 was not processed in substantial compliance with MCL 24.241(2) and is invalid under MCL 24.243(1), together with the further relief set forth below.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Michelle McQueer respectfully requests that this Honorable Court:

- A. Declare that R 168.48 is preempted by 52 USC 20701 and 20702, and is invalid and unenforceable; to the extent it requires deletion of records within the twenty-two-month federal retention period;
- B. Declare that R 168.48 exceeds the Secretary's authority under MCL 168.31 and conflicts with MCL 168.811, MCL 750.491, and MCL 399.811, and is invalid and unenforceable to the extent it requires deletion of records within the statutory retention period;
- C. In the alternative to the foregoing declarations of invalidity, declare that R 168.48 must be construed so as not to require deletion of any records within the retention periods established by 52 USC 20701 and MCL 168.811;

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D. Enter preliminary and permanent injunctive relief restraining Defendants, their officers, agents, and employees from enforcing R 168.48 against Plaintiff, and from deleting or requiring the deletion of the electronic poll book and its associated files, insofar as they hold records within the retention periods established by 52 USC 20701 and MCL 168.811;

E. Order a speedy hearing of this action and advance it on the Court's calendar under MCR 2.605(D);

F. Award Plaintiff her costs and, to the extent authorized by applicable law, her reasonable attorney's fees; and

G. Grant such other and further relief as this Honorable Court deems just and equitable.

Respectfully submitted by:

Dated: August 12, 2026

/s/ Kevin Kijewski
KEVIN KIJEWSKI (P74153)
Attorney for Plaintiff

KDK LAW

KEVIN KIJEWSKI, ESQ. – KATHRYN KIJEWSKI, ESQ.
950 EAST MAPLE ROAD, SUITE 204 – BIRMINGHAM, MI 48009
KDKLAWOFFICE.COM – P: (248) 971-0476 – F: (248) 282-8998



VERIFICATION

STATE OF MICHIGAN)
) ss
COUNTY OF WASHTENAW)

Michelle McQueer, being first duly sworn, deposes and states that she is the Plaintiff in the above-captioned action; that she has read the foregoing Complaint; and that the factual allegations contained in it are true to her own knowledge, except as to those matters alleged on information and belief, and as to those matters, she believes them to be true.

Michelle McQueer
Michelle McQueer

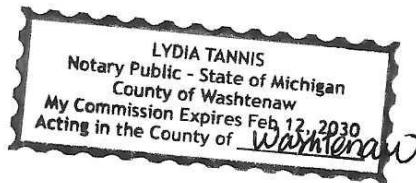
Subscribed and sworn to before me this 12th day of August, 2026.

Lydia Tannis
Notary Public, State of Michigan

County of Washtenaw

My commission expires: 02/12/2030

Acting in the County of Washtenaw



KDK LAW

KEVIN KIJEWski, ESQ. - KATHRYN KIJEWski, ESQ.
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EXHIBIT 1

RECEIVED FROM DEMOCRACYDOCKET.COM

BRIDGEWATER TOWNSHIP

Office of the Clerk

10990 Clinton Road, Manchester, Michigan 48158
(517) 456-7728 | BridgewaterTwpClerk@yahoo.com

July 6, 2026

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Hon. Jocelyn Benson, Secretary of State
Mr. Jonathan Brater, Director of Elections
Michigan Department of State
Richard H. Austin Building
430 W. Allegan Street
Lansing, Michigan 48918

Re: Request for Declaratory Ruling Under MCL 24.263 and Request for Stay Under Mich Admin Code, R 168.48(1); Electronic Pollbook Records for the August 4, 2026 Primary, Bridgewater Township, Washtenaw County

Dear Secretary Benson and Director Brater:

I am the elected Clerk of Bridgewater Township in Washtenaw County. Under MCL 24.263, I request a declaratory ruling on how Mich Admin Code, R 168.48 and MCL 168.811 apply to the actual state of facts set out below. Because the Department has not prescribed by rule a form for such a request, I am submitting it by this letter.

These are my facts:

1. I conduct elections in Bridgewater Township, including the August 4, 2026 primary. Election inspectors under my supervision operate the electronic pollbook at the polls and complete the closing procedure after the polls close.
2. The August 4, 2026 primary ballot includes candidates for the office of United States Senator and Representative in Congress.
3. The electronic pollbook records each voter my election inspectors process, including the ballot number and ballot style issued to each voter.
4. At the close of the polls, reports are printed and placed in the paper pollbook, which is delivered to the Washtenaw County Clerk. The only electronic file I save from the election day pollbook is the voter history file, which I upload into the Qualified Voter File. I am not aware of any other backup of the election day electronic pollbook files.
5. R 168.48(1) requires me to delete the electronic pollbook software and its associated electronic files from all devices by the seventh day following the final canvass and certification of the election, unless an exception in the rule applies. No stay of the deletion has been issued for my township for this election.

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6. Deleting those electronic files is permanent. Once they are deleted, they cannot be recovered.

7. I understand that 52 USC 20701 requires me, as an officer of election, to retain and preserve all records relating to an election at which candidates for federal office were voted for, for twenty-two months, that 52 USC 20702 makes the willful destruction of such records a federal crime, and that MCL 168.811 requires the records of such an election to be preserved for twenty-two months.

On these facts, I request a ruling on the following questions:

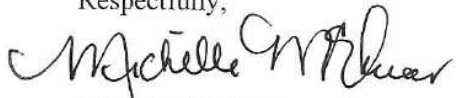
1. Does R 168.48(1) require me to delete the electronic pollbook software and its associated electronic files for the August 4, 2026 primary by the seventh day following the final canvass and certification of that election?
2. May I instead retain those electronic files for the retention period described in MCL 168.811 and 52 USC 20701 without violating R 168.48?
3. If the rule requires deletion on these facts, how do I comply with both R 168.48 and the retention requirements of MCL 168.811 and 52 USC 20701?

In addition, and whatever the answers to those questions, I request that the Secretary of State stay the deletion of the electronic pollbook software and associated files for the August 4, 2026 primary in Bridgewater Township, as R 168.48(1) permits, until the Department has answered these questions, and for the full retention period if the Department concludes that retention is required.

The timing is short. MCL 168.822(1) requires the board of county canvassers to certify the primary within fourteen days after the election, and the rule's deletion deadline follows seven days after certification. I therefore respectfully ask for the Department's response by July 27, 2026, so that I have the Department's direction before the deadline arrives. If any further information would assist the Department, please contact me.

Thank you for your attention to this request.

Respectfully,



7/6/2026

Michelle McQueer
Clerk, Bridgewater Township
10990 Clinton Road, Manchester, Michigan 48158
(517) 456-7728
BridgewaterTwpClerk@yahoo.com

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Lansing, MI 48918

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☐ Return Receipt (hardcopy)	\$4.40
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.78

Total Postage and Fees \$10.48

Sent To
Hon Jocelyn Benson / Jonathan Brater
Street and Apt. No., or PO Box No.
430 W. Allegan Street
City, State, ZIP+4®
Lansing, Michigan 48918

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

0176 11
JUL 06 2026
07/06/2026
USPS-48176

TRACK STATUS BY TEXT MESSAGE
Send tracking number to 28777 (2USPS)

USPS TRACKING#
GRAND RAPIDS MI 493

11 JUL 2026 PM 5 L

9590 9402 9859 5335 4645 57

First-Class Mail
Postage & Fees
USPS
Permit No. G-1

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box*

Bridgewater Township Clerk
10990 Clinton Rd.
Manchester, Michigan
48158

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3.

Print your name and address on the reverse so that we can return the card to you.

Attach this card to the back of the mailpiece, with the front if space permits.

Addressed to:
Jocelyn Benson, Secretary
Jonathan Brater, Deputy Clerk
Michigan Department of State
400 W. Austin Building
Lansing, Michigan 48918

9590 9402 9859 5335 4645 57

Number (Transfer from service label)
210 5270 3914 1888 09

3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Michigan Department of State

B. Received by (Printed Name)
C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

3. Service Type

☐ Adult Signature	☐ Priority Mail Express®
☐ Adult Signature Restricted Delivery	☐ Registered Mail™
☒ Certified Mail®	☐ Registered Mail Restricted Delivery
☐ Certified Mail Restricted Delivery	☐ Signature Confirmation
☐ Collect on Delivery	☐ Signature Confirmation Restricted Delivery
☐ Collect on Delivery Restricted Delivery	
☐ Insured Mail	
☐ Insured Mail Restricted Delivery (over \$500)	

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EXHIBIT 2

RECEIVED FROM DEMOCRACYDOCKET.COM



43RD DISTRICT
STATE CAPITOL
P.O. BOX 30014
LANSING, MI 48909-7514

MICHIGAN HOUSE OF REPRESENTATIVES

RACHELLE SMIT

SPEAKER PRO TEMPORE

PHONE: (517) 373-0615
FAX: (517) 373-7512
RachelleSmit@house.mi.gov

October 22, 2025

Attn: Secretary Benson
Michigan Department of State
Richard H. Austin Building – 4th Floor
430 W. Allegan St.
Lansing, MI 48918

Dear Secretary Benson,

We write to request a declaratory ruling under MCL 24.263 regarding the proposed ruleset which includes R 168.48 titled "Data retention." As discussed below, this rule raises important questions about compliance with federal law and the Department of State's guidance is important.

Statement of Facts

1. The undersigned are local clerks serving in various locations across Michigan. They are responsible for conducting elections within their respective jurisdictions, are subject to the proposed rules, and are therefore interested persons for purposes of MCL 24.263.
2. The undersigned are officers of election under 20 USC § 20701, which requires officers of election to "retain and preserve, for a period of twenty-two months . . . all records and papers which come into [their] possession relating to any . . . act requisite to voting." That requirement is only alleviated if "such records and papers" are surrendered to another office of election "when required by law."
3. Proposed rule R 168.48 directs that, in most circumstances, all "electronic pollbook software and associated files must be deleted from all devices by the seventh day following the final canvass and certification of the election."

Discussion

As local clerks who are responsible for conducting elections in compliance with both state and federal laws, we are concerned about the apparent conflict between the federal statute which requires the maintenance of records for twenty-two months and the proposed rule, which directs the deletion of the same records just seven days after the certification of the election.



Question

How can a local clerk comply with both proposed rule R 168.48's requirement that EPB's be deleted shortly after certification of a given election and 20 USC §20701's requirement that election records be retained for twenty-two months?

With Liberty,



Speaker Pro Tempore Rachelle Smit
Michigan's 43rd House District



T. V. <timlovesann@gmail.com>

Urgent Assistance Needed – Secretary of State Refusing to Release November 2024 and August 2024 Voter Lists

2 messages

T. V. <timlovesann@gmail.com>

Thu, Dec 4, 2025 at 6:58 AM

To: BVitale@house.mi.gov

Dear Representative Smit,

I hope this message finds you well.

Despite repeated formal FOIA requests, Michigan Fair Elections Institute (MFEI), Patrice Johnson, and our DEEP data-analysis team continue to be blocked from obtaining the basic list of voters who voted in the November 2024 general election and the August 2024 primary election. We were due responses to our latest FOIA by Nov. 20, 2025. My FOIA request for this same List of voters one year ago was rejected and has been rejected by other Michigan citizens.

All of our latest email inquiries directed to Sherri Hines (Bureau of Elections) have gone unanswered.

We are further informed that the Bureau intends to direct local clerks to destroy the original digital source EPB list of voters records for all elections, claiming the information is "contained in the QVF." However, the Qualified Voter File, as currently provided each month, does not contain accurate vote history records (at the precincts) or the poll-book sequence data that researchers and election-integrity groups require for legitimate audit and transparency purposes. The Bureau manipulates vote history records each month while simultaneously refusing to release a complete list of voters from any past election.

Additionally, as I have shared in the past, our QVF system is NOT DESIGNED to export an accurate list of voters for any past election. This was quite shocking to you when I shared this very important fact with you earlier this year. I attached a graphic to this message which makes this sad issue very clear. The SOVC (Statement of Votes Cast) must match "voters who voted".

All the Jurisdiction numbers should balance with zero deltas when certified vote history data is not manipulated in our QVF. I can not audit precinct level data due to many transparency related issues both locally and at the state.

As Chairperson of the House Election Integrity Committee, you are uniquely positioned to demand answers and compel the Bureau of Elections to:

1. Immediately preserve all election EPB digital lists of voters and related source records (rather than destroy them), and
2. Release the voter lists for both the August 2024 primary and November 2024 general elections in a CSV format, as has been done in past elections by the Benson admin.

The continued stonewalling and planned destruction of records raise serious transparency concerns at a time when public trust in Michigan elections is already fragile. We would be grateful for any assistance you and your committee can provide—whether through a formal records request, a committee inquiry, or direct outreach to Secretary Benson's office. Please let me know how we can support your efforts or provide additional documentation of our unanswered requests.

Thank you for your continued leadership on election integrity.

Respectfully,
Tim Vetter
MFEI-DEEP Lead
C: 248-462-5025
E: TimLovesAnn@gmail.com

--

Take Care,

[Tim Vetter](#)

TimLovesAnn@gmail.com

248-462-5025 (text first to confirm identity)

[Trump-MOST IMPORTANT requirement for our Nation.](#)

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Below are two recent examples, in 2 of 83 counties, which highlight the results of the SOS-BOE's DATA MANIPULATION of our vote history records showing vote history records in locations which did not even have elections last month. See the yellow highlights.

Oakland County December, 2025 SOS-BOE Statewide QVF Voters Who Voted With NO Nov. 2025 ELECTION in their Jurisdiction

county_name	jurisdiction_name	QVF_voters_who_voted	SOVC	DELTA
OAKLAND	SPRINGFIELD TOWNSHIP	12		-12
OAKLAND	FERNDAL CITY	4785	4779	-6
OAKLAND	COMMERCE TOWNSHIP	5		-5
OAKLAND	OAK PARK CITY	4118	4113	-5
OAKLAND	WATERFORD TOWNSHIP	186	181	-5
OAKLAND	FARMINGTON CITY	1846	1842	-4
OAKLAND	OAKLAND CHARTER TOWNSHIP	567	563	-4
OAKLAND	SOUTHFIELD TOWNSHIP	4		-4
OAKLAND	FENTON CITY	3		-3
OAKLAND	HUNTINGTON WOODS CITY	1504	1501	-3
OAKLAND	ROYAL OAK CITY	16062	16059	-3
OAKLAND	ADDISON TOWNSHIP	1467	1466	-1
OAKLAND	HIGHLAND TOWNSHIP	1		-1
OAKLAND	MADISON HEIGHTS CITY	5472	5471	-1
OAKLAND	PLEASANT RIDGE CITY	584	583	-1
OAKLAND	SYLVAN LAKE CITY	325	324	-1
OAKLAND	WHITE LAKE TOWNSHIP	1		-1
OAKLAND	INDEPENDENCE TOWNSHIP	302	302	0

12

Macomb County - 11/4/2025 Election Precincts do not Balance per SOS-BOE Data

county_name	jurisdiction_name	voters_who_voted	SOVC	DELTA
MACOMB	GROSSE POINTE SHORES CITY	22		-22
MACOMB	CLINTON TOWNSHIP	15		-15
MACOMB	SHELBY CHARTER TOWNSHIP	156	142	-14
MACOMB	CHESTERFIELD TOWNSHIP	7		-7
MACOMB	HARRISON TOWNSHIP	4		-4
MACOMB	MACOMB TOWNSHIP	4		-4
MACOMB	CENTER LINE CITY	3		-3
MACOMB	RICHMOND CITY	1,137	1,135	-2
MACOMB	RICHMOND TOWNSHIP	826	824	-2
MACOMB	EASTPOINTE CITY	4,505	4,504	-1
MACOMB	ARMADA TOWNSHIP	74	74	0
MACOMB	LENOX TOWNSHIP	317	317	0
MACOMB	RAY TOWNSHIP	339	339	0
MACOMB	FRASER CITY	2,373	2,374	1
MACOMB	BRUCE TOWNSHIP	1,774	1,776	2
MACOMB	NEW BALTIMORE CITY	2,914	2,917	3
MACOMB	WASHINGTON TOWNSHIP	4,981	4,984	3
MACOMB	STERLING HEIGHTS CITY	18,811	18,816	5
MACOMB	MOUNT CLEMENS CITY	2,625	2,633	8
MACOMB	ROSEVILLE CITY	5,908	5,908	0
MACOMB	ST CLAIR SHORES CITY	13,977	13,994	17
MACOMB	WARREN CITY	19,571	19,600	29
		80,334	80,337	

6 jurisdictions with voters who voted at locations with no elections.

Missing Voters!

The most basic element for data is a vote history record. The most important information needed is BLOCKED so no individual can audit any past election.

What is a Vote History Record?

Query Query History

```
1 SELECT * FROM public.vf_20251001_vh
2 LIMIT 100
3
```

Michigan's Vote History Records from the SOS-BOE

Data Output Messages Notifications

	voter_idenfica bigint	county_ integer	county_name character vary	jurisdic integer	jurisdiction_name character varying	school_ integer	school_ charact	election_date date	is_absentee_voter character varying	CREATED Date?	CREATED BY?
1	6163875	82	WAYNE	80420	TRENTON CITY	33900	TRE...	2024-11-05	[null]		
2	8123103	25	GENESEE	12060	BURTON CITY	4740	BEN...	2015-11-03	[null]		
3	102849310	9	BAY	6020	BAY CITY CITY	4260	BAY...	2012-11-06	[null]		
4	32158002	33	INGHAM	47180	LESLIE CITY	21450	LES...	2021-11-02	[null]		
5	8571003	9	BAY	4080	MURKIN CITY	1260	BAY...	2015-05-05	[null]		
6	5674064	58	MONROE	55020		150	MO...	2020-11-03	[null]		
7	335001381	50	MACOMB	3540		240	AR...	2014-08-05	[null]		
8	1234166	33	INGHAM	40640	INGHAM TOWNSHIP	11400	DAN...	2018-11-06	[null]		
9	830001805	63	OAKLAND	80700	TROY CITY	34260	TRO...	2021-11-02	[null]		
10	103213246	82	WAYNE	74960	SOUTHGATE CIT						
11	5698296	41	KENT	13080	CANNON TOWNS						
12	31026439	63	OAKLAND	70040	ROYAL OAK CITY						

Missing Precinct #

Missing Vote Method (A, EV, ED) or (Y - N)

MISSING Audit Change Logs

Bryanna Vitale <BVitale@house.mi.gov>
To: "T. V." <timlovesann@gmail.com>

Thu, Dec 4, 2025 at 9:32 AM

Good morning Tim,

Thank you for reaching out to our office!

Your request is so reasonable that we have already sent a letter to MDOS requesting those documents back in August. Unsurprisingly, MDOS refused to give us the below information:

1. Identify:

- All databases (including but not limited to the Qualified Voter File ("QVF")) used by the Secretary of State, and/or the Department of State, and/or the Bureau of Elections to manage any aspect of Michigan elections;
- The individual custodian(s) of the databases (including but not limited to the QVF);
- For each identified database, the associated election function(s) and/or information;
- The type of servers used to house each of these databases, including but not limited to the QVF database, as well as the custodians of the servers and the location(s) of the servers;
- By database, all persons and/or vendors who manage and maintain said database(s), including but not limited to the QVF database, for the Department and/or the Bureau of Elections, including but not limited to the code and servers, and for each, please provide the name, title, employer, phone number, and email address for each identified person, primary points of contact, and vendor.

2. Please produce the full, complete, unredacted and unencumbered "read" login access to the complete Qualified Voter File Database and every field, aspect and component of that database, including but not limited to the lists of all voters who voted (in any type of election, including but not limited to primary and general elections) and all of the statewide poll books.

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3. For the period of January 1, 2018 through the present, please produce the full, complete, unencumbered (with complete and unredacted access to every data field of any and every kind) login access to the Qualified Voter File Database Transaction Log (or however such log/ data is described/ styled/ referred to by the Department of State and/or the Bureau of Elections).
4. Please produce the full, complete and unredacted QVF batch file and SQL data export code used to pull all data pulled in response to each and every Freedom of Information Request relating to the Qualified Voter File between January 1, 2019 through the present.
5. For the time period of January 1, 2016 through the present, please produce all contracts/ agreements with all third parties who have write, and/or read and/or ANY access to the Qualified Voter File, including but not limited to Rock the Vote and ERIC.
6. The full, complete, unredacted, QVF as it existed during the following time periods:
 - a. Five days after the 2016 election;
 - b. Five days after the 2018 election;
 - c. Five days after the 2020 election;
 - d. Five days after the 2022 election;
 - e. Five days after the 2024 election.

This wasn't the first time MDOS has refused our legitimate requests. It has been over a year since Rep. Smit requested all clerk election training materials be released to our office – MDOS still hasn't given us what we asked for. I'm sure you already know about that ongoing lawsuit.

In addition, we also sent a request for a declaratory ruling to MDOS about the EPB issue you mentioned above (see attached). We are yet to receive a response. Judging from how they treated our previous requests, it will probably take a long time.

Please know that Rep. Smit will never stop fighting for election integrity. A few weeks ago, she signed onto a letter addressed to AG Bondi, requesting the DOJ perform comprehensive oversight of our 2026 elections. We hope the DOJ will understand the gravity of our situation here in Michigan and will act accordingly.

With Liberty,

Bryanna



Bryanna Vitale

Legislative Director

Speaker Pro Tempore Rachelle Smit

Michigan House of Representatives

District 43

RECEIVED by MCOC 8/12/2026 4:05:48 PM

Main: (517) 373-5007

Email: bvitale@house.mi.gov

H251 Capitol Building

P.O. Box 30014

Lansing, MI 48909

RepSmit.com

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[Quoted text hidden]

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Oakland County December, 2025 SOS- BOE Statewide QVF Voters Who Voted With NO Nov. 2025 ELECTION in their Jurisdiction

county_name	jurisdiction_name	QVF_voters_ who_voted	SOVC	DELTA
OAKLAND	SPRINGFIELD TOWNSHIP	12		-12
OAKLAND	FERNDALE CITY	4785	4779	-6
OAKLAND	COMMERCE TOWNSHIP	5		-5
OAKLAND	OAK PARK CITY	4118	4113	-5
OAKLAND	WATERFORD TOWNSHIP	186	181	-5
OAKLAND	FARMINGTON CITY	1846	1842	-4
OAKLAND	OAKLAND CHARTER TOWNSHIP	567	563	-4
OAKLAND	SOUTHFIELD TOWNSHIP	4		-4
OAKLAND	FENTON CITY	3		-3
OAKLAND	HUNTINGTON WOODS CITY	1504	1501	-3
OAKLAND	ROYAL OAK CITY	16062	16059	-3
OAKLAND	ADDISON TOWNSHIP	1467	1466	-1
OAKLAND	HIGHLAND TOWNSHIP	1		-1
OAKLAND	MADISON HEIGHTS CITY	5472	5471	-1
OAKLAND	PLEASANT RIDGE CITY	584	583	-1
OAKLAND	SYLVAN LAKE CITY	325	324	-1
OAKLAND	WHITE LAKE TOWNSHIP	1		-1
OAKLAND	INDEPENDENCE TOWNSHIP	302	302	0

RECEIVED by MCOC 8/12/2026 4:05:48 PM

Macomb County - 11/4/2025 Election Precincts do not Balance per SOS-BOE Data

county_name	jurisdiction_name	voters_who_voted	SOVC	DELTA
MACOMB	GROSSE POINTE SHORES CITY	22		-22
MACOMB	CLINTON TOWNSHIP	15		-15
MACOMB	SHELBY CHARTER TOWNSHIP	156	142	-14
MACOMB	CHESTERFIELD TOWNSHIP	7		-7
MACOMB	HARRISON TOWNSHIP	4		-4
MACOMB	MACOMB TOWNSHIP	4		-4
MACOMB	CENTER LINE CITY	3		-3
MACOMB	RICHMOND CITY	1,137	1,135	-2
MACOMB	RICHMOND TOWNSHIP	826	824	-2
MACOMB	EASTPOINTE CITY	4,505	4,504	-1
MACOMB	ARMADA TOWNSHIP	74	74	0
MACOMB	LENOX TOWNSHIP	317	317	0
MACOMB	RAY TOWNSHIP	339	339	0
MACOMB	FRASER CITY	2,373	2,374	1
MACOMB	BRUCE TOWNSHIP	1,774	1,776	2
MACOMB	NEW BALTIMORE CITY	2,914	2,917	3
MACOMB	WASHINGTON TOWNSHIP	4,981	4,984	3
MACOMB	STERLING HEIGHTS CITY	18,811	18,816	5
MACOMB	MOUNT CLEMENS CITY	2,625	2,633	8
MACOMB	ROSEVILLE CITY	5,908	5,908	0
MACOMB	ST CLAIR SHORES CITY	13,977	13,994	17
MACOMB	WARREN CITY	19,571	19,600	29
		80,334	80,337	

6 jurisdictions with voters who voted at locations with no elections.

Missing Voters!

The most basic element for data is a vote history record. The most important information needed is BLOCKED so no individual can audit any past election.

What is a Vote History Record?

Query Query History

```
1 SELECT * FROM public.vf_20251001_vh
2 LIMIT 100
3
```

Michigan's Vote History Records from the SOS-BOE

Data Output Messages Notifications

	voter_id	county	county_name	jurisdiction	jurisdiction_name	school	school	election_date	is_absentee_voter	CREATED Date?	CREATED BY?
	bigint	integer	character varying	integer	character varying	integer	character	date	character varying		
1	6163875	82	WAYNE	80420	TRENTON CITY	33900	TRE...	2024-11-05	[null]		
2	8123103	25	GENESEE	12060	BURTON CITY	4740	BEN...	2015-11-03	[null]		
3	102849310	9	BAY	6020	BAY CITY CITY	4260	BAY...	2012-11-06	[null]		
4	32158002	33	INGHAM	47180	LESLIE CITY	21450	LES...	2021-11-02	[null]		
5	8571003	9	BAY	4080	MURPHON CITY	1260	BAY...	2015-05-05	[null]		
6	5674064	58	MONROE	55020		150	MO...	2020-11-03	[null]		
7	335001381	50	MACOMB	3540		240	AR...	2014-08-05	[null]		
8	1234166	33	INGHAM	40640	INGHAM TOWNSHIP	11400	DAN...	2018-11-06	[null]		
9	830001805	63	OAKLAND	80700	TROY CITY	34260	TRO...	2021-11-02	[null]		
10	103213246	82	WAYNE	74960	SOUTHGATE CITY						
11	5698296	41	KENT	13080	CANNON TOWNSHIP						
12	31026439	63	OAKLAND	70040	ROYAL OAK CITY						

Missing Precinct #

Missing Vote Method (A, EV, ED) or (Y - N)

MISSING Audit Change Logs

 RequestForDeclaratoryRuling.pdf
966K

FROM DEMOCRACYDOCKET.COM

EXHIBIT 3

RECEIVED FROM DEMOCRACYDOCKET.COM



ARS - Administrative Rulemaking System

Department of Licensing and Regulatory Affairs

[Home](#) [MI Admin Code](#)

Request For Rulemaking

Rule set #:

2025-14 ST

Department:

State

Bureau:

Elections & Campaign Finance

Title of rule set:

Use of Electronic Pollbook

Rule number(s) or rule set range of numbers:

168.41 – R 168.51

Filing date:

10/23/2025

Effective date:

10/23/2025

Click on the link(s) below to download

Request for Rulemaking  **PDF**  **HTML**

Request for Rulemaking Approved on: 3/6/2025 8:07:21 AM

Draft Rule Language  **Word**

Draft Rule Language Approved on: 5/27/2025 11:09:48 AM

Regulatory Impact Statement  **PDF**  **HTML**

Regulatory Impact Statement Received on: 4/28/2025 6:05:11 PM

Regulatory Impact Statement Approved on: 5/14/2025 2:56:33 PM

Notice of Public Hearing  **PDF**  **HTML**

Notice of Public Hearing Approved on: 5/27/2025 11:09:48 AM

RECEIVED by MCOC 8/12/2026 4:05:48 PM

Final Strike Bold Rule Language Word

Final Rule Strike Bold Approved on: 10/23/2025 10:51:56 AM

Final Rule Language PDF HTML

Final Rule Language Approved on: 10/23/2025 10:51:56 AM

Joint Committee on Administrative Rules Report PDF HTML

Joint Committee on Administrative Rules Report Approved on: 7/28/2025 9:22:39 AM

Joint Committee on Administrative Rules Package Comments PDF HTML

Joint Committee on Administrative Rules Package Comments Approved on: 7/28/2025 9:22:39 AM

Joint Committee on Administrative Rules Package Transcript PDF HTML

Joint Committee on Administrative Rules Package Transcript Approved on: 7/28/2025 9:22:39 AM

Joint Committee on Administrative Rules Report Affidavit PDF HTML

Joint Committee on Administrative Rules Package Affidavit Approved on: 7/28/2025 9:22:39 AM

EXHIBIT 4

RECEIVED FROM DEMOCRACYDOCKET.COM



August – November 2026 Election Dates

August 4, 2026 – Primary

November 3, 2026 – General Election

Refer to Michigan Compiled Laws (MCL) for cited provisions (Legislature.mi.gov). Dates are subject to change through legislative action. If any errors are found, it is the law itself which must be followed.)

Date	Time	Description	Citation
Tuesday, Jan. 6, 2026		City and township election commissions finalize precinct boundaries for 2026 election cycle.	168.661
Thursday, Feb. 5, 2026		Last day precinct boundary alterations made for 2026 election cycle can go into effect.	168.661
Monday, March 2, 2026		Deadline for Democratic and Republican state party chairpersons to notify county and district committee chairs of county convention delegate (precinct delegate) allocation requirements.	168.623a
Monday, March 2, 2026		Each county clerk must inform all local clerks within their county whether they will offer county-run early voting.	168.720d
Monday, March 9, 2026		Each local clerk must inform the county clerk whether they are entering into a county or municipal early voting agreement or if they will conduct early voting as a single municipality.	168.720d
Monday, March 23, 2026	5 p.m.	Deadline for incumbent Appeals Court, Circuit Court, District Court, and Probate Court judges to file Affidavit of Identity and Affidavit of Candidacy for the August Primary. Withdrawal deadline elapses at 5 p.m. on March 26.	168.413a, et. al.



Wednesday, April 1, 2026		All early voting agreements must be signed by all participating clerks.	168.720d
Wednesday, April 1, 2026		Deadline for county/district political party chairpersons to certify number of delegates per precinct to county election commissions.	168.623a
Monday, April 6, 2026		All early voting plans must be filed with the county clerk.	168.720h
Thursday, April 16, 2026		County clerks must submit a countywide early voting (summary) plan to the Secretary of State.	168.720h
Tuesday, April 21, 2026	4 p.m.	Deadline for candidates seeking Appeals Court, Circuit Court, District Court, or Probate Court judgeships to file nonpartisan nominating petitions, and Affidavit of Identity and Affidavit of Constitutional Qualification for the August Primary. Withdrawal deadline elapses at 5 p.m. on April 24.	168.413, et. al.
Tuesday, April 21, 2026	4 p.m.	Nominating petitions (or \$100 if applicable) and Affidavits of Identity for partisan and nonpartisan candidates due. Withdrawal deadline elapses at 4 p.m. on April 24.	168.133, et. al.
Tuesday, April 21, 2026	4 p.m.	Deadline for candidates seeking a Wayne County Community College Trustee position to file an Affidavit of Identity and a nonpartisan nominating petition. Withdrawal deadline elapses at 4 p.m. on April 24.	389.83; 389.153
Friday, April 24, 2026	4 p.m.	Written withdrawal requests for partisan and nonpartisan candidates due.	168.134, et. al.
Monday, April 27, 2026		Deadline for township clerk to forward names and addresses of partisan candidates to county clerk.	168.349
Monday, April 27, 2026		Deadline for city clerk to forward names and addresses of partisan and nonpartisan candidates to county clerk.	168.321



Tuesday, April 28, 2026		Deadline for challenges against nominating petitions or Affidavits of Identity filed by partisan and nonpartisan candidates to be submitted to filing official.	168.552
Tuesday, April 28, 2026		Deadline for petitions to place county or local ballot question on the August Primary ballot to be filed with the applicable local or county clerk.	168.646a
Friday, May 1, 2026		Deadline for a recall petition to be filed for August Election. (Does not apply for local offices.)	168.963
Tuesday, May 5, 2026	4 p.m.	Deadline for candidates for county convention delegate (precinct delegate) to file an Affidavit of Identity for the August Primary. Filing submitted to the clerk of the county in which candidate resides. Withdrawal deadline elapses at 4 p.m. on May 8.	168.624
Wednesday, May 6, 2026		Early voting configuration sets for tabulators must be selected.	168.720j
Wednesday, May 6, 2026		A city or township that establishes an Election Day vote center for the August Primary must inform applicable county clerk.	168.523b
Tuesday, May 12, 2026	4 p.m.	Deadline for ballot wording of local proposals qualified to appear on August Primary ballot to be certified to local or county clerks.	168.646a
Thursday, May 14, 2026		Deadline for local clerks receiving ballot wording to forward to county clerk.	168.646a
Thursday, May 21, 2026		Beginning of period for regular inspection of AV drop boxes to ensure compliance with requirements.	168.761d
Thursday, May 21, 2026		Beginning of period for required video monitoring of AV drop boxes (this requirement now applies to all drop boxes, regardless of	168.761d



		when they were purchased or installed).	
Wednesday, May 27, 2026		Deadline for petitions to place a legislative initiative proposal on the November General Election ballot to be filed with the Secretary of State.	168.471
Monday, June 1, 2026		Deadline for boards of county canvassers to inspect all ballot containers used in elections in the county.	168.24j
Tuesday, June 2, 2026		Deadline for Board of State Canvassers to complete canvass of nominating petitions filed by candidates for the August Primary.	168.552
Friday, June 5, 2026		Secretary of State certifies candidates eligible to appear on August Primary ballot to county election commissions.	168.552
Friday, June 5, 2026		Final day for Democratic and Republican Parties to call fall state conventions.	168.591
Friday, June 5, 2026		Final day for cities and townships to establish, move, or abolish a polling place for the August Primary. Beginning of period during which local legislative body or board of county election commissioners may not establish, move, or abolish a polling place, early voting site, or central polling place, unless damaged, destroyed or rendered inaccessible or unusable.	168.662
Friday, June 5, 2026		Deadline for ballot wording for constitutional amendments and legislative referendums, which the legislature wishes to place on the August Primary ballot, to be presented to Secretary of State.	Mich. Const. Art XII Sec 1
Friday, June 5, 2026		Local clerk must inform applicable county clerk that absent voter counting board has been authorized by local board of election commissioners.	168.764d



Friday, June 5, 2026		Location of each early voting site must be finalized.	168.720i
Monday, June 8, 2026		Last date a city or township can withdraw from an early voting agreement.	168.720f; 168.720g
Saturday, June 20, 2026		Beginning of period during which clerk must make reasonable effort to verify or reject AV ballot application or AV ballot return envelope by the end of the business day after the application or envelope is received.	168.766b
Saturday, June 20, 2026		County clerk must provide each municipal clerk or early voting coordinator with programming for electronic voting equipment and ballots used for testing at early voting site.	168.720j
Saturday, June 20, 2026		Deadline for clerks to electronically transmit or mail (as requested) an absent voter ballot to each absent military or overseas voter who applied for an absent voter ballot 45 days or more before the election (MOVE deadline).	168.759a; Mich. Const. Art II Sec 4
Saturday, June 20, 2026		Deadline for county clerks to deliver absent voter ballots for the August Primary to local clerks.	168.714
Saturday, June 20, 2026		Final day for county committees of Democratic and Republican Parties to call county conventions.	168.592
Saturday, June 20, 2026		Notice of polling place or early voting site must be provided for sites newly established or changed by 60 days before Election Day.	168.662
Thursday, June 25, 2026		Absent voter ballots must be available for issuance to voters.	Mich. Const. Art II Sec 4
Thursday, June 25, 2026		Absent voter ballot drop-boxes must be accessible to voters 24 hours a day beginning this day.	Mich. Const. Art II Sec 4



Tuesday, June 30, 2026		Beginning of period of required daily collection of election materials from AV drop boxes on each day clerk's office is open.	168.761d
Friday, July 3, 2026		Beginning of period during which county clerks must update Qualified Voter File to cancel registration of individuals over 17.5 years of age who have died in the county each Friday by the close of business.	168.510(6)
Monday, July 6, 2026	5 p.m.	Deadline for incumbent Supreme Court Justices to file Affidavit of Identity and Affidavit of Candidacy for the November General Election.	168.392a ; 168.558
Monday, July 6, 2026		Deadline for notice of early voting site to be provided when temporary changes needed to early voting site. (If starting early voting before required date, deadline is 21 days before start of early voting.)	168.662
Monday, July 6, 2026		Optional early voting may begin.	168.720e
Monday, July 6, 2026		Deadline for notice of days and hours for voter registration at clerk's office to be published in the newspaper. If considered advisable by the township or city clerk, notice may also be posted in at least two conspicuous places in each precinct. Notice must include offices and proposals that will be on the ballot.	168.498
Monday, July 6, 2026		Deadline for clerk to post and enter into QVF the hours the clerk's office will be open on the Saturday or Sunday or both immediately before the election to issue and receive absent voter ballots.	168.761b
Monday, July 6, 2026		Deadline for clerk to post and enter into QVF any additional locations and hours that the clerk will be available to issue and receive absent voter ballots, if applicable.	168.761b



Monday, July 6, 2026		Deadline for petitions to place a proposed constitutional amendment on the November General Election ballot to be filed with the Secretary of State.	168.471
Tuesday, July 7, 2026		Clerks intending to process or tabulate AV ballots before Election Day must submit written notice to the Secretary of State (if notice is not submitted by this date, tabulation before Election Day is not permitted) .	168.765a
Tuesday, July 14, 2026		Deadline for precinct inspectors for the election to be appointed by local election commission.	168.674
Tuesday, July 14, 2026		Deadline for notice of polling place to be provided when temporary changes needed to polling place location.	168.662
Thursday, July 16, 2026	4 p.m.	Deadline for district library board candidates for districts that do not include a school district to file an Affidavit of Identity and a nonpartisan nominating petition. (A \$100.00 nonrefundable fee may be filed in lieu of a petition.) Withdrawal deadline elapses at 4 p.m. on July 20. (Special note: If district library includes a school district, district library board candidates must file by 4 p.m. on Aug. 11.)	397.181
Thursday, July 16, 2026	4 p.m.	Deadline for candidates without political party affiliation seeking partisan offices to file qualifying petitions and Affidavit of Identity for the November General Election. Withdrawal deadline elapses at 4 p.m. on July 20.	168.590c
Thursday, July 16, 2026	4 p.m.	Deadline for new political parties to file petitions to qualify for November General Election ballot.	168.685
Friday, July 17, 2026		Deadline to post notice on website (if available) and in clerk's office of the location, dates, hours, and number	168.765a



		of election inspectors for AV counting place if processing and tabulating AV ballots before Election Day.	
Monday, July 20, 2026		Deadline for public logic and accuracy test of early voting equipment to be conducted by applicable election commission. (If starting early voting before required date, deadline is five days before start of early voting.) Notice of accuracy test must be published at least 48 hours before test.	168.720j ; R 168.778 ; 168.798
Monday, July 20, 2026		Beginning of period during which county clerks must update Qualified Voter File to cancel registration of individuals over 17.5 years of age who have died in the county each business day by the close of business.	168.510(7)
Monday, July 20, 2026		Deadline to register by mail or online and be eligible to vote in the August Election.	168.497
Tuesday, July 21, 2026		Registration must be done in person with local clerk with proof of residency between this date and Election Day.	168.497
Tuesday, July 21, 2026	4 p.m.	Deadline for candidates for local school board and community college trustee to file an Affidavit of Identity and a nonpartisan nominating petition. (A \$100.00 nonrefundable fee may be filed in lieu of a petition.) Withdrawal deadline elapses at 4 p.m. on July 24.	168.303
Tuesday, July 21, 2026	4 p.m.	Deadline for city candidates who are nominated by petition to the General Election to file an Affidavit of Identity and nonpartisan nominating petition (or \$100 if applicable). Withdrawal deadline elapses at 4 p.m. on July 24.	168.646a
Tuesday, July 21, 2026	4 p.m.	Deadline for candidates for village offices to file an Affidavit of Identity and a nonpartisan nominating	168.381



		petition. Withdrawal deadline elapses at 4 p.m. on July 24.	
Thursday, July 23, 2026		Deadline for challenges against qualifying petitions or Affidavits of Identity filed by candidates without political party affiliation to be submitted to filing official.	168.552
Friday, July 24, 2026		Deadline for clerks processing and tabulating AV ballots before Election Day to post revised notice of location, dates, hours, or number of election inspectors if needed.	168.765a
Friday, July 24, 2026	4 p.m.	Write-in candidates' Declaration of Intent for August Primary due to respective filing official.	168.737a
Friday, July 24, 2026	5 p.m.	Deadline for electors to submit a written request to spoil their absent voter ballot and receive a new absent voter ballot by mail.	168.765b(1)
Friday, July 24, 2026	5 p.m.	Deadline for electors who have returned their absent voter ballot to submit a written request in person to spoil their absent voter ballot and receive a new absent voter ballot in the clerk's office.	168.765b(3)
Saturday, July 25, 2026		Deadline for county clerks to deliver remainder of ballots and election supplies for August Primary to local clerks.	168.714
Saturday, July 25, 2026		First day of mandatory early voting.	Mich. Const. Art II Sec 4
Monday, July 27, 2026		Cities or townships with a population of at least 5,000 with an established absent voter counting board, which have provided timely notice that they will preprocess and tabulate AV ballots, may begin processing and tabulating AV ballots.	168.765a
Tuesday, July 28, 2026		Deadline to publish notice of election. One notice required.	168.653a



Tuesday, July 28, 2026		Deadline for petitions to place county or local ballot question on the November ballot to be filed with the applicable local or county clerk.	168.646a
Thursday, July 30, 2026		Deadline for public accuracy test of Election Day equipment to be conducted by local election commission. Notice of accuracy test must be published at least 48 hours before test.	168.798 ; R 168.778
Thursday, July 30, 2026		Beginning of period when clerk must verify or reject AV ballot application or AV ballot return envelope by the end of the calendar day the application or envelope is received.	168.766b
Friday, July 31, 2026		Deadline for a recall petition to be filed for November election. (Local officials only face recall in May and November.)	168.963
Friday, July 31, 2026		Municipal clerk must post on website the location where precinct canvass of early votes for the municipality will take place and time precinct canvass will begin. (Canvass cannot begin before 8 p.m. on Election Day.)	168.720j
Friday, July 31, 2026		Eligible city or township that establishes Election Day vote center must post notice of establishment and location of vote center on website and in clerk's office.	168.523b
Friday, July 31, 2026	4 p.m.	Deadline for write-in candidates who seek precinct delegate positions to file Declaration of Intent with the county clerk for the August Primary. (As an alternative, candidates for precinct delegate may file form with appropriate precinct board on Election Day before the close of the polls.)	168.737a
Friday, July 31, 2026	4 p.m.	Deadline for an applicant to cure a signature deficiency on the application to receive an AV ballot by First Class mail.	168.761



Friday, July 31, 2026	5 p.m.	Deadline for clerks to send an absent voter ballot via First Class mail.	168.761
Friday, July 31, 2026	5 p.m.	Deadline for electors who have lost their absentee ballot or not yet received their ballot in the mail to submit a written request to spoil their absent voter ballot and receive a new absent voter ballot in the clerk's office or by mail.	168.765b(5)
Saturday, Aug. 1, 2026	2 p.m.	Deadline for military or overseas voter to submit an absent voter ballot application.	168.759a(10)
Sunday, Aug. 2, 2026		Last day of mandatory early voting period. (Early voting optionally may be held on the Monday before Election Day until 4 p.m.)	Mich. Const. Art II Sec 4
Monday, Aug. 3, 2026		Any city or township with an established absent voter counting board, which has provided timely notice that they will preprocess and tabulate AV ballots, may begin processing and tabulating AV ballots.	168.765a
Monday, Aug. 3, 2026	4 p.m.	Deadline for electors who have lost their absentee ballot or not yet received their ballot in the mail to submit a written request to spoil their absent voter ballot and receive a new absent voter ballot in the clerk's office.	168.765b(7)
Monday, Aug. 3, 2026	4 p.m.	Deadline for a registered voter to apply for an AV ballot in person at the clerk's office.	168.759
Tuesday, Aug. 4, 2026	7 a.m. until 8 p.m.	Election Day	168.641
Tuesday, Aug. 4, 2026		Election Day registrants may obtain and vote an absent voter ballot in person in clerk's office or vote in person in the proper precinct.	168.761
Tuesday, Aug. 4, 2026		Deadline for minor parties to hold county caucuses; notify county clerk	168.686a



		of nominated candidates within one business day after caucus.	
Tuesday, Aug. 4, 2026		Deadline for minor parties to hold state conventions; notify Secretary of State of nominated candidates within one business day after convention.	168.686a
Tuesday, Aug. 4, 2026	4 p.m.	Deadline for emergency absentee voting. (Begins Friday at 5 p.m.)	168.759b
Wednesday, Aug. 5, 2026		Early voting configuration sets for tabulators for November Election must be selected.	168.720j
Wednesday, Aug. 5, 2026		A city or township that establishes an Election Day vote center for the November General Election must inform applicable county clerk.	168.523b
Thursday, Aug. 6, 2026	9 a.m.	Deadline for boards of county canvassers to meet to canvass election.	168.821
Friday, Aug. 7, 2026	5 p.m.	Deadline for voter to cure the signature on AV ballot return envelope, allowing an otherwise valid ballot to be accepted for tabulation.	168.766
Monday, Aug. 10, 2026		Deadline for a ballot submitted by a MOVE voter and postmarked on or before Election Day to be deemed timely received and counted.	Mich. Const. Art II Sec 4
Tuesday, Aug. 11, 2026		Deadline for county clerks to notify precinct delegates elected at August Primary; certify delegate names and addresses to chairpersons of county committees.	168.608
Tuesday, Aug. 11, 2026		Deadline for local clerk to deliver MOVE ballots received within 6 days of Election Day to the county clerk.	168.759a
Tuesday, Aug. 11, 2026	4 p.m.	Deadline for ballot wording of local proposals qualified to appear on November ballot to be certified to local or county clerks.	168.646a



Tuesday, Aug. 11, 2026	4 p.m.	Deadline for district library board candidates (for library districts that include a school district) to file an Affidavit of Identity and a nominating petition. (A \$100.00 nonrefundable fee may be filed in lieu of a petition.) Withdrawal deadline elapses at 4 p.m. on Aug. 14. (Special note: If district library does not include a school district, district library board candidates file by 4 p.m. on July 16.)	397.181
Thursday, Aug. 13, 2026		Deadline for local clerks receiving ballot wording to forward to county clerk.	168.646a
Tuesday, Aug. 18, 2026		Deadline for boards of county canvassers to complete canvass of August Primary; county clerks forward results to Secretary of State within 24 hours.	168.822
Thursday, Aug. 20, 2026		Beginning of period for regular inspection of AV drop boxes to ensure compliance with requirements.	168.761d
Thursday, Aug. 20, 2026		Beginning of period for required video monitoring of AV drop boxes (this requirement now applies to all drop boxes, regardless of when they were purchased or installed).	168.761d
Monday, Aug. 24, 2026		Deadline for Board of State Canvassers to meet to canvass August Primary.	168.581
Saturday, Aug. 29, 2026		Deadline for Democratic and Republican parties to hold fall county conventions.	168.592
Friday, Sept. 4, 2026		Certification of 100-word statement of proposed ballot amendment or question due.	168.32
Friday, Sept. 4, 2026		Deadline for Democratic and Republican parties to hold fall state conventions.	168.591



Friday, Sept. 4, 2026		Deadline for cities and townships to establish, move, or abolish a polling place for the November General Election. Beginning of period during which local legislative body or board of county election commissioners may not establish, move, or abolish a polling place, early voting site, or central polling place, unless damaged, destroyed or rendered inaccessible or unusable.	168.662
Friday, Sept. 4, 2026		Deadline for ballot wording for constitutional amendments and legislative referendums, which the legislature wishes to place on the November General Election ballot, to be presented to Secretary of State.	Mich. Const. Art XII Sec 1
Friday, Sept. 4, 2026		Local clerk must inform applicable county clerk that absent voter counting board has been authorized by local board of election commissioners.	168.764d
Friday, Sept. 4, 2026		Location of each early voting site must be finalized.	168.720i
Saturday, Sept. 19, 2026		Beginning of period during which clerk must make reasonable effort to verify or reject AV ballot application or AV ballot return envelope by the end of the business day after the application or envelope is received.	168.766b
Saturday, Sept. 19, 2026		County clerk must provide each municipal clerk or early voting coordinator with programming for electronic voting equipment and ballots used for testing at early voting site.	168.720j
Saturday, Sept. 19, 2026		Deadline for clerks to electronically transmit or mail (as requested) an absent voter ballot to each absent military or overseas voter who applied for an absent voter ballot 45 days or more before the election (MOVE deadline).	168.759a; Mich. Const. Art II Sec 4



Saturday, Sept. 19, 2026		Deadline for county clerks to deliver absent voter ballots for November General Election to local clerks.	168.714
Saturday, Sept. 19, 2026		Notice of polling place or early voting site must be provided for sites newly established or changed by 60 days before Election Day.	168.662
Thursday, Sept. 24, 2026		Absent voter ballots must be available for issuance to voters.	Mich. Const. Art II Sec 4
Thursday, Sept. 24, 2026		Beginning of period secure drop boxes must be accessible 24 hours each day (until 8:00 p.m. on Election Day).	Mich. Const. Art II Sec 4
Tuesday, Sept. 29, 2026		Beginning of period of required daily collection of election materials from AV drop boxes on each day clerk's office is open.	168.761d
Friday, Oct. 2, 2026		Beginning of period during which county clerks must update Qualified Voter File to cancel registration of individuals over 17.5 years of age who have died in the county each Friday by the close of business.	168.510(6)
Monday, Oct. 5, 2026		Deadline for notice of early voting site to be provided when temporary changes needed to early voting site. (If starting early voting before required date, deadline is 21 days before start of early voting.)	168.662
Monday, Oct. 5, 2026		Optional early voting may begin.	168.720e
Monday, Oct. 5, 2026		Deadline for notice of days and hours for voter registration at clerk's office to be published in the newspaper. If considered advisable by the township or city clerk, notice may also be posted in at least two conspicuous places in each precinct. Notice must include offices and proposals that will be on the ballot.	168.498



Monday, Oct. 5, 2026		Deadline for clerk to post and enter into QVF the hours the clerk's office will be open on the Saturday or Sunday or both immediately before the election to issue and receive absent voter ballots.	168.761b
Monday, Oct. 5, 2026		Deadline for clerk to post and enter into QVF any additional locations and hours that clerk will be available to issue and receive absent voter ballots, if applicable.	168.761b
Tuesday, Oct. 6, 2026		Clerks intending to process or tabulate AV ballots before Election Day must submit written notice to the Secretary of State (if notice is not submitted by this date, tabulation before Election Day is not permitted).	168.765a
Tuesday, Oct. 13, 2026		Deadline for precinct inspectors for the election to be appointed by local election commission.	168.674
Tuesday, Oct. 13, 2026		Deadline for notice of polling place to be provided when temporary changes needed to polling place location.	168.662
Friday, Oct. 16, 2026		Deadline to post notice on website (if available) and in clerk's office of the location, dates, hours, and number of election inspectors for AV counting place if processing and tabulating AV ballots before Election Day.	168.765a
Monday, Oct. 19, 2026		Beginning of period during which county clerks must update Qualified Voter File to cancel registration of individuals over 17.5 years of age who have died in the county each business day by the close of business.	168.510(7)
Monday, Oct. 19, 2026		Deadline for public logic and accuracy test of early voting equipment to be conducted by applicable election commission. (If starting early voting before required date, deadline shifts back to five days before start of early voting.)	168.720j ; R 168.778 ; 168.798



		Notice of accuracy test must be published at least 48 hours before test.	
Monday, Oct. 19, 2026		Deadline to register by mail or online and be eligible to vote for the November Election.	168.497
Tuesday, Oct. 20, 2026		Registration must be done in person with local clerk with proof of residency between this date and Election Day.	168.497
Friday, Oct. 23, 2026	4 p.m.	Write-in candidates' Declaration of Intent for the November General Election due to respective filing official.	168.737a
Friday, Oct. 23, 2026	5 p.m.	Deadline for electors to submit a written request to spoil their absent voter ballot and receive a new absent voter ballot by mail.	168.765b(1)
Friday, Oct. 23, 2026	5 p.m.	Deadline for electors who have returned their absent voter ballot to submit a written request in person to spoil their absent voter ballot and receive a new absent voter ballot in the clerk's office.	168.765b(3)
Friday, Oct. 23, 2026		Deadline for clerks processing and tabulating AV ballots before Election Day to post revised notice of location, dates, hours, or number of election inspectors if needed.	168.765a
Saturday, Oct. 24, 2026		First day of mandatory early voting.	Mich. Const. Art II Sec 4
Saturday, Oct. 24, 2026		Deadline for county clerks to deliver remainder of ballots and election supplies to local clerks.	168.714
Monday, Oct. 26, 2026		Cities or townships with a population of at least 5,000 with an established absent voter counting board, which have provided timely notice that they will preprocess and tabulate AV ballots, may begin processing and tabulating AV ballots.	168.765a



Tuesday, Oct. 27, 2026		Deadline to publish notice of election. One notice required.	168.653a
Thursday, Oct. 29, 2026		Deadline for public accuracy test of Election Day equipment to be conducted by local election commission. Notice of accuracy test must be published at least 48 hours before test.	168.798 ; R 168.778
Thursday, Oct. 29, 2026		Beginning of period when clerk must verify or reject AV ballot application or AV ballot return envelope by the end of the calendar day the application or envelope is received.	168.766b
Friday, Oct. 30, 2026		Municipal clerk must post on website the location where precinct canvass of early votes for the municipality will take place and time precinct canvass will begin. (Canvass cannot begin before 8 p.m. on Election Day.)	168.720j
Friday, Oct. 30, 2026		Eligible city or township that establishes Election Day vote center must post notice of establishment and location of vote center on website and in clerk's office.	168.523b
Friday, Oct. 30, 2026	4 p.m.	Deadline for an applicant to cure a signature deficiency on the application to receive an AV ballot by First Class mail.	168.761
Friday, Oct. 30, 2026	5 p.m.	Deadline for clerks to send an absent voter ballot via First Class mail.	168.761
Friday, Oct. 30, 2026	5 p.m.	Deadline for electors who have lost their absentee ballot or not yet received their ballot in the mail to submit a written request to spoil their absent voter ballot and receive a new absent voter ballot in the clerk's office or by mail.	168.765b(5)
Saturday, Oct. 31, 2026	2 p.m.	Deadline for military or overseas voter to submit an absent voter ballot application.	168.759a(10)



Sunday, Nov. 1, 2026		Last day of mandatory early voting period. (Early voting optionally may be held on the Monday before Election Day until 4 p.m.)	Mich. Const. Art II Sec 4
Monday, Nov. 2, 2026		Any city or township with an established absent voter counting board which has provided timely notice that they will preprocess and tabulate AV ballots, may begin processing and tabulating AV ballots.	168.765a
Monday, Nov. 2, 2026	4 p.m.	Deadline for electors who have lost their absentee ballot or not yet received their ballot in the mail to submit a written request to spoil their absent voter ballot and receive a new absent voter ballot in the clerk's office.	168.765b(7)
Monday, Nov. 2, 2026	4 p.m.	Deadline for a registered voter to apply for an AV ballot in person at the clerk's office.	168.759
Tuesday, Nov. 3, 2026	7 a.m. until 8 p.m.	Election Day	168.641
Tuesday, Nov. 3, 2026		Election Day registrants may obtain and vote an absent voter ballot in person in clerk's office or vote in person in the proper precinct.	168.761
Tuesday, Nov. 3, 2026	4 p.m.	Deadline for emergency absentee voting. (Begins Friday at 5 p.m.)	168.759b
Thursday, Nov. 5, 2026	9 a.m.	Deadline for boards of county canvassers to meet to canvass election.	168.821
Friday, Nov. 6, 2026	5 p.m.	Deadline for voter to cure the signature on AV ballot return envelope, allowing an otherwise valid ballot to be accepted for tabulation.	168.766
Monday, Nov. 9, 2026		Deadline for a ballot submitted by a MOVE voter and postmarked on or before Election Day to be deemed timely received and counted.	Mich. Const. Art II Sec 4



Tuesday, Nov. 10, 2026		Deadline for local clerk to deliver MOVE ballots received within 6 days of Election Day to the county clerk.	168.759a
Tuesday, Nov. 17, 2026		Deadline for boards of county canvassers to complete canvass of November General Election; county clerks forward results to Secretary of State within 24 hours.	168.822 ; 168.828
Monday, Nov. 23, 2026		Deadline for Board of State Canvassers to meet to canvass November General Election.	168.842

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Election Officials Manual

Chapter 13: Closing the Polls and the Precinct Canvass

July 2024

INSTRUCTIONS PROVIDED BY THE MICHIGAN BUREAU OF ELECTIONS
RICHARD H. AUSTIN BUILDING • 1ST FLOOR • 430 W. ALLEGAN • LANSING, MICHIGAN 48918
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I. Introduction

This chapter explains the process election inspectors should follow to close the polls during early voting, as well as to close their precinct and canvass the election results after voting is complete on Election Day. Questions about the content of this chapter should be directed to Elections@Michigan.gov.

II. Closing the polls

Voters waiting in line at the close of polls must be allowed to vote

The polls close at 8 p.m. on Election Day. At 8 p.m., the precinct chairperson should announce the closing of the polls by loudly declaring, "The polls are now closed." No voter should be allowed to join a line to vote after the close of polls, but **every voter in line at 8 p.m. must be allowed to vote**. No matter the length of the line, a polling place must continue to operate until every voter who was in line at 8 p.m. has successfully cast their ballot. Voters at clerk's offices and Election Day vote centers in line to register to vote by 8 p.m. must also be allowed to both register and vote.

Public access to polling place after close of polls

The doors to the polling place must remain unlocked after the close of polls. Members of the public, including challengers and poll watchers, have a right to be present in the polling place to observe the precinct canvass process after the close of polls and after every voter in line at 8 p.m. has cast a ballot. Challengers, poll watchers, and anyone else present in the polling place after the close of polls may not touch any election-related materials or interfere in any way with election inspectors conducting the precinct canvass. Challengers and poll watchers continue to be bound by the instructions laid out in *The Appointment, Rights, and Duties of Election Challengers and Poll Watchers*.¹ A challenger, poll watcher, or member of the public who disrupts the precinct canvass is subject to ejection from the polling place.

¹ Available at https://www.michigan.gov/sos/-/media/Project/Websites/sos/01vanderroest/SOS_ED_2_CHALLENGERS.pdf.



As soon as the election inspectors have determined the precinct's vote totals after completion of the canvass, the results must be made available to any person present in the polling place who requests to view the results.

III. Procedures for closing the polls on Election Day

After every voter in line at 8 p.m. has successfully cast their ballot, election inspectors should begin closing the polls. For ease of use, the poll closure procedure has been broken down into the following steps:

1. If absent voter ballots were tabulated at the polling place on Election Day, election inspectors should contact their clerk to ensure all absent voter ballots received by the clerk prior to 8 p.m. on Election Day have been delivered to the polling place for tabulation. Election inspectors should then verify that all absent voter ballots present at the polling place have been tabulated. If absent voter ballots were not tabulated at the polling place on Election Day, this step can be skipped.
2. Election inspectors should check the tabulator's auxiliary bins for any ballots requiring duplication. The instructions for duplication are provided in the *Duplicating ballots* section of *Chapter 8: Absent Voter Ballot Processing on Election Day*.
3. Election inspectors should verify that the number of ballots tabulated in the precinct equals the number of voters who appeared to vote. If the number of ballots tabulated does not equal the number of voters who appeared to vote, the election inspectors should attempt to reconcile the difference using the instructions provided below in the *Reconciling the precinct* section of this chapter. If the number of ballots tabulated equals the number of voters who appeared to vote, or if the difference has been successfully reconciled and explained, the election inspectors should complete the *Certificate of Election Inspectors* in the pollbook.

CERTIFICATE OF ELECTION INSPECTORS	
WE CERTIFY THE FOLLOWING:	
☒ AT THE CLOSE OF THE POLLS (Except as noted on the Remarks Page of this Poll Book)	
☒ The number of voters according to this Poll Book is (include absent voter ballots if processed in precinct):.....	308
☒ The number of ballots tabulated is:.....	308



4. Election inspectors should print at least three copies of the totals tapes from the tabulator.
5. Election inspectors should verify that all write-in votes have been recorded in the pollbook and that write-in vote totals have been recorded in the *Statement of Votes*. For instructions on recording write-in votes and write-in vote totals, see the section *Recording write-in votes* in *Chapter 4: Write-in Candidates*.
6. Election inspectors should verify that any provisional envelope ballots that were issued during Election Day are properly recorded, identified, and sealed in the provisional ballot form envelope.
7. Election inspectors should verify that a copy of the totals tape printed by the tabulator is attached to each copy of the *Statement of Votes*.
8. The election inspector who operated the electronic pollbook (EPB) during Election Day should complete the ballot summary in the EPB.

The screenshot shows the 'Ballot Summary Report' form. It includes a menu on the left with items: Property, Set Address, Help, Remarks, List of Voters, Ballot Summary, Defective Un-Processed, and Activity Log Report. The main form is divided into sections: 'NUMBER OF BALLOTS DELIVERED TO PRECINCT' (A), 'NUMBER OF BALLOTS AT CLOSE OF POLLS' (D, E, F, G, H, I), and 'NUMBER OF UNUSED BALLOTS' (J). Section A has a table with columns: Style, Starting No, Ending No, Count, and a Delete button. It shows a row with Style 00000001, Starting No 00000200, and Count 200. Section D has a table with columns: Number of ballots tabulated (Enter Tabulator Public Counter reading), and a Total field. It shows a row with 15 and a Total of 202. Section E has a table with columns: Number of AV ballot envelopes delivered to precinct which did not contain a ballot or were not processed for any reason, and a Total field. It shows a row with 0 and a Total of 202. Section F has a table with columns: Number of ballots returned to voters who spoiled their ballot at the polling place (spoiled or defective ballots), and a Total field. It shows a row with 2 and a Total of 202. Section G has a table with columns: Number of ballots rejected, and a Total field. It shows a row with 0 and a Total of 202. Section H has a table with columns: Number of ballots used by election inspectors for ballot duplication, and a Total field. It shows a row with 0 and a Total of 202. Section I has a table with columns: Number of PROVISIONAL "envelope" ballots issued, and a Total field. It shows a row with 1 and a Total of 202. Section J has a table with columns: Style, Starting No, Ending No, Count, and a Delete button. It shows a row with Style 00000017, Starting No 00000200, and Count 184. Section K has a table with columns: Number of UNUSED BALLOTS, and a Total field. It shows a row with 184 and a Total of 202. Section L has a table with columns: Difference, and a Total field. It shows a row with 0 and a Total of 202. The form is titled 'Ballot Summary Report' and has a 'Close' button in the top right corner. There are numbered callouts 1 through 9 pointing to various fields and buttons on the form.



12. Election inspectors should prepare the reporting envelopes as follows:

a. **Envelope 1 – County clerk’s envelope:** This envelope should contain the following:

- One copy of the pollbook
- One copy of the *Statement of Votes* (including an attached totals tape printed by the tabulator)
- One copy of any write-in precinct delegates’ *Declarations of Intent* filed at the polling place on Election Day

b. **Envelope 2 – Board of county canvassers envelope:** This envelope should contain the following:

- One copy of the *Statement of Votes* (including an attached totals tape printed by the tabulator)

c. **Envelope 3 – Local clerk’s envelope:** This envelope should contain the following:

- One copy of the *Statement of Votes* (including an attached totals tape printed by the tabulator)
- The VAT test ballot
- All completed *Applications to Vote*, secured in order on the provided spindle
- Any Election Day change of address/authorization to transfer voting registration forms completed at the polling place on Election Day
- Any paper notes regarding Election Day
- One copy of any write-in precinct delegates’ *Declarations of Intent* filed at the polling place on Election Day; and
- The QVF precinct list, if the QVF precinct list was used at the polling place on Election Day

d. **Absent voter envelope:** The envelope should include:

- Absent voter ballots surrendered by voters who cast an in-person ballot at the precinct on Election Day
- Affidavits of lost or destroyed absent voter ballots



- If absent voter ballots were tabulated at the precinct on Election Day, the absent voter envelope should include all absent voter ballot applications and absent voter ballot envelopes that were delivered by the clerk to the polling place on Election Day.

e. **Provisional ballot storage envelope:** This envelope should include any provisional envelope ballots which were voted on Election Day.

13. After all necessary paperwork has been completed, the ballot container has been sealed, and all envelopes have been filled and sealed, two election inspectors who have expressed a preference for different political parties should transport the ballot container and the sealed envelopes to the receiving board.

IV. Correcting vote totals

In rare cases, an invalid write-in vote—a vote for a write-in candidate who did not file a *Declaration of Intent*—may require the correction of the vote totals. This issue arises if the invalid write-in vote is discovered after the totals tapes have been printed, and only if a voter casts both one or more valid votes and an invalid write-in vote for the same office. To correct the vote totals after the discovery of an invalid write-in vote, election inspectors should take the following steps:

1. The election inspectors should determine if the office where the voter cast an invalid write-in vote is overvoted—that is, if the voter cast more votes for candidates to the office than allowed. Alternatively, if the election is a partisan primary, the election inspectors should determine if the voter impermissibly crossover voted by attempting to participate in more than one party's primary. Both the overvote and crossover voting determinations should exclude the invalid write-in vote; only validly recorded votes should be examined. If the voter either overvoted or impermissibly crossover voted, their ballot should be duplicated to remove the offending markings using normal duplication procedures. The invalid write-in vote should not be transferred during duplication.
2. If election inspectors determine that the voter did not overvote or impermissibly crossover vote, the votes properly cast for the election



or nomination in question—that is, the votes cast for either candidates who appeared on the ballot or write-in candidates who filed a *Declaration of Intent*—must be manually added to the candidate’s total on every copy of the totals tape. This manual addition is done by marking the candidate’s entry on the totals tape in the following manner:

BEST VOCAL ARTIST	
Number to Vote For: 2	
FRANK SINATRA	0
ELVIS	0
PATSY CLINE	4+1=5
JANIS JOPLIN	10
BUDDY HOLLY	0
BARRY WHITE	0
BILLIE HOLIDAY	0
STEVIE NAY VAUGHAN	10
"MAMA" CASS ELLIOT	0
Write In	0
Over Votes	0
Under Votes	16
Total Votes	40

V. Reconciling the precinct

If election inspectors determine upon review that the number of ballots tabulated does not agree with the number of voters who cast a ballot, the election inspectors should take the following steps to reconcile the issue:

1. If absent voter ballots were processed in the precinct on Election Day, the election inspectors should verify that all absent voter ballots were processed and tabulated, that no absent voter ballots remain in absent voter ballot envelopes, and that all absent voters whose ballots were processed were properly recorded in the pollbook.
2. Election inspectors should verify that any voter who appeared to vote at the precinct with a same-day voter registration receipt issued by the local clerk was properly added to the "Unlisted" tab in the EPB.
3. Election inspectors should verify that all ballots requiring duplication were properly duplicated, and that those duplicates were tabulated.
4. Election inspectors should determine if any provisional envelope ballots were issued. If so, because provisional envelope ballots are not tabulated on Election Day, they should add one number to the number of tabulated votes for each provisional envelope ballot issued.



5. Election inspectors should compare the physical *Applications to Vote* secured on the spindle to the EPB and ensure that each application was properly entered.
6. Election inspectors should physically count the number of tabulated ballots to ensure that the physical number of ballots agrees with the number of tabulated ballots displayed by the tabulator.
7. Election inspectors should investigate any other discrepancies into the number of ballots tabulated, the number of voters recorded in the EPB, and the number of completed *Applications to Vote* secured on the spindle.

All steps taken to reconcile a discrepancy between the number of ballots tabulated and the number of voters casting ballots should be included in the *Remarks* section of the EPB.

VI. Sealing ballot containers

All ballot containers used to transport and store voted and unvoted ballots must be properly sealed after the polls close. The proper procedures for sealing ballot containers will vary depending upon the type of seal being used.

This section describes the procedures used to seal ballot containers. While multiple types of tamper-proof seals are approved to seal ballot containers, a *Ballot Container Certificate* must contain the number on the seal used to seal the container, the signatures of the two election inspectors (who have expressed a preference for different political parties) that witnessed the container sealing, and the date upon which the seal was affixed to the container. This certificate must be inserted into a plastic sleeve and affixed to the ballot container using an official seal. The number of the seal used to seal the ballot container must also be recorded on the *Election Inspectors' Certificate* in the pollbook and on the *Statement of Votes*.

If a ballot container with two doors is used to store the ballots, both sides of the container must be properly sealed and both seals must be properly recorded. One set of the container's doors must be permanently sealed; that permanent seal should be accompanied by a completed *Ballot Container Certificate* bearing the permanent seal's number, the signatures of the election officials who sealed the door, and the date the door was sealed. The city or township clerk is responsible for ensuring that the second door is



permanently sealed prior to the election. Ballot containers with dual openings where one opening has not been permanently sealed may not be used. A failure to properly seal the second opening will render the precinct unrecountable during the county canvass.

If one of the two doors of the ballot container is properly permanently sealed, election inspectors do not need to record the number of the permanent seal in the pollbook.

If a tabulator ballot receptacle is used to store the ballots, election inspectors must ensure that the top of the receptacle is sealed with a security lid and that any doors which provide access to the receptacle are sealed. The doors must be sealed with a numbered seal even if the doors can be locked with a key. All seal numbers must be properly recorded. A tabulator ballot receptacle cannot be used to store ballots unless the receptacle passed a ballot container inspection carried out by the board of county canvassers. Tabulator ballot receptacles which do not carry a current ballot container approval sticker may not be used to secure ballots.

Traditional canvas ballot bags are not approved for the storage and security of ballots.

Sealing tabulator programs

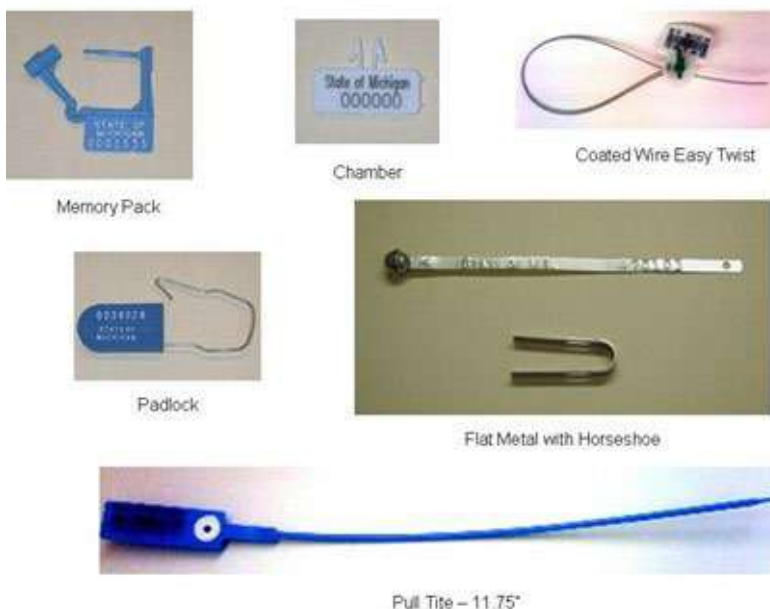
Election inspectors must seal programs removed from optical scan tabulators in an approved ballot container. Programs cannot be erased or transferred to another electronic medium for extended retention until clearance is received from the Bureau of Elections.

VII. Proper use of election seals

The seals in the following image have been approved to seal ballot containers. Several of these seals require only that they be affixed to the container in a single motion. Additional steps for the other seals are described following the image.



Approved Seals



Flat metal seal with horseshoe: To use a flat metal seal, the election inspector should first close and lock the container. The election inspector should insert a horseshoe seal adaptor through the metal hasp and then insert the tip of the metal seal through both sides of the horseshoe adaptor. Next, the election inspector should insert the tip of the seal through the grommet on the plastic sleeve. Finally, the election inspector should insert the tip of the seal into the metal ball applying force until the seal is fully seated.

Pull-tite seal: To use the pull-tite seal, the election inspector should first close and lock the container. The election inspector should insert the pull-tite seal through the metal hasp on the container. The use of a horseshoe adaptor is not required. The election inspector should then insert the tip of the seal through the grommet on the plastic sleeve and insert the tip of the seal into the opening at the opposite end. Finally, the election inspector should continue pulling the tip of the seal through the opening to ensure a snug fit.

Padlock seal: To use the padlock seal, the election inspector should first close and lock the container. The election inspector should insert the tip of the seal through the hasp on the container, then insert the tip of the seal into the opening at the top of the plastic by applying force until the seal is fully seated.



VIII. Early voting closing

During early voting period

At the end of the first day of early voting and each following day before the last day, election inspectors must complete the following steps after the final voter has cast their ballot:

1. Print a *List of Voters* from the Early Voting EPB that is filtered to show only voters on the current day of early voting. This report should then be placed in the physical pollbook, in the tab for that day of early voting.
2. Check the tabulator auxiliary bin for any ballots requiring duplication. The instructions for duplication are provided in the *Duplicating ballots* section of *Chapter 8: Absent Voter Ballot Processing on Election Day*.
3. Complete the daily reconciliation and ballot summary page of the physical pollbook. The number of ballots cast and any provisional ballots should balance with the number of voters in the Early Voting EPB, and any issue with balancing **must** be documented as a remark.
4. If using a voting system that separates write-in ballots, place all write-in ballots in the write-in envelope provided in the early voting site supply kit. The envelope should then be placed in the ballot container with other voted ballots. Write-in ballots should not be tallied until 8 p.m. on Election Day, so they should be available to the closing board on Election Day.
5. Remove all tabulated ballots and place in an approved ballot container. Complete the container certificate(s) and seal with a numbered seal. Enter the seal numbers on the daily reconciliation and ballot summary page. The container certificate(s) and the daily reconciliation and ballot summary page must be signed by two inspectors, one Democrat and one Republican.
6. Log off and close the Early Voting EPB laptops. Seal the tabulator lid or container, laptops, and other voting equipment and materials. Note the seal numbers on the daily reconciliation and ballot summary page of the physical pollbook. All remaining election inspectors must sign this page.



7. Securely store the physical pollbook, ballot containers, tabulators, and any other voting equipment and signage. The physical pollbook should be placed in a pollbook envelope or banker's box and sealed under red paper seal. The clerk or early voting site supervisor should then securely lock the early voting site so it is not accessible until the next day.

End of the early voting period

At the end of the final day of early voting, in addition to completing the daily closing procedures above, election inspectors should print another *List of Voters* from the Early Voting EPB that is filtered to the entire early voting period. Election inspectors should also print a *Remarks* report from the Early Voting EPB. These reports should then be placed in the physical pollbook, in the tab for the final closing of early voting.

The early voting coordinator is responsible for transporting the physical pollbook and the tabulators to the location of the final closing of early voting, if it will be conducted at a different location from the early voting site.

Final early voting closing

At 8 p.m. on election night, a closing board of election inspectors must be appointed for the final closing of early voting. The closing board must consist of at least two election inspectors of opposing parties, and they must complete the following procedures:

1. Complete the final reconciliation and ballot summary page in the physical pollbook. The number of ballots cast according to the tabulator counter and the number of provisional envelope ballots should balance with the number of voters on the final *List of Voters* filtered for the entire early voting period, and any issues with balancing **must** be documented with a remark.
2. Print the write-in report from the tabulator per vendor instructions, and remove the write-in envelope from the sealed ballot container. Tally write-in votes using either the write-in report or the ballots in the write-in envelope. These votes will be tallied using the same procedure as the Election Day write-in votes, detailed in the previous section. Return write-in ballots to the approved ballot container and re-seal the container. The container certificate and ballot summary page in the pollbook must be signed by two election inspectors of opposing major political parties.



3. Close the polls on the tabulator, following vendor instructions. Print three copies of the result totals tapes. All election inspectors must sign each copy. Place one tape in the county clerk's envelope, one in the county canvasser's envelope, and one in the local clerk's envelope.
4. Securely store the physical pollbook, ballot containers, tabulators, and any other voting equipment and signage. The physical pollbook can be placed in a pollbook envelope or banker's box and sealed under red paper seal. Ensure that the required envelopes (county clerk, local clerk, and county canvasser) are not sealed into the ballot containers.

IX. Receiving boards

A receiving board is a separately established board that ensures that election inspectors correctly completed the poll-closing procedures described in this chapter. The receiving board examines precinct materials, including the pollbook and the EPB, for accuracy and completeness. Jurisdictions are required to use receiving boards.

Appointment of election inspectors to the receiving board

The city or township's election commission must establish the receiving board, and assign election inspectors to the receiving board, by resolution. The resolution may establish the receiving board for a single election or for all future elections.

If a county is conducting early voting under a county agreement, then the county election commission will appoint election inspectors to a receiving board for the purposes of reviewing the county early voting sites.

Members of the receiving board must be qualified election inspectors. The board must have an equal number of election inspectors from each major political party. Election inspectors who have served in at an in-person polling place or absent voter counting board on Election Day may serve at a receiving board, though an election inspector serving on a receiving board cannot verify the accuracy of the materials from the precinct at which they served on Election Day.



Responsibilities of the receiving board

Under oath, the receiving board inspectors receive the sealed ballot container, the pollbook, and the *Statement of Votes* from each precinct after the polls close. Two election inspectors (one from each major political party) from each precinct board or early voting closing board deliver those properly sealed items to the receiving board inspectors after their closing duties have been completed. Following the final early voting closing, the early voting site materials must also be sent to receiving boards, and each early voting site should be treated as an additional precinct under the receiving board's review. Election inspectors must remain present until receiving board inspectors have completed the verification.

The receiving board inspectors verify the following:

- The pollbook and/or *Statement of Votes* are **not** sealed into the ballot container.
- The ballot container is properly sealed and the seal number is accurately recorded.
- The number of names entered in the pollbook balances with the number of ballots counted.

After verifying these items, the receiving board inspectors put the pollbook and *Statement of Votes* back into the appropriate envelopes and reseal with a red or white paper seal, and initial and date the seal.

Error correction by the receiving board

The receiving board should check for and, if necessary, rectify the errors described on this page. During their inspection, election inspectors serving at the receiving board may use the EPB to print final precinct reports. They may assist with the completion or correction of the incomplete or inaccurately completed paperwork, including the pollbook or the *Statement of Votes*.

Ballot container issues

If the receiving board inspectors find the pollbook and/or *Statement of Votes* are inadvertently sealed in the ballot container, that the ballot container was improperly sealed, or that the seal number was improperly recorded, the receiving board should direct the precinct election inspectors to take necessary actions to correct the mistake and fully document those actions in



the *Remarks* section of the pollbook. The *Remarks* section must be signed by both the election and receiving board inspectors.

Out-of-balance precinct

If the number of names entered into the pollbook does not balance with the number of ballots counted by the tabulator, the receiving board should ensure that a full explanation of the discrepancy is recorded in the *Remarks* section of the pollbook. If no explanation was provided, the receiving board inspectors should assist the precinct election inspectors in determining the cause of the imbalance and instruct the precinct election inspectors to fully document the cause in the *Remarks* section of the pollbook. The *Remarks* section must be signed by both the election and receiving board inspectors.

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Election Officials Manual

Chapter 17: Election Preparation, Post-Election Duties, and Reporting Requirements

July 2024

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I. Introduction

This chapter explains the information that city, township, and county clerks are required to make public before and after each election. Questions about the contents of this chapter should be directed to Elections@Michigan.gov.

II. Pre-election publications

Mandatory public notices

City and township clerks are required to arrange for the publication of three notices prior to each election. Samples of all three notices can be found in *Appendix I*. Additionally, clerks must provide notice when a polling place or early voting site is established or changed, as described in *Chapter 15: Establishing Voting Precincts, Polling Places, and Early Voting Sites*.

Notice of Registration

The city or township clerk must arrange for a *Notice of Registration* to be published in a local newspaper at least 30 calendar days prior to the election. Each *Notice of Registration* must contain the following information:

- Days and hours that the clerk's office or another designated place will be open receive voter registration applications prior to the election
- All offices for which candidates will be seeking nomination or election. If applicable, the notice must also include a brief description of any ballot questions that will appear on the ballot and information on where voters can obtain the full text of those ballot questions.

The Bureau of Elections (BOE) recommends that the *Notice of Registration* direct voters to register to vote, request their absent voter ballot, and check their polling place location at Michigan.gov/Vote. BOE also recommends that the notice include a list of places in the jurisdiction where voters may submit a voter registration application 15 or more days prior to the election, including Secretary of State offices and any agency that provides public assistance or provides services for persons with disabilities.

Multiple cities or townships may enter into agreements to publish a joint *Notice of Registration* to lower costs. Such agreements may be coordinated by the county clerk at the county clerk's discretion.



Notice of Election

The city or township clerk must arrange for a *Notice of Election* to be published in a local newspaper at least seven calendar days prior to every election. The *Notice of Election* must contain the following information:

- The date of the election, and the hours during which the polls will be open (7 a.m. to 8 p.m.)
- All offices for which candidates will be seeking nomination or election. The *Notice of Election* does not need to include the names of the candidates seeking nomination or election.
- A brief description of any ballot questions which will appear on the ballot. If presenting a bond proposal, the BOE recommends the clerk consult with the bond counsel to draft appropriate language.
- Information on where voters can obtain the full text of any ballot questions that will appear on the ballot
- A listing of all polling place locations in the city or township. The listing must include statement certifying the accessibility of the polling place locations, as well as a statement of all languages other than English in which election materials and ballots will be made available and the availability of voting instructions in alternative formats such as audio and Braille.
- If the election includes a millage increase, the notice must include a statement of the amount by which the total tax rate limitation is increased and the number of years for which the increase would be effective.

Notice of Public Accuracy Test

The city or township clerk must arrange for a *Notice of Public Accuracy Test* to be published in a local newspaper at least 48 hours prior to the Public Accuracy Test. The *Notice of Public Accuracy Test* must contain the following information:

- The name of the jurisdiction conducting the Public Accuracy Test
- The date of the election for which the machines being tested
- The date, time, and location of the Public Accuracy Test



- A statement regarding the purpose of the test, such as “The Public Accuracy Test is conducted to demonstrate that the computer program used to tabulate the votes cast at the election meets the requirements of law.”

Following the introduction of early voting, there are now two separate deadlines for the Public Accuracy Test—five days before early voting (in statute, MCL 168.720j) and five days before Election Day (in the Administrative Rules, R 168.778.) Because testing on the earlier date meets both of those deadlines, the Bureau recommends using the earlier date and conducting one Public Accuracy Test on that date.

Mandatory postings

City and township clerks must publicly post at their office the following three pieces of information. Additionally, if a temporary change is made to a polling place or early voting site within 20 days before voting will begin at that location, the applicable clerk must post a notice of the new location at the old location, post a notice of the change on the municipality or county website, and ensure that the Department of State has the appropriate information to post on its website about the change. Refer to *Chapter 15: Establishing Voting Precincts, Polling Places, and Early Voting Sites*.

Clerk’s office hours of operation the weekend prior to Election Day

The city or township clerk must be available at their office to accept voter registration applications and to issue and receive absent voter ballots for a total of at least eight hours over the Saturday and/or Sunday prior to the election. At least 30 calendar days before the election, the clerk must post and submit to BOE through the Qualified Voter File (QVF) the hours at which the clerk will be present in their office during those two days.

Additional locations or hours for clerk’s offices

The city or township clerk may designate additional clerk office locations and the hours of operation of those locations to accept voter registration applications and to issue and receive absent voter ballots. The clerk must publicly post the address and hours of operation of any additional clerk office locations which have been designated at least 30 days prior to the election. The clerk must also submit these addresses and hours to BOE through the QVF at least 30 calendar days prior to the election.



Number of challengers to be present at absent voter ballot counting facility

If the city or township is operating an absent voter ballot processing facility on Election Day, the city or township clerk must post the number of challengers that each challenger credentialing organization will be permitted to field inside the facility no fewer than seven days prior to the election.¹

Mandatory notices and postings for optional programs

Notice of early processing and tabulation of AV ballots before Election Day

Any local election commission may establish an absent voter counting board (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.

If an election commission chooses to establish an AVCB to process and tabulate AV ballots before Election Day, the applicable clerk 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 For more information, see *The Appointment, Rights, and Duties of Election Challengers and Poll Watchers*, available at https://www.michigan.gov/sos/-/media/Project/Websites/sos/01vanderroest/SOS_ED_2_CHALLENGERS.pdf.



For more information about processing and tabulation before Election Day, refer to *Chapter 8: Absent Voter Ballot Processing*.

Notice of Election Day Vote Center

Cities or townships that processed at least 500 Election Day voter registrations in either or both of the previous two November general elections are also able to establish an Election Day vote center to tabulate ballots for voters who register or update their registration on Election Day.

The board of election commissioners of a city or township that establishes an Election Day vote center must notify their county clerk at least 90 days before the election at which it will operate. Additionally, at least four days before Election Day, the city or township clerk must post notice of the establishment and location of the Election Day vote center on the city or township website, if available, and in the clerk's office.

Optional election publications or postings

The BOE encourages clerks to publish, post, or otherwise make available the following information.

Notice of filing deadline

A *notice of filing deadline* may be published in a local newspaper prior to any upcoming election. The notice should include information on candidate qualifications, filing requirements for candidates to file to have their name appear, including the number of signatures required to appear on the ballot, and the deadline to file for each office.

Notice to absent voters

A *notice to absent voters* may be published in a local newspaper prior to any upcoming election. The notice should include information on how to apply for an absent voter ballot and information on voter registration, including voter registration on Election Day. The notice should direct voters to [Michigan.gov/vote](https://michigan.gov/vote) for more information on registering to vote or on requesting, voting, or returning an absent voter ballot.



III. Provisional envelope ballots

Provisional envelope ballots are ballots that are returned to the clerk's office for review after being cast by the voter, but not tabulated. They are cast by voters who appear to vote at a polling place other than their assigned polling place and who refuse to travel to their assigned polling place before casting a ballot; ballots cast by voters who appear to vote at a precinct even though the voter is not registered to vote and who refuse to travel to the clerk's office to register to vote; or voters who cannot satisfy the federal identification requirement.

Provisional envelope ballots are stored in envelopes and are not tabulated with other ballots cast on Election Day. Instead, the ballots are returned to the clerk following Election Day. The clerk must evaluate each provisional envelope ballot within six days of the election to determine if the provisional envelope ballot should be counted.

The clerk should follow the instructions printed on the envelope in which the provisional envelope ballot is stored to determine if the provisional envelope ballot should be counted. If the clerk can identify the voter's registration and determines that the voter was entitled to vote in the precinct where the provisional envelope ballot was cast, the provisional envelope ballot should be tabulated. A clerk may contact the QVF Help Desk for assistance in making this determination.

At no point during the determination of the validity of a provisional envelope ballot should the ballot be removed from the envelope. The ballot may only be removed from the envelope if the ballot is determined to be valid.

The other type of provisional ballot—a *provisional affidavit ballot*—is tabulated on Election Day. A provisional affidavit ballot is issued to a voter whose registration does not appear in the e-pollbook but who both presents one of the photo ID documents listed in the section Photo ID Satisfying the Voter Identification Requirement in *Chapter 12: Election Day and the Voting Process* and who can sign an affidavit stating, under penalty of perjury, that they have registered to vote using a method that renders them eligible to participate in this election. Refer to *Chapter 12: Election Day and the Voting Process* for more information about provisional affidavit ballots.



Voter's name did not appear in the EPB or QVF precinct list

A provisional envelope ballot issued to a voter whose name did not appear in the electronic pollbook (EPB) or QVF precinct list, and who did not have a voter registration receipt issued by the clerk, should be counted if *either* of the following is true:

- The clerk locates a valid voter registration application for the voter and the registration application was submitted by the voter on or before 8 p.m. on Election Day.
- The elector completed the *Provisional Ballot Form* properly by doing all of the following:
 - Signing the affidavit and confirming that the voter registered to vote prior to 8 p.m. on Election Day
 - Completing the voter registration form portion of the *Provisional Ballot Form*
 - Showing an acceptable form of photo ID
 - Showing an acceptable form of proof of residency

Information about acceptable forms of picture identification and proof of residency is available in *Chapter 2: Voter Registration*.

The provisional envelope ballot should be counted in this situation only if the voter appeared to vote in the precinct to which they were or would have been assigned had their voter registration not been lost.

Submission of photo ID and/or proof of residency within six days after the election

If the voter completed the affidavit and voter registration portions of the *Provisional Ballot Form* because the voter's name did not appear in the EPB or QVF precinct list and was unable to produce acceptable photo ID and/or acceptable proof of residency on Election Day, the provisional envelope ballot may still be counted if the voter provides the clerk with acceptable photo ID and/or acceptable proof of residency within six days after the election. The voter may provide this acceptable photo ID and/or acceptable proof of residency to the clerk in person or may email, fax, or mail copies of



the document to the clerk. The documents must reach the clerk no more than six days after the election.

If a provisional envelope ballot is counted because the voter was able to deliver acceptable photo ID and/or acceptable proof of residency to the clerk within six days of the election, the clerk must note the delivery of the documents on the *Provisional Ballot Form* completed by the voter at the polling place on Election Day.

The voter is only required to provide the clerk photo ID if the voter could not produce photo ID at the polling place on Election Day. Likewise, the voter is only required to provide the clerk proof of residency if the voter could not produce proof of residency at the polling place on Election Day. If six days pass and a voter has not delivered a required photo ID and/or proof of residency to the clerk, the provisional envelope ballot cannot be tabulated.

Voters casting a ballot in the wrong precinct

When a provisional envelope ballot has been issued to a voter who appeared to vote in the wrong precinct and declined to travel to their assigned precinct to vote, the clerk must confirm that the voter actually voted in the wrong precinct before the voter's provisional envelope ballot can be rejected. This evaluation must include a check of the QVF street index to ensure that the voter was not erroneously assigned to an incorrect precinct and to confirm that the voter should not have been assigned to the precinct where the provisional envelope ballot was cast. If a check of the street index reveals that a voter in this situation was erroneously assigned to an incorrect precinct and that the voter correctly cast a ballot at the precinct to which they should have been assigned, the provisional envelope ballot must be counted.

Voter could not satisfy federal voter identification requirement

Voters who have never voted in Michigan and who register by mail are subject to the federal voter identification requirement. More information on the federal voter identification requirement is contained in *Chapter 2: Voter Registration* and *Chapter 12: Election Day and the Voting Process*. A voter who cannot meet the federal voter identification requirement at the polling place on Election Day will be required to cast a provisional envelope ballot.



The provisional envelope ballot may be counted only if the voter provides the clerk a form of identification that satisfied the federal voter identification requirement within the six days after the election. Information about the documents that will fulfill the federal identification requirement is available in *Chapter 2: Voter Registration*. The voter may provide a document that satisfies the federal voter identification requirement to the clerk in person or may email, fax, or mail copies of the document to the clerk. The documents must reach the clerk within six days after the election.

If a provisional envelope ballot is counted because the voter was able to deliver documents to satisfy the federal voter identification requirement to the clerk within six days after the election, the clerk must note the delivery of the documents on the *Provisional Ballot Form* that was completed by the voter at the polling place on Election Day. If six days pass and a voter has not delivered a document to the clerk that satisfies the federal voter identification requirement, the provisional envelope ballot cannot be tabulated.

Voter could not satisfy Michigan state identification requirement

If an election inspector finds the photo ID shown by a voter at the polling place on Election Day insufficient, and the voter refuses to sign the *Affidavit of Voter Not in Possession of a Picture Identification*, the voter may cast a provisional envelope ballot.

The provisional envelope ballot may be counted only if the voter provides the clerk a form of photo ID that meets the state's photo ID requirement for in person voting within six days of the election. Information about the documents that will fulfill the Michigan state identification requirement is available in *Chapter 12: Election Day and the Voting Process*. The voter may provide a document that satisfies the identification requirement to the clerk in person or may email, fax, or mail copies of the document to the clerk. The documents must reach the clerk within six days after the election.

If a provisional envelope ballot is counted because the voter was able to deliver documents to satisfy the Michigan state in-person voting identification requirement to the clerk within six days after the election, the clerk must note the delivery of the documents on the *Provisional Ballot Form* that was completed by the voter at the polling place on Election Day. If six days pass and a voter has not delivered a document to the clerk that



satisfies the identification requirement, the provisional envelope ballot cannot be tabulated.

Processing and counting valid provisional envelope ballots

A provisional envelope ballot which the clerk has determined to be valid should be counted by two election inspectors who have expressed preferences for different political parties. The ballot should be removed from the envelope, and the ballot stub should be removed and recorded. The ballot, still inside its secrecy sleeve, should be placed in a ballot container. The opened envelopes should be retained in the clerk's office.

After all provisional envelope ballots which are to be counted have been removed from their envelope and placed in the ballot container, the election inspectors should begin removing the ballots from the container and counting the votes as they appear on the ballots. The votes should be recorded on a tally sheet. Once all of the ballots have been counted, the tally sheet should be submitted to the Board of County Canvassers. The tally sheet must be submitted to the Board no more than seven days following the election so that the votes recorded on the tally sheet may be added to the canvass.

After the ballots have been counted, the ballots should be placed back into the ballot container. The ballot container should be sealed and a *Ballot Container Certificate* recording the seal number used to seal the ballot container should be prepared and attached to the ballot container with the seal.

Requests for information about a voter's provisional ballot

All voters who were issued a provisional envelope ballot must be able to obtain information from their clerk about whether their ballot counted, and, if the ballot was not counted, the reason why the ballot was not counted. Each voter issued a provisional ballot is informed of their right to information on the *Notice to Voters Who Do Not Appear on the Precinct's Registration*



List,²³ which they receive at the time the provisional ballot is issued. The clerk can satisfy the information requirement by providing a phone number which the voter can call to gather information about their provisional ballot.

All city and township clerks must be prepared to handle inquiries from voters who were issued provisional envelope ballot regarding the status of those ballots. The clerk has an obligation to advise the voter on whether the voter's Provisional envelope ballot was or was not counted. If the voter's provisional envelope ballot was not counted, the clerk must explain to the voter the reason the ballot was not counted and must explain to the voter any actions the voter can take to either deliver documentation to the clerk so the provisional envelope ballot may be counted or to ensure that the voter's ballot will be counted at the next election in which the voter participates.

Provisional ballot reporting

The city or township clerk must complete the *Provisional Ballot Report* in the eLearning Center no later than the seventh day following the election. The *Provisional Ballot Report* records the number of provisional affidavit ballots and provisional envelope ballots issued in the city or township, as well as the number of provisional envelope ballots which were found valid and counted, the number of provisional envelope ballots determined invalid and not counted, and the number of *Affidavits of Voter Not in Possession of Picture Identification* signed at precincts in the city or township. A Provisional Ballot Report Worksheet is provided in *Appendix I*.

IV. Resolving tie votes

In the rare instance a tie vote occurs, the tie is broken by a drawing. The board of county canvassers and the county clerk establish a date on which the tied candidates and other interested parties can assemble at the county clerk's office to observe the drawing. Once the date is chosen, the board notifies the candidates and any interested parties.

² Available at <https://www.michigan.gov/sos/elections/voting/-/media/2A3ABA7E4CFE49D2AF7A86B01804747F.ashx>.

³ The *Notice to Voters Who Do Not Appear on the Precinct's Registration List* also notifies voters who have voted a Provisional Affidavit Ballot that their ballot has been tabulated and they have voted.



At the meeting, the county clerk writes the word “nominated” (for a Primary Election) or “elected” (for a General Election) on a slip of paper and the words “not nominated” or “not elected,” as appropriate, on an identical slip of paper. Both slips of paper are folded so that the words written on the slips cannot be seen and the two slips are indistinguishable from one another.

The slips of paper are placed in a box, and each candidate draws one of the slips from the box. The candidate who draws the slip on which “nominated” or “elected” is written receives their party’s nomination or is deemed legally elected to office, depending on whether the tie occurred at a primary or General Election. A written record of the drawing should be kept by the county clerk.

If a candidate does not attend the drawing, the county clerk may appoint any person to draw a slip of paper on the absent candidate’s behalf. If the tied Primary or General Election is for nomination or election to the office of county clerk, the drawing must be held in the presence of the county sheriff. The candidate who draws the “not nominated” or “not elected” slip of paper does not lose any of their rights to petition for a recount by virtue of participating in or being unsuccessful at the drawing.

A tie vote on a ballot question defeats the ballot question; a tiebreaking procedure is not followed.

V. Document retention

Canvass documents

The board of county canvassers must seal all *Statements of Votes* and pollbooks in envelopes upon the completion of the canvass. The envelopes may be sealed with red paper seals.

Secured ballots

Both state and federal law govern the retention of ballots after an election.

Michigan’s retention requirements

Sealed ballot containers that contain ballots and are delivered to the clerk after the canvass must remain sealed. Likewise, any voting devices or tabulators sealed after use in an election, as well as any ballot containers that contain tabulator programs, test decks, accuracy test results, edit



listings and any other related materials must remain sealed. In an election with ballots that do not contain a federal office, a 30-day retention period applies. Election officials must secure voting devices and ballot containers, used and unused ballots, tabulator programs, test decks, accuracy test results, edit listings and any other related materials for 30 days after the certification of the Primary or General Election. The retention period is extended if a recount is in progress, a defect in the ballot or voting equipment is being investigated, the destruction of the ballots is stayed by an order of the court, or the Secretary of State orders the extension of the retention period.

The seals may be broken only after security is released by the proper authority. The Secretary of State is the authority that allows seals to be broken following the August Primary and November General Election. The Secretary of State notifies the county clerk of each county in writing after the Primary and General Election when ballot security is released and seals may be broken. Further ballot retention and security provisions that apply to partisan ballots used in the August Primary and November General Election are explained in the *Federal Retention Requirements* section below.

If voting equipment must be prepared for an upcoming election within the 30-day retention period, the election official responsible for the equipment may break the seals on the equipment, transfer election-specific materials such as optical scan ballots, ballot labels, tabulator programs, and test results to sealed ballot bags for the duration of the period.

The Michigan Election Law provides the following allowance:

“Unless a petition for recount has been filed and the recount has not been completed, ballots, ballot labels, programs, test results, and other sealed materials may be released from their original seal after 7 days following the final determination of the board of canvassers with respect to the election at which the ballots were voted. However, the released materials shall be secured and preserved for the time period required by this act and the rules promulgated by the secretary of state.”

The above provision of law was enacted to accommodate situations where electronic voting equipment subject to the 30-day retention period must be readied for an upcoming election. Essentially, the provision allows an election official responsible for the security of optical scan ballots, ballot labels, tabulator programs, test results and associated materials to break the original seal of record after seven days and transfer the materials involved



to sealed ballot bags for the duration of the retention period. The election equipment needed for the upcoming election can then be prepared for that election.

Federal retention requirements

If the office of President, United States Senator, or Representative in Congress appears on the ballot, all documents relating to the election, including ballots and tabulator programs used to tabulate optical scan ballots, must be retained for 22 months. The BOE recommends that clerks comply with this requirement by storing ballots and programs relating to federal elections in sealed ballot bags in a secure place during the 22-month retention period. Transferring these materials to ballot bags will free the city or township's ballot containers for use in other elections. The documents subject to the federal retention requirements must not be transferred to ballot bags for extended retention until after the retention requirements specified under the Michigan Election Law and explained in the *Michigan's retention requirements* section have lapsed.

For additional guidance on the security of election materials prior to the release of security and during the retention period, a memo is available in the eLearning Center.⁴ The current election material retention schedule can also be found in the eLearning Center.⁵

VI. Post-election audits

The BOE has developed a post-election audit system to review election procedures before, during, and after an election. Precincts are selected randomly for inclusion in the audit. The BOE posts the list of precincts selected in the News Update the week following an election. Information collected as part of the post-election audit process is used as an educational tool at all levels of election administration.

City and township clerks are required to comply with audit-related requests made by the clerk of the county in which the clerk's city or township is

⁴ <https://mielections.csod.com/ui/lms-learning-details/app/material/dbb89e98-6779-4be7-a43b-769f74fbb083>

⁵ Available at <https://mielections.csod.com/ui/lms-learning-details/app/material/1af18f74-71b7-47f0-9b05-07a0c4f365cc>.



located. County, city, and township clerks are required to comply with audit-related requests made by the BOE.

Clerks can find more information about post-election audits in the Post-Election Audit Manual.⁶

Audit process

The BOE staff will conduct a thorough review of pre-election and Election Day documents to determine if procedures were properly followed according to state law and established procedure.

Precinct selection process

The BOE randomly selects precincts for each county to audit. The BOE may also select additional precincts to be audited by BOE staff.

Focus of the audit

The audit focuses on election notices, election inspector appointments and training, EPB security, test deck procedures, military and overseas voter applications, and a review of the pollbook and ballot containers used on Election Day. All precinct procedural audits include ballot reviews. In statewide elections, a statistical ballot audit is conducted as part of the ballot review.

Audit findings

Deficiencies identified in the post-election audit will be used to design more effective statewide trainings. Clerks may also be asked to review curriculum assignments in the eLearning Center to remedy any issued identified during the audit.

VII. EAC survey reporting requirements

The Election Assistance Commission (EAC) requires local clerks to report data that relates to National Voter Registration Act (NVRA), the Military and Overseas Voter Empowerment (MOVE) Act, and other election related items.

⁶ Available at https://www.michigan.gov/sos/-/media/Project/Websites/sos/02vanderroest/Post_Election_Audit_Manual.pdf.



The following is an overview of the data collection requirements of the EAC's survey. At the end of every even year, the BOE will request that clerks input this data through a survey in the eLearning Center.

NVRA reporting requirements

The NVRA requires data collection regarding voter registration activity. After every November general federal election, the EAC collects this data through a survey sent to every state. The QVF collects most of the data requested by the EAC through regular data entry by the clerk during the course of election administration.

Data QVF automatically tracks:

- Number of new voter registrations
- Location where the voter registered to vote
- Address changes within a jurisdiction
- Rejected applications entered into the QVF
- Registration cancellations
- Confirmation cards mailed
- Duplicate registrations, excluding Secretary of State branch office forms
- Confirmation cards returned
- Action taken after a confirmation card is returned, e.g. whether the voter's registration was cancelled, if the address at which the voter was registered was changed, if the card was returned as undeliverable, etc.

Data QVF does not automatically track:

- Invalid or rejected applications if unable to enter into QVF.

MOVE reporting requirements

In addition to voter registration statistics, the EAC also requires states to report absent voter ballot activity for the November General Election, including activity for MOVE voters. Because absent voter ballot activity is tracked through the QVF, most of this information is automatically compiled.



Data QVF automatically tracks:

- Number of absent voter ballots distributed to all voters
- Number of absent voter ballots distributed to military, overseas civilian and domestic civilian voters
- Number of absent voter ballots distributed to military and overseas voters by regular mail, email or fax
- Number of absent voter ballots distributed to military and overseas voters requested via the *Federal Post Card Application*
- Number of absent voter ballots returned by all voters in time to be counted
- Number of absent voter ballots returned by military and overseas voters
- Number of Federal Write-in Absentee Ballots returned by military and overseas voters in time to be counted

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EXHIBIT 6

RECEIVED FROM DEMOCRACYDOCKET.COM

Administrative Rule Analysis

USE OF ELECTRONIC POLL BOOK

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

Rule Set No.: 2025-014 ST
Submitted to JCAR on: 07/28/2025

Analysis available at
<http://www.legislature.mi.gov>

Department: Department of State
Agency: Bureau of Elections
Enabling Statute: Administrative Procedures Act, 1969 PA 306, MCL 24.201 et seq.

Analysis Complete to: 09/10/2025

BACKGROUND AND SUMMARY OF PROPOSED RULES

Current law under MCL 168.668b of the Michigan Election Law provides guidance and restrictions on use of the electronic pollbook. The electronic pollbook (EPB) is used for processing voters, generating precinct reports, and recording voter history at in-person polling places. The contents of the EPB are unique to each precinct. The law requires voting jurisdictions to download the EPB the day before the election and neither provides for, nor prohibits, a live connection of the EPB to the internet.

2023 PA 81 amended Michigan Election Law to provide for early voting nine days before election day. The act established and provided guidelines for the new “early voting poll book”. The act permitted the secretary of state to “develop, acquire, or approve new technology for the early voting poll book to efficiently and securely implement, administer, and conduct early voting”. Since voters return absentee ballots by mail, register to vote, and also have the option of voting at different early voting sites, the early voting poll book was made as a web-based application with a secure live connection to the Qualified Voter File (QVF) to track voter records in real time and reduce or prevent confusion over voter records and voters casting more than one ballot.

The rule would clarify that jurisdictions would be permitted to access the EPB on election day via a live secure connection to the QVF like they can during the early voting period before election if the jurisdiction has “a secure live connection to the qualified voter file software”.

The rule also clarifies jurisdictions’ responsibilities regarding production of reports, uploading EPBs to the QVF, and data retention regarding use of a secure live connected EPB.

FISCAL IMPACT OF PROPOSED RULES

The rule would allow for more efficiencies for the state and local clerks by greatly reducing the need to verify the accuracy of voter records by enabling live cross checking of information. These efficiencies could lead to potential cost savings if the efficiencies result in any reduction in paid staff hours at either the state or local levels.

Fiscal Analyst: Michael Cnossen

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.

EXHIBIT 7

RECEIVED FROM DEMOCRACYDOCKET.COM



STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

FREEDOM OF INFORMATION ACT NOTICE

December 8, 2025

Judi Bennett
7897 Oak Knoll Dr
Northville, MI 48168

Via Email: nsxgal@protonmail.com

Judi Bennett:

The Michigan Department of State, Bureau of Elections (Department) is in receipt of your recent request mailed to BensonJ4@MI.gov on November 13, 2025. These letter were received by the Department on December 4, 2025 and will be processed pursuant to the Michigan Freedom of Information Act (FOIA), 1976 PA 442, MCL 15.231 *et seq.* The Department has begun to process the request under FOIA and issues this preliminary notice in response to your request, a copy of which is attached and incorporated herein.

Your FOIA requests were similar. The Departments interpretation is for records containing a "...list of everyone voting statewide in the November 5th 2024 Election..." Your request states specific fields be included: VOTER_ID, DLCOUNTYCODE, JURISDCODE, WARDPRECINCT, COUNTY, JURISDICTION, PRECINCT_NAME, VOTER_NAME, ABSENTEE.

The request states that ABSENTEE: (Y or N) is requested. The column is not included in any report in this way. The Department is able to provide a listing of the people that voted prior to this election date (absentee and early) and the price is reflected in this invoice.

WARDPRECINCT is denied as the report does not contain this information and The FOIA does not require agencies to create new records or to conduct research, analyze data, or answer questions when responding to requests.

The reports will contain the listing of voters who have voter history entered into the database and who are still active voters.

There are items in these two reports that are denied in part and granted in part as to existing, nonexempt public records that are determined to be responsive to your request. Your request is denied to the extent that it seeks "[r]ecords or information specially described and exempted from disclosure by statute." MCL 15.243(1)(d). Under Michigan Election Law, the following are exempt from disclosure:

- (a) The record that a person declined to register to vote.
- (b) The office that received a registered voter's application.
- (c) A registered voter's driver's license or state personal identification card number.
- (d) The month and day of birth of a registered voter.
- (e) The telephone number provided by a registered voter.
- (f) The digitized signature of an elector that is captured or reproduced and transmitted to the Qualified Voter File.
- (g) The last four digits of a registered voter's social security number contained in a registration record.

MCL 168.509gg(1) – (2). The Department is required to separate exempt from nonexempt material. MCL 15.244(1). Where a responsive record contains both exempt and nonexempt material, the Department will redact such material.

In order to process your request, please pay the total processing fee of **\$[Amount]**. FOIA authorizes the Department to charge for mailing costs, copying, searching, reviewing, deleting, and separating exempt from nonexempt information (MCL 15.234). The failure to charge a fee for the search, examination, review, and the deletion and separation of exempt from nonexempt information would result in unreasonably high costs to the Department in this particular instance because your request requires Department employee(s) to be diverted from their regularly assigned duties in order to process your request.

Checks or money orders should be made payable to the STATE OF MICHIGAN and mailed to:

Michigan Department of State, Cashier Unit
7064 Crowner Drive
Lansing, MI 48918

As set forth under section 4(14) of the FOIA, MCL 15.234(14), the Department must receive the required deposit within 45 days after your receipt of this notice, which is February 2, 2026, otherwise, the FOIA request will be considered abandoned and the Department will not be required to fulfill the request.

Please include a copy of the invoice when making payment in order for the Cashier Unit to know where to forward the payment documents.

Regarding the partial denial of your request, under FOIA (MCL 15.240) you may do one of the following:

1. Appeal this decision in writing to the Secretary of State's designated appeals officer at:

Secretary of State Jocelyn Benson
Attn: Khyla D. Craine
Legal Services Administration
Michigan Department of State

P.O. Box 30204
Lansing, Michigan 48918

The writing must specifically state the word “appeal” and must identify the reason or reasons you believe the denial should be reversed. The Department must respond to your appeal within 10 business days of its receipt. Under unusual circumstances, the time for a response may be extended by 10 business days.

2. File an action in the appropriate court within 180 days after the date of the final determination to deny the request. If you prevail in such an action, the court is to award reasonable attorney fees, costs and disbursement, and possible damages.

The Department’s FOIA Procedures and Guidelines can be accessed at www.michigan.gov/sos, under the “FOIA” tab at the bottom of the page.

Sincerely,

Sherri Hines

Sherri Hines
FOIA Coordinator
Bureau of Elections
BOERegulatory@michigan.gov

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Freedom of Information Act Detailed Itemization of Fees

Date: December 8, 2025

Request ID: 3209

Judi Bennett

7897 Oak Knoll Dr

Northville, MI 48168

nsxgal@protonmail.com

Cashier: Please email BOERegulatory@michigan.gov when fees are received.

DESCRIPTION	QUANTITY	UNIT COST	AMOUNT
Labor costs* to search, locate, and examine**	0.5	\$60.77	\$ 30.39
Labor costs* for review and separation of exempt from non-exempt material**		\$43.04	\$ -
Non-paper physical media - encrypted flash drive	1	\$6.00	\$ 6.00
Duplication and publication (copying, scanning, etc.)		\$0.10	\$ -
Labor costs* to duplicate or publish**	1	\$43.04	\$ 43.04
Mailing - pouch and postage	1	\$9.90	\$ 9.90
SUBTOTAL			\$ 89.33
Less waiver for indigent persons***		\$20.00	
Less reduction for untimely response (subtotal x 5% reduction per day x ___ days)		\$4.47	\$0.00
TOTAL			\$ 89.33
DEPOSIT (If the total fee is more than \$50.00, you will be asked to pay a deposit of one-half (1/2) of the amount of the total fee. The total fee and deposit are estimates, and your final costs may vary from these amounts.			NA
BALANCE			\$ 89.33

Drive, Lansing, MI 48918

*Labor costs will be calculated using the lowest paid Department employee capable of each task. If more than one hourly rate is used, each will be listed on other copies of this form.

**Amount is calculated by hourly wage + 50% multiplier for fringe benefits, not to exceed 50% or actual cost of fringe benefits.

***You must submit an affidavit of indigency to qualify for this fee waiver.

RECEIVED by MCCOC 8/12/2026 4:05:48 PM

Sitts, Jennifer (MDOS)

From: Judi Bennett <nsxgal@protonmail.com>
Sent: Monday, December 1, 2025 9:46 PM
To: MDOS-FOIA
Subject: FOIA requests overdue
Attachments: Statewide Voter list from November 5 2024 with VoterID FOIA 11.13.2025.docx; Voter list from November 5 2024 with all headers FOIA 11.13.2025.docx

CAUTION: This is an External email. Please send suspicious emails to abuse@michigan.gov

Good evening Sherry,

I submitted the following two attached FOIA requests to our Secretary of State back on November 13. Michigan law requires a response within five days, which would have been November 20th. As of today, I have received nothing from our SOS.

I am hoping you might assist me in obtaining the data I have requested per 1976 PA 442, MCL 15.231 et seq.,
Thanks in advance.

Judi Bennett

Sent with [Proton Mail](#) secure email.

RETRIEVED FROM DEMOCRACYDOCKET.COM



Thursday, November 13, 2025

To: Jocelyn Benson, Michigan Secretary of State

BensonJ4@MI.gov

Pursuant to The Michigan Freedom of Information Act (FOIA) — located in 1976 PA 442, MCL 15.231 et seq., I am making the following request on behalf of Michigan Fair Elections Institute (MFEI).

I am requesting a list of **everyone** voting statewide in the November 5th 2024 Election. Please include Voter ID in your response.

I would like to receive this information via electronic transmission. I would also like a cost estimate ahead of time if the cost will exceed \$25.

Since this request is for information that will be used for the purpose of educational and historical documentation, and is NOT INTENDED FOR COMMERCIAL USE, I would like to also respectfully **request that any fees be waived**.

The Michigan Freedom of Information Act requires a response to this request within 5 days. If access to the records I am requesting will take longer than this amount of time, please contact me with information about when I might expect copies and/or the ability to inspect the requested records. If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal process available to me under the law.

Your time and kind consideration are very much appreciated. Thank you.

Judi Bennett
MFEI FOIA Coordinator
7897 Oak Knoll Dr
Northville, MI 48168
Email address: nsxgal@protonmail.com

P.O. Box 41, Stockbridge, MI 49285

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Thanks in advance.

Judi Bennett

Sent with [Proton Mail](#) secure email.

RETRIEVED FROM DEMOCRACYDOCKET.COM



Thursday, November 13, 2025

To: Jocelyn Benson, Michigan Secretary of State

BensonJ4@MI.gov

Pursuant to The Michigan Freedom of Information Act (FOIA) — located in 1976 PA 442, MCL 15.231 et seq., I am making the following request on behalf of Michigan Fair Elections Institute (MFEI).

I am requesting a list of voters from the 11/05/2024 Election. This election was certified with 5,706,503 voters. We anticipate a list of voters to match the same quantity of that which was certified. The following 9 headers, provided by the BOE in the past 2022 election, are requested again for 2024. VOTER_ID, DLCOUNTYCODE, JURISDCODE, WARDPRECINCT, COUNTY, JURISDICTION, PRECINCT_NAME, VOTER_NAME, ABSENTEE Please confirm: LOCATIONS and LOCATION CONTENTS: Every voter will have the exact County, Jurisdiction, and Precinct not modified in their voting history. In other words, this list contains where the voter voted and NOT where they are currently registered. Every record will match the same records provided in the monthly QVF subscriptions. The monthly QVF states "DETROIT CITY" so providing data with "CITY OF DETROIT" is not desired data. ABSENTEE: (Y or N): These data records, provided in the past, are available in the QVF and doesn't conflict with the EV vote type issue.

I would like to receive this information via electronic transmission. I would also like a cost estimate ahead of time if the cost will exceed \$25.

Since this request is for information that will be used for the purpose of educational and historical documentation, and is NOT INTENDED FOR COMMERCIAL USE, I would like to also respectfully **request that any fees be waived.**

The Michigan Freedom of Information Act requires a response to this request within 5 days. If access to the records I am requesting will take longer than this amount of time, please contact me with information about when I might expect copies and/or the ability to inspect the requested records. If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal process available to me under the law.

Your time and kind consideration are very much appreciated. Thank you.

Judi Bennett
MFEI FOIA Coordinator
7897 Oak Knoll Dr
Northville, MI 48168
Email address: nsxgal@protonmail.com

P.O. Box 41, Stockbridge, MI 49285

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EXHIBIT 8

RECEIVED FROM DEMOCRACYDOCKET.COM

STATE OF MICHIGAN
Records Management Services
General Schedule #23 – Elections Records

Section	Item #	Series Title	Series Description	Retention Period	Approval Date
Administrative Records	23.100	Bureau of Elections Correspondence Records	These records document non-published communications that are received by individual clerks from the Bureau of Elections that pertain to policy or housekeeping issues. They may include, but may not be limited to, memos, letters, notes, and email messages.	RETAIN UNTIL: Date created PLUS: 2 years THEN: Destroy	10/24/2023
Administrative Records	23.102	Post-Election Reporting Records	These records document data compiled by clerks and submitted to the Secretary of State for preparation of a post-election report that is submitted to the Elections Assistance Commission detailing the State of Michigan's compliance with the National Voting Rights Act and the Help America Vote Act.	RETAIN UNTIL: Day after the November general election PLUS: 2 years THEN: Destroy	10/24/2023
Administrative Records	23.103	Certification Records	These records document the certification of election officials. They may include, but may not be limited to, certification training completion documents, self-administered accreditation exams, and certificates received upon successful completion of the exam.	RETAIN UNTIL: Individual is no longer serving as an election official THEN: Destroy	10/24/2023
Administrative Records	23.104	Election Audit Files	These records document audits that are conducted to review the activities of local elections officials. They may include, but may not be limited to, work papers, checklists, correspondence, reports of findings, and supporting documentation.	RETAIN UNTIL: Audit is completed and all issues are resolved PLUS: 2 years THEN: Destroy	3/26/2024
County Records	23.200	Affidavits of Candidacy Records	These records document incumbent judges who are seeking ballot access for re-election. They may include, but may not be limited to, affidavits.	RETAIN UNTIL: Election is held PLUS: 2 years THEN: Destroy	10/24/2023
County Records	23.201	Affidavits of Constitutional Qualification Records	These records document the qualification of candidates for judicial positions. They may include, but may not be limited to, affidavits.	RETAIN UNTIL: Election is held PLUS: 2 years THEN: Destroy	10/24/2023
County Records	23.202	Affidavits of Identity Records	These records document the identity of all candidates for elected office, including precinct delegates. They may include, but may not be limited to, affidavits.	RETAIN UNTIL: Election is held PLUS: 2 years THEN: Destroy	10/24/2023
County Records	23.203	Voter Application Records	These records document voters who applied to vote at the polls. They are used to confirm that the voter has a valid registration in the jurisdiction, and they are used to verify the identity of the voter. County clerks only maintain these records for select elections. MCL 168.811	RETAIN UNTIL: Election is held PLUS: 6 years THEN: Destroy	10/24/2023
County Records	23.204	Apportionment Records	These records document the re-apportionment of the Board of Commissioner district boundaries after a census is completed. They may include, but may not be limited to, correspondence, litigation materials, minutes of apportionment commission meetings, maps, district descriptions, and demographic information.	RETAIN UNTIL: First election that the plan was in effect PLUS: 11 years THEN: Destroy	10/24/2023

STATE OF MICHIGAN
Records Management Services
General Schedule #23 – Elections Records

Section	Item #	Series Title	Series Description	Retention Period	Approval Date
County Records	23.223	Voter Participation Records (a.k.a. Poll Books)	These records document which registered voters participated in an election. They identify which voters were issued provisional ballots and which voters were challenged. They may include, but may not be limited to, poll books from each precinct that are received from cities and townships for maintenance by the county clerk, and absent voter poll books that identify which absent voters were mailed ballots. MCL 168.811	RETAIN UNTIL: Election is held PLUS: 2 years THEN: Destroy	10/24/2023
County Records	23.224	Precinct Delegate Records	These records document the certification of election results for precinct delegates and notification to political parties. They may include, but may not be limited to, tally sheets, certificates of election, and lists.	RETAIN UNTIL: Election is held PLUS: 2 years THEN: Destroy	10/24/2023
County Records	23.225	Precinct Tabulation Data	These records document the programming (burning) of removable data storage devices for precinct tabulators. They may include, but may not be limited to, definitions, vote totals, and audits of voting activity. The data may be transferred to other storage media for retention.	RETAIN UNTIL: Election is held PLUS: 2 years THEN: Destroy	10/24/2023
County Records	23.228	Proposal Petition Records	These records document petitions submitted by groups or individuals wishing to place a question on the countywide ballot for an upcoming election. They may include, but may not be limited to, petitions containing signatures of registered voters living within the jurisdiction stating that they want to have the proposal placed on the ballot.	RETAIN UNTIL: Election is held, or the proposal is dropped from consideration PLUS: 2 years THEN: Destroy	10/24/2023
County Records	23.229	Recall Records	These records document initiatives by voters to recall elective officers in the state. They may include, but may not be limited to, petition language submissions, clarity review documents, public meeting notices, signed petitions, signature challenges, petition review notices, and correspondence.	RETAIN UNTIL: Date created PLUS: 2 years THEN: Destroy	10/24/2023
County Records	23.230	Recount Records	These records document the administration of election recounts. They may include, but may not be limited to, tally sheets, application forms, financial documents, petitions, counter petitions, objections, sign-in sheets, correspondence, and personnel records for the workers.	RETAIN UNTIL: Recount is completed PLUS: 2 years THEN: Destroy	10/24/2023
County Records	23.232	School Election Coordinating Committee Records	These records document the duties and responsibilities of school election coordinating committees that administer school elections. They may include, but may not be limited to, meeting records, agreements that are renewed every two years, maps, resolutions, and correspondence.	RETAIN UNTIL: Agreement expires PLUS: 6 years THEN: Destroy	10/24/2023
County Records	23.233	Statement of Vote Records	These records document certifications of the vote on Election Day by election inspectors. They may include, but may not be limited to, summaries of the votes for write-in candidates, and the number of ballots issued (used and unused). The statement may be part of the poll book (see item #223). MCL 168.811	RETAIN UNTIL: Election is held PLUS: 2 years THEN: Destroy	10/24/2023

STATE OF MICHIGAN
Records Management Services
General Schedule #23 – Elections Records

Section	Item #	Series Title	Series Description	Retention Period	Approval Date
County Records	23.242	Electronic Pollbook Data	These records document registered voters in a given jurisdiction on Election Day, or during an early voting period. They may include, but may not be limited to, electronic pollbook data stored on devices used at the polling site.	RETAIN UNTIL: Data is uploaded into QVF or converted to paper AND the election is held PLUS: 7 days THEN: Destroy	10/24/2023
County Records	23.243	Preliminary Accuracy Testing Records - Federal Offices (supersedes item #23.226A)	These records document tests of voting equipment prior to the election. They may include, but may not be limited to, data containing voting formulas for the election that is used to test the equipment's accuracy, voter assist terminal testing, test ballots, test decks, supporting documentation, certifications, and edit listings.	RETAIN UNTIL: Election is held PLUS: 2 years THEN: Destroy	10/24/2023
County Records	23.244	Preliminary Accuracy Testing Records - State and Local Offices (supersedes item #23.226B)	These records document tests of voting equipment prior to the election. They may include, but may not be limited to, data containing voting formulas for the election that is used to test the equipment's accuracy, voter assist terminal testing, test ballots, test decks, supporting documentation, certifications, and edit listings.	RETAIN UNTIL: Election is held PLUS: 30 days THEN: Destroy	10/24/2023
County Records	23.245	Proof Ballot Records - State and Local Offices (supersedes item #23.227A)	These records document the proofreading of ballots for state and local offices to confirm the accuracy of the wording and formatting of each style of ballot that will be used in the election. They are reviewed by the candidates, Bureau of Elections, and the County Election Commission prior to printing. They may include, but may not be limited to, physical or electronic proof ballots (one of each style), and correspondence.	RETAIN UNTIL: Final determination of the Board of Canvassers PLUS: 30 days THEN: Destroy	10/24/2023
County Records	23.246	Proof Ballots Records - Federal Offices (supersedes item #23.227B)	These records document the proofreading of ballots for federal offices to confirm the accuracy of the wording and formatting of each style of ballot that will be used in the election. They are reviewed by the candidates, Bureau of Elections, and the County Election Commission prior to printing. They may include, but may not be limited to, physical or electronic proof ballots (one of each style), and correspondence.	RETAIN UNTIL: Final determination of the Board of Canvassers PLUS: 22 months THEN: Destroy	10/24/2023
County Records	23.247	Sample Ballot Records - State and Local Offices (supersedes item #23.231A)	These records document sample ballots for state and local offices that are produced and marked "sample" for posting to the public for informational purposes.	RETAIN UNTIL: Final determination of the Board of Canvassers PLUS: 30 days THEN: Destroy	10/24/2023

RECEIVED by MCOC 8/12/2026 4:05:48 PM

STATE OF MICHIGAN
Records Management Services
General Schedule #23 – Elections Records

Section	Item #	Series Title	Series Description	Retention Period	Approval Date
County Records	23.248	Sample Ballot Records - Federal Offices (supersedes item #23.231B)	These records document sample ballots for federal offices that are produced and marked "sample" for posting to the public for informational purposes.	RETAIN UNTIL: Final determination of the Board of Canvassers PLUS: 22 months THEN: Destroy	10/24/2023
City and Township Records	23.300	Absentee Ballot Records	These records document the transmission of absentee ballots. They may include, but may not be limited to, envelopes containing valid ballots that are opened and emptied so the ballot can be counted (see items #304-305), and invalid and rejected ballots that are not counted and remain inside the envelope (envelope may remain sealed). MCL 168.811	RETAIN UNTIL: Final determination of the Board of Canvassers PLUS: 2 years THEN: Destroy	10/24/2023
City and Township Records	23.301	Absentee Voter Records	These records document which voters in each precinct were mailed absentee ballots. They may include, but may not be limited to, lists containing the name of the voter, address where the ballot was mailed, date the application was received, date the ballot was mailed, date the ballot was received, etc., and absentee ballots information posting. The list may be part of the poll book (see item #223). MCL 168.811	RETAIN UNTIL: Election is held PLUS: 2 years THEN: Destroy	10/24/2023
City and Township Records	23.302	Absentee Ballot Application Records – Single Election Cycle	These records document which voters request to receive an absentee ballot for upcoming primary and/or general elections. They may include, but may not be limited to, applications, and "emergency" absentee ballot requests. MCL 168.811	RETAIN UNTIL: Election is held PLUS: 6 years THEN: Destroy	10/24/2023
City and Township Records	23.303	Voter Application Records	These records document voters who applied to vote at the polls. They are used to confirm that the voter has a valid registration in the jurisdiction, and they are used to verify the identity of the voter. MCL 168.811	RETAIN UNTIL: Election is held PLUS: 6 years THEN: Destroy	10/24/2023
City and Township Records	23.304	Affidavit of Identity Records	These records document the identity of all candidates for elected office, including precinct delegates. They may include, but may not be limited to, affidavits.	RETAIN UNTIL: Election is held PLUS: 2 years THEN: Destroy	10/24/2023
City and Township Records	23.305	Affidavit of Voter Unable to Meet Photo ID Requirement Records	These records document which voters did not possess photo identification when they were issued a ballot in person. They may include, but may not be limited to, affidavits located on the backside of the application to vote (see item #303).	RETAIN UNTIL: Election is held PLUS: 6 years THEN: Destroy	10/24/2023

STATE OF MICHIGAN
Records Management Services
General Schedule #23 – Elections Records

Section	Item #	Series Title	Series Description	Retention Period	Approval Date
City and Township Records	23.306	Ballot Records - Federal Offices	These records document votes in elections where the office of U.S. President, U.S. Senate, or Representative in Congress appears on the ballot (including proof ballots, sample ballots, uncounted ballots, counted absentee ballots, provisional ballots, challenged ballots, spoiled ballots, and ballots rejected for exposure). They may include, but may not be limited to, optical scan ballots and the programming used to tabulate them, and Federal Write-In Absentee Ballots. Optical scan ballots shall be stored in sealed ballot bags in a secure place during this retention period, after the retention requirements specified under Michigan law have been met (see item #305 and 311). 52 USC 20701	RETAIN UNTIL: Final determination of the Board of Canvassers PLUS: 22 months THEN: Destroy	10/24/2023
City and Township Records	23.307	Ballot Records - State and Local Offices	These records document votes in elections for state and local offices, some school district elections, and special elections in which candidates for federal offices did not appear on the ballot (including proof ballots, sample ballots, uncounted ballots, unused ballots, counted absentee ballots, provisional ballots, challenged ballots, spoiled ballots, and ballots rejected for exposure). They may include, but may not be limited to, voting device and tabulator programming, ballot containers containing optical scan ballots, edit listings, and unused ballots for federal, state, and local offices. MCL 168.811	RETAIN UNTIL: Final determination of the Board of Canvassers PLUS: 30 days THEN: Destroy	10/24/2023
City and Township Records	23.308	Candidate Listing Records	These records document when a candidate files an Affidavit of Identity. They may include, but may not be limited to, registers and lists.	RETAIN UNTIL: Election is held PLUS: 2 years THEN: Destroy	10/24/2023
City and Township Records	23.309	Declaration of Intent Records	These records document individuals who seek nomination or election to an office with write-in votes. Votes for write-in candidates who do not file a Declaration of Intent will not be counted.	RETAIN UNTIL: January 1 following the election THEN: Destroy	10/24/2023
City and Township Records	23.310	Election Notification Records	These records document notifications published by clerks in local newspapers for the public about the close of registration to vote, of upcoming elections, and of public accuracy tests of voting equipment. They may include, but may not be limited to, notices, affidavits of publication, and bills from the newspaper.	RETAIN UNTIL: Election is held PLUS: 2 years THEN: Destroy	10/24/2023
City and Township Records	23.311	Election Inspector Application Records	These records document people who are interested in serving as election inspectors who are appointed by the local election commission. They may include, but may not be limited to, applications.	RETAIN UNTIL: Replaced by a new application, or person is no longer eligible for appointment as an inspector THEN: Destroy	10/24/2023

STATE OF MICHIGAN
Records Management Services
General Schedule #23 – Elections Records

Section	Item #	Series Title	Series Description	Retention Period	Approval Date
City and Township Records	23.339	Electronic Pollbook Data	These records document registered voters in a given jurisdiction on Election Day, or during an early voting period. They may include, but may not be limited to, electronic pollbook data stored on devices used at the polling site.	RETAIN UNTIL: Data is uploaded into QVF or converted to paper AND the canvass of the election is completed PLUS: 7 days THEN: Destroy	10/24/2023
City and Township Records	23.340	Absentee Ballot Application Records – Permanent List	These records document which voters request to receive an absentee ballot for all future elections. The voter's request is entered into the Qualified Voter File (QVF) which serves as the official record of the request. They may include, but may not be limited to, applications, and permanent absentee voter list data. MCL 168.811	RETAIN UNTIL: Date requested PLUS: 6 years THEN: Destroy	10/24/2023
City and Township Records	23.341	Preliminary Accuracy Testing Records - Federal Offices (supersedes item #23.322A)	These records document tests of voting equipment prior to the election. They may include, but may not be limited to, data containing voting formulas for the election that is used to test the equipment's accuracy, voter assist terminal testing, test ballots, test decks, supporting documentation, certifications, and edit listings.	RETAIN UNTIL: Election is held PLUS: 2 years THEN: Destroy	10/24/2023
City and Township Records	23.342	Preliminary Accuracy Testing Records - State and Local Offices (supersedes item #23.322B)	These records document tests of voting equipment prior to the election. They may include, but may not be limited to, data containing voting formulas for the election that is used to test the equipment's accuracy, voter assist terminal testing, test ballots, test decks, supporting documentation, certifications, and edit listings.	RETAIN UNTIL: Election is held PLUS: 30 days THEN: Destroy	10/24/2023
City and Township Records	23.343	Voter Registration Application Records – Challenge Voters	These records document people who are registering to vote within 14 days prior to an election and do not provide a Michigan driver's license or state identification card listing their current address. They may include, but may not be limited to, applications, and affidavits. MCL 168.811	RETAIN UNTIL: Election is held PLUS: 6 years THEN: Destroy	10/24/2023

EXHIBIT 9

RECEIVED FROM DEMOCRACYDOCKET.COM

DEPARTMENT OF STATE

BUREAU OF ELECTIONS

USE OF ELECTRONIC POLLBOOK

(By authority conferred on the secretary of state by section 31 of the Michigan election law, 1954 PA 116, MCL 168.31)

R 168.41 Definitions.

Rule 1. (1) As used in these rules:

- (a) “Act” means the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992.
 - (b) “Approved form of transmission” means an encrypted or password protected, or both, flash drive or other electronic media used to store election files and transfer files between the electronic pollbook and qualified voter file, or another form of secure storage and transmission if approved by the bureau of elections.
 - (c) “Department” means the department of state.
 - (d) “Electronic pollbook” means computer software that receives information from the qualified voter file and is used during elections to process voters and generate reports. Electronic pollbook includes, but is not limited to, the early voting electronic pollbook, the election day vote center electronic pollbook, and the election day electronic pollbook, or any combination of those electronic pollbooks.
 - (e) “Secretary of state’s duly authorized agent” includes bureau of elections staff, other necessary department staff, county, city, and township clerks or their designees, election inspectors, and relevant department of technology, management, and budget staff as determined by the director of elections.
- (2) Unless otherwise defined in these rules, a term defined in the act has the same meaning when used in these rules.

History: 2025 MR 20, Eff. October 23, 2025.

R 168.42 Access to electronic pollbook data and software.

Rule 2. (1) The voter data contained in the electronic pollbook are public records subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246. Voter data that is exempt from disclosure under section 13 of the freedom of information act, 1976 PA 442, MCL 15.243, must not be released.

(2) Records regarding electronic pollbook software programming are confidential and must not be released if disclosure of the records may compromise the confidentiality, integrity, or availability of cybersecurity of election information systems.

(3) The secretary of state’s duly authorized agents shall have access to the electronic pollbook software and complete the security verification required by the department to access the electronic pollbook software.

History: 2025 MR 20, Eff. October 23, 2025.

R 168.43 Download and backup.

Rule 3. (1) For the early voting period, if a jurisdiction conducts early voting, the clerk designated in the early voting agreement shall access the early voting electronic pollbook software as instructed by the department.

(2) For election day, the clerk conducting the election shall download the electronic pollbook software as instructed by the department.

(3) If the electronic pollbook software as described in section 668b(1) of the act, MCL 168.668b, has a secure live connection to the qualified voter file software at a polling place or early voting site, the electronic pollbook software with the secure live connection must be used to process voters and to generate election precinct reports, and the downloaded electronic pollbook software, or a paper copy of the downloaded electronic pollbook software, serves as a backup.

History: 2025 MR 20, Eff. October 23, 2025.

R 168.44 Electronic pollbook during the early voting period.

Rule 4. (1) If an early voting site has internet access, the electronic pollbook software used during the early voting period must have a secure live connection to the qualified voter file software to allow real-time updates to voter history and ballot issuance.

(2) At the conclusion of each day of early voting, election inspectors at an early voting site shall print from the electronic pollbook a list of voters who voted that day at the early voting site and include the list in the physical pollbook.

History: 2025 MR 20, Eff. October 23, 2025.

R 168.45 Electronic pollbook on election day.

Rule 5. If a polling place has internet access and the bureau of elections has established live connectivity functionality with the qualified voter file, the electronic pollbook software used on election day must have a secure live connection to the qualified voter file software to allow real-time updates to voter history and ballot issuance.

History: 2025 MR 20, Eff. October 23, 2025.

R 168.46 Production of reports.

Rule 6. (1) If the polling place produces required reports after the close of polls on election day, election inspectors at the polling place shall print from the electronic pollbook the required reports and include the reports in the physical pollbook.

(2) If the receiving board produces reports after the close of polls on election day, election inspectors shall download the required reports to the approved form of transmission, seal it in a transfer case, and 2 election inspectors representing each of the major political parties shall deliver it to the receiving board. The receiving board shall

print from the approved form of transmission the required reports for the election day polling place, early voting site, or vote center and include the list in the physical pollbook.

History: 2025 MR 20, Eff. October 23, 2025.

R 168.47 Upload of electronic pollbook files to the qualified voter file.

Rule 7. If the electronic pollbook is not connected via secure live connection to the qualified voter file while voting takes place, within 7 days after an election, the clerk responsible for administering the election shall upload the voting history and other required files from the electronic pollbook to the qualified voter file using the approved form of transmission.

History: 2025 MR 20, Eff. October 23, 2025.

R 168.48 Data retention.

Rule 8. (1) Subject to subrule (2) of this rule, the electronic pollbook software and associated files must be deleted from all devices by the seventh day following the final canvass and certification of the election, unless a petition for recount has been filed and the recount has not been completed, a post-election audit has been scheduled, or the deletion of the data has been stayed by an order of the court or the secretary of state. If a precinct is selected for an audit, the electronic pollbook software and associated files must be deleted from all devices by the seventh day following completion of the audit.

(2) The electronic pollbook software and associated files must not be deleted from devices until the bureau of elections or county clerk, as applicable, issues the release of security memorandum pertaining to that election.

History: 2025 MR 20, Eff. October 23, 2025.

EXHIBIT 10

RETRIEVED FROM DEMOCRACYDOCKET.COM



State of Michigan

Records Management Services



Guide – Retention of Elections Records

This guide accompanies General Schedule #23 - Elections Records.

Public Records

The Michigan Freedom of Information Act (FOIA) ([MCL 15.231-15.246](#)) defines public records as recorded information “prepared, owned, used, in the possession of, or retained by a public body in the performance of an official function, from the time it is created.”

Retention and Disposal Schedules

Michigan law (MCL [399.811](#) and [750.491](#)) requires that all public records be listed on an approved Retention and Disposal Schedule that identifies the amount of time that records must be kept to satisfy administrative, legal, fiscal and historical needs. Schedules identify when records may be destroyed, and when certain records should be sent to the [Archives of Michigan](#) for permanent preservation. *Records cannot be destroyed unless their disposition is authorized by an approved Retention and Disposal Schedule.* All schedules are approved by the Records Management Services, the Archives of Michigan, and the State Administrative Board. There are two types of schedules that government agencies may use:

- [General Schedules](#): cover records that are common to a particular type of government agency, such as a clerk’s office. General schedules may not address every single record that a particular agency may have in its possession. *General schedules do not mandate that any of the records listed on the schedule be created.* However, if they are created in the normal course of business, the general schedule establishes a minimum retention period for them.
- [Agency-Specific Schedules](#): cover records that are that are unique to a particular government agency, and that are not listed on a general schedule. Agency-specific schedules always override general schedules if a record is covered on both types of schedules. Agency-specific schedules only address the records of the agency named on the schedule and may not be used by another agency.

Record Maintenance

Records can exist in a wide variety of formats, including paper, maps, photographs, microfilm, digital images, email messages, databases, etc. The record series listed on this general schedule do not specify the format that the record may exist in, because each agency that follows this schedule may choose to retain its records using different recording media. Local government agencies are responsible for ensuring that all of their records (regardless of format) are properly retained and remain accessible during this entire retention period. All records need to be stored in a secure and stable environment that will protect them from tampering, damage, and degradation. Electronic records are dependent upon specific hardware and software to be accessed and used. It is important to understand that the original technology that is used to create electronic records will eventually become obsolete. As a result, local government agencies should work with their information technology staff to develop preservation plans for retaining electronic records with long-term (more than 10 years) retention requirements.

Various laws (including the Records Reproduction Act, [MCL 24.401-24.406](#)) identify acceptable formats for retaining public records; agencies are responsible for [understanding](#) and complying with these laws.

Suspending Destruction

Local government agencies must immediately cease the destruction of all relevant records (even if destruction is authorized by an approved Retention and Disposal Schedule) if they receive a FOIA request, if they believe that an investigation or litigation is imminent, or if they are notified that an audit, investigation, or litigation has commenced. If relevant records exist in electronic formats (such as email, digital images, word processed documents, databases, backup tapes, etc.), the agency may need to notify its information technology staff. Failure to cease the destruction of relevant records could result in penalties.

Disaster Preparedness and Response

Local government agencies should identify which of their records are vital and need to be protected in case a disaster occurs. A disaster plan is helpful to define how the agency will try to prevent disasters and respond to disasters. If records are completely destroyed during a disaster and are not recoverable, the agency should document which records were destroyed, and when/how the destruction occurred. This information should be kept until the destroyed records' retention period is met. If records are damaged (but not destroyed) during a disaster, the agency is responsible for recovering those records that have not met their retention period yet. This may require the services of a vendor that specializes in disaster response. An [online guide](#) is available to assist with disaster preparedness and response.

Public Disclosure

Select records series that are listed on this schedule may be exempt from public disclosure, in accordance with the provisions of various state and federal laws. Please consult with your attorney if you need additional information.

Preservation of Historical Records

Local government agencies generate some records with permanent historical value. These records are designated for transfer to the Archives of Michigan when their retention period with the creating agency ends. Local government agencies can contact the Archives for assistance at govarchives@michigan.gov or at 517-335-2576. The Archives' website has additional information, <https://www.michigan.gov/archivesofmichigan>.

Non-record Material

[General Schedule #1](#) addresses the retention of "non-record" materials. These documents are broadly defined as drafts, duplicates, convenience copies, publications and other materials that do not document agency activities or are not the official source of truth for the agency. These materials can be disposed of when they no longer have reference value to the agency. Local government agencies need to identify the "office of record" when multiple offices possess copies of the same record. The "office of record" is responsible for following the retention period that is specified. Duplicates do not need to be retained. Employees should keep non-record

duplicates for the shortest amount of time necessary to satisfy their needs, and not longer than the retention period of the official record. If the official record is destroyed (in compliance with its Retention and Disposal Schedule), any non-record duplicates that still exist remain subject to FOIA and litigation requests. A more comprehensive definition of “non-records” can be found in the approved schedule.

Scanning

If original records will be scanned and the digital image will be used as the official record, they must be scanned in compliance with the [Records Reproduction Act](#) (MCL 24.402 – 24.406). Once scanning is completed, the digital image becomes the official record, and the original paper record becomes a duplicate. Duplicate records do not need to be retained, and should be promptly destroyed in compliance with the [General Schedule for Non-records](#) (General Schedule #1). See the [Records Management Guidance web page](#), Imaging/Scanning Records section for more information.

Select Items on the General Schedule

- **205, 219, 307, 314:** Destruction of election records must be suspended if “a petition for recount has been filed and not completed or unless their destruction is stayed by an order of a court.” (MCL 168.811) The records need to be retained until a Secretary of State order to suspend destruction is lifted, or an investigation into defective ballots or voting equipment is completed.
- **311:** Local election commissions should define in writing what conditions makes a person no longer eligible for appointment as an inspector.
- **314:** If the electronic voting equipment is needed for an upcoming election, the original seal of record may be broken to permit the transfer of these records to sealed ballot bags for the remainder of their retention period in compliance with notification from the Secretary of State.
- **324:** Emergency paper poll lists are duplicate records.
- **331:** The requirement to burn voter registration master cards at the end of their retention period was removed from the law.
- **340:** QVF serves as the official record of a voter’s request to be placed on the permanent absentee ballot list. Clerks do not need to transfer applications to another clerk when the voter moves.
- **Poll Books:** If other records, such as the statement of vote, vote tally, etc., are part of the poll book, they will be retained with the poll book.

Records Management Can Help!

State of Michigan Records Management Services is available to assist government agencies with their questions. Agencies may contact the Records Management Services at 517-335-9132 or via email at recordscenter@michigan.gov. Additional information is also available from the Records Management Services’ website <https://www.michigan.gov/dtmb/services/recordsmanagement>, including online training, guidance documents, and general schedules.

EXHIBIT 11

RETRIEVED FROM DEMOCRACYDOCKET.COM

DEAR ANNIE

Regretting the evidence of having a good time

Dear Annie:

Last year, I married the nicest guy I've ever met. I'm 40 and wish I'd met him sooner, but better late than never. On our month-long honeymoon in Europe, we attended a music festival. During the festival, my husband and I saw some other women in leotards, and in a moment of flirting, I did something



Annie

totally out of character and bought some pasties myself and a glittery thong. I spent the next day dancing and partying in this revealing attire with my husband. I think everyone needs to have one wild moment in

their life, and I had lots of fun.

After we got home, I found out the festival had hired a photographer to take pictures for their social media accounts. There I was in three photos online wearing only the glittery thong and pasties over my breasts, dancing on a mini stage they set up in the crowd. The pictures are untagged, so no one would connect them to me anyway, and my friends all think I look hot and that it isn't a big deal. I own my own business, so I don't need to worry about employment, and for now, only my friends know. Even so, I'm too embarrassed to tell my husband.

Should I confess to him that I'm in these pictures that will exist forever? Should I try to get the photos removed somehow? Should I even feel embarrassed? When I really think about it, it's probably no big deal, but when the feelings of embarrassment kick in, I don't know what to do!

—Festive Flashback

Dear Festival:

Honesty is the best policy, especially in marriage, and this isn't so much a confession to your husband as it is simply sharing with him what you found. He was right there with you, participating in the event, too, even if there are no pictures of him to prove it.

You're in a fortunate position that the pictures don't affect your job or personal life. Still, if contacting the festival or social media account is easy enough, it's worth asking if the photos can be taken down; you may care more later on and wish you had done so sooner. Don't let this happy, carefree, innocent moment in the past become something you beat yourself up for now.

Shouldn't the host have mentioned that in the invitation? Is it appropriate to ask about costs like this before RSVPing? My friend could easily have afforded to pick up the check for the gathering. I'm certainly glad I had the money to cover what we ordered.

—Perplexed About the Etiquette

Dear Perplexed:

Yes, the host should've made that clear in the invitation. If the party had been at their home instead, no one would expect to pay for food or drinks, so it's reasonable to think the same would be true of a different venue, especially one you traveled hours to get to. If the hosts weren't prepared to foot the bill, they

should've been upfront about it.

In the future, there's nothing wrong with asking for more details when an invite is vague and especially at public venues again. "Will food and drinks be provided?" is a completely fair question to ask ahead of time, and it lets you make a fully informed decision before committing to anything.

Annie Lane's second anthology — "How Can I Forgive My Cheating Partner?" featuring favorite columns on marriage, infidelity, communication and reconciliation — is available as a paperback and e-book. Visit <http://www.creatorspublishing.com> for more information. Send your questions for Annie Lane to dearannie@creators.com.

CAR TALK

Turn off useful safety feature so you can run into walls

Dear Car Talk:

Our new Toyota Tundra uses ALL of the available space in our garage. And if I want to close the garage door, I have to pull within inches of the front wall. Here's the problem: The automatic brake system continually hits the brakes for me every time I approach the wall, even though I am just creeping at 1 mph.

Is there a danger in repeatedly having the auto brake system activate when I park each time? Will this damage the brakes?

—Dan

Dear Dan:

No, but it might damage your neck, Dan. For those who don't have this feature, lots of newer cars have automatic emergency braking. If the car's sensors conclude that there's an obstacle ahead (a stopped car, for instance), and you haven't given any indication that you're aware of it by taking your foot off the gas or hitting the brakes, the automatic braking system kicks in.

As a first step, the vehicle will issue an

audible and/or visual warning. And then, if you continue to browse your wife's sister's Instagram photos while the obstacle gets closer, it will actually apply the brakes for you to prevent a crash.

Many cars and trucks also have a slow-speed version of this system for use in parking. It works in both forward and reverse. So, if trying to parallel park between two Maseratis, and you're about to take out the hood of the one

behind you, the system will warn you and then apply the brakes to keep you from hitting it and having to join the witness protection program.



Maglozzi

This can be incredibly useful. It can also be irritating, as you've learned, Dan. So, your vehicle (and most others) allows you to turn off the slow-speed auto brake feature in situations where you'd rather it mind its own business.

On the Tundra,

there's a button to the left of your steering wheel with an image of a car making impact with a traffic cone and the word "OFF" underneath it. When you pull into your garage, just press that button.

An orange light with that same image will show up on your dashboard, letting you know that the system is off. You'll still hear the audio warning when the sensors detect a nearby obstacle (like the garage wall), but the truck will not apply its own brakes. Once that light is off,

Dan, you are free to drive right into your radial arm saw.

It's also useful for going through a car wash. Just keep in mind that most vehicles will reset the system to "On" when you restart. So, you'll have to hit the button each time you pull into the garage. But that's better than the whiplash, right?

Got a question about cars? Write to Ray in care of King Features, 628 Virginia Drive, Orlando, FL 32803, or email by visiting the Car Talk website at www.cartalk.com.

Panton made first all-plastic chairs in '60s

By TERRY and KIM KOVEL

A chair is a chair is a chair, isn't it? Four legs to stay on the floor, a high back to keep the sitter upright, and maybe a stretcher base for support. And everything is made of wood, of course, with variety coming from upholstery, decorative carvings or the shape of the legs.

That may have been true up to the 20th century. Furniture changed dramatically when designers took advantage of new materials that opened up previously unheard-of possibilities: plastics.

Man-made plastics were used for household implements by the 1920s, but it wasn't until after World War II that the potential for full-sized, functional plastic furniture was realized. One of the most famous plastic chair designs was the Panton chair, named after its designer, Danish architect Verner Panton. Considered the world's first molded plastic chair, it is a cantilevered chair made from a single piece of plastic. Its shape and weight distribution allow it to be made without back legs.

Panton came up with the design in about 1960, but it wasn't until the middle of the decade that he found a manufacturer, German furniture company Vitra, that would make it. Vitra started producing the Panton chair in 1968. Later, the Vitra Design Museum commemorated the Panton chair with sets of miniature versions in 1-to-6 scale. A group of 14 sold for \$100 at an auction by Eldred's; a bargain when compared to the price of

a full-sized Panton chair.

The chair is still in production today, and designers are adapting it to contemporary sensibilities by creating versions in eco-friendly materials like bamboo and rattan.

Question:

One of my favorite antique pieces is a large copper bowl about 21 inches across. It has a round bottom and fits into a three-legged stand. I think it's for making candy. Can you tell me about it and what it might be worth?

Answer:

You're right; copper bowls like yours have been used to make candy, at least since the 1800s. Despite their bowl shape, they are usually called candy kettles. Cooks know that copper has excellent thermal conductivity, meaning that it heats and cools rapidly and spreads heat evenly across its surface. This is especially important for making candy; sugar syrup needs to be heated to precise temperatures and handled very carefully to prevent scorching. Unlike most present-day copper cookware, copper candy kettles are usually unlined. Sugar does not react with copper the way acidic foods do. The rounded bottom of the kettle allows for easier, more thorough mixing.

Today, there are many candy companies that advertise that they use copper kettles, often insisting that discerning customers can taste the difference. Antique and vintage copper candy kettles sell for about \$200 to \$300 without an

identified maker or date. More information generally increases the value.

Check your kettle for marks and take a close look at any seams, rivets or signs of construction. Most copper cookware was entirely handmade before 1850. By the early 1900s, manufacturers used electric machinery.

Question:

Can you tell me about my deck of "Go Fish" children's playing cards? The box says "Copyright 1951" and "Mfg. by Ed-U-Cards N.Y." but I haven't been able to find out more information about the company or the cards' value. I was also told that there is a toy museum that accepts donations of very old toys. Any information you can provide about it is greatly appreciated.

Answer:

The Ed-U-Cards company started in the 1940s in Long Island, New York, and appears to have operated until the 1960s. As the name indicates, they made educational card games for children. These included flashcards and memory games to teach subjects like vocabulary, basic math, science concepts and history. They also made related toys like puzzles and anagram tiles. Many games they made featured popular cartoon characters and other licensed properties. Some of their card games were less overtly educational, like sports cards and trading cards.

Decks of Ed-U-Cards decks can be worth anywhere from about \$10 to \$50, depending on their subject matter and condition. Games

with pictures of historical figures or famous fictional characters usually sell for the highest prices.

There is a toy museum called the Strong National Museum of Play in New York (museumofplay.org) that accepts donations of old toys. They are known for their Toy Hall of Fame, which annually

inducts a selection of classic toys.

Tip: Plastic furniture from the 1950s often scratches. A good polishing with automobile wax might help cover the blemishes.

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Department of State
Elections & Campaign Finance
Administrative Rules for Use of Electronic Pollbook
Rule Set 2025-14 ST

NOTICE OF PUBLIC HEARING
Tuesday, July 15, 2025 — 9:30 a.m.

Public Meeting Room A
Delta Charter Township Building, 7710 W. Saginaw Highway,
Lansing, MI 48917

The Department of State will hold a public hearing to receive public comments on proposed changes to the Use of Electronic Pollbook rule set.

The proposed rules would provide that an electronic pollbook must have a secure live connection to the Qualified Voter File while voting is taking place, if the site has internet access. Further, the proposed rules would provide that the electronic pollbook software download provided in MCL 168.668b must still take place and serve as a backup to the live connection.

By authority conferred on the secretary of state by Section 31 of the Michigan Election Law, 1954 PA 116, MCL 168.31.

The proposed rules will take effect immediately after filing with the secretary of state. The proposed rules are published on the State of Michigan's website at Michigan.gov/ARD and in the July 1, 2025, issue of the Michigan Register. Copies of these proposed rules may also be obtained by mail at the address below or by electronic mail at the following email address: Elections-PublicComment@Michigan.gov.

Comments on these proposed rules may be made at the hearing, by mail, or by electronic mail at the following addresses until 5 p.m. on July 15, 2025.

Bureau of Elections
P.O. Box 20126, Lansing, MI 48901-0726
Elections-PublicComment@Michigan.gov

The public hearing will be conducted in compliance with the 1990 Americans with Disabilities Act. If the hearing is held at a physical location, the building will be accessible with handicap parking available. Anyone needing assistance to take part in the hearing due to disability may call 800-292-5973 to make arrangements.

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13 ON YOUR SIDE WEATHER

Today	Sunday	Monday	Tuesday	Wednesday	Thursday
81	84 62	85 64	86 66	84 58	82 60
PARTLY CLOUDY	PARTLY CLOUDY	PARTLY CLOUDY	T-STORMS	T-STORMS	T-STORMS

AG Nessel issues summer travel tips

CONTRIBUTED

LANSING — As the summer travel season ramps up across the state, Michigan Attorney General Dana Nessel has reissued her travel tips alert to help consumers avoid common travel scams and stay informed about their rights while vacationing.

With many Michiganders planning trips during the warmer months, Nessel released a video urging travelers to remain vigilant when booking and taking vacations.

"Summer is the perfect time to create lasting memories with your family, and that experience shouldn't be disrupted by financial headaches or travel scams," Nessel said. "A few precautions can go a long way in protecting your plans and your wallet."

Nessel encourages travelers to:

Research agents and booking sites: Verify phone numbers and websites independently rather than relying on web-search results. Check reviews, seek personal recommendations and consult the Better Business Bureau as well as the Attorney General's Consumer Protection Team for information.

Get promises in writing: Before providing your payment information, request that all agreements be provided in writing, including any special requests or terms.

Read contracts carefully: Pay close attention to fine print, fees, and service charges, especially for "all-inclusive" deals. Make copies of all documents to dispute any unexpected fees.

Pay with a credit card: Avoid paying for travel with cash, checks, or prepaid cards. Use a credit card, if possible, preferably a designated travel credit card for booking flights, hotels, and other expenses. Credit cards offer better fraud and cancellation protections than other payment methods.

Beware of fraudulent listings on vacation rental sites: Scammers can hijack legitimate listings or create fake properties on vacation home rental websites like Airbnb and Vrbo to lure travelers into sending payments



Michigan's attorney general is warning state residents to be aware of travel scams as summer travel picks up.

ers into sending payments for rentals that don't exist. Always book through verified sources.

Nessel's alert lists some common travel scams, such as:

Online Booking Scams: Ensure you are booking directly on the hotel or vacation rental's official website. Third-party booking sites may charge hidden fees, fail to honor special requests, or even fail to make a reservation altogether.

"Pizza Flyer" Scam: Flyers slipped under hotel doors that advertise local food delivery may be fraudulent. When ordering, never give your credit card information to unknown sources.

Fake Front Desk Calls: Scammers may call your hotel room claiming to be from the front desk and request your credit card information due to a "computer glitch." Always verify by calling the front desk directly.

Bait-and-Switch Tactics: Be wary of offers with unrealistically low prices that result in additional charges or pressure to buy more expensive services.

Nessel also encourages consumers to watch for increased fees and surcharges this season, as some travel-related businesses adjust rates to offset inflation and tariffs.

She says to check all costs carefully, including transportation fares, ferry and parking passes, and ensure season passes purchased prior to any rate increase are still honored. Because of the busy travel season during the summer, some delays on bridges and airlines are to be expected. However, airline passengers are entitled to a refund for:

Canceled or significantly changed flights: Passengers

file a mishandled baggage report will be entitled to a refund of their checked bag fee if it is not delivered within 12 hours of their domestic flight arriving at the gate, or 15-30 hours of their international flight arriving at the gate, depending on the length of the flight.

Extra services not provided: Passengers will be entitled to a refund for the fee they paid for an extra service — such as Wi-Fi, seat selection, or in-flight entertainment — if an airline fails to provide this service.

Airlines are also required to provide automatic, prompt and complete refunds in the same method of payment used by the consumer to purchase their tickets.

"With air travel on the rise in the summer, it's important for passengers to know their rights," said Nessel, who previously served as chair of the U.S. Department of Transportation Aviation Consumer Protection Advisory Committee that evaluates existing aviation consumer protection programs. "Federal regulations ensure you're not footing the bill for canceled flights or lost baggage."

Significantly delayed baggage return: Passengers who

TODAY IN HISTORY

By THE ASSOCIATED PRESS

Today is Saturday, June 14, the 165th day of 2025. There are 200 days left in the year. This is Flag Day.

In history:

On June 14, 1940, German troops entered Paris during World War II; the same day, the Nazis transported their first prisoners to the Auschwitz concentration camp in German-occupied Poland.

Also on this date:

In 1775, the Continental Army, forerunner of the United States Army, was created by the Second Continental Congress.

In 1777, the Second Continental Congress approved the design of the first "stars and stripes" American flag.

In 1943, the U.S. Supreme Court, in *West Virginia State Board of Education v. BarNette*, ruled 6-3 that public school students could not be forced to salute the flag of the United States or recite the Pledge of Allegiance.

In 1954, President Dwight D. Eisenhower signed a bill adding the phrase "under God" to the Pledge of Allegiance.

POLICE

No injuries when car strikes building in SL Twp.

By TRIBUNE STAFF

SPRING LAKE TWP. — Police say no one was injured when a car slammed into a building in Spring Lake Township early Friday morning.

According to the Ottawa County Sheriff's Office, a 34-year-old Muskegon woman driving a Subaru Crosstrek crashed into the building at Johnson Auto Sales, 14658 Apple Drive. There were no injuries in the crash, which occurred shortly after midnight, although the building did suffer some damage, police said.

The incident remains under investigation.

COMMUNITY CALENDAR

Sunday, June 15
Alcoholics Anonymous: 7:30 a.m., 9:30 a.m. and 4 p.m. at Tri-Cities Alano Club, 419 Fulton St., Grand Haven.
Feast of the Strawberry Moon: 9 a.m. to 4 p.m., Harbor Island.

AA Speaker Meeting: 7 p.m. at Tri-Cities Alano Club, 419 Fulton St., Grand Haven. Open to the public.

Monday, June 16
Alcoholics Anonymous: 7:30 a.m., noon, 4 p.m. and

6 p.m. at Tri-Cities Alano Club, 419 Fulton St., Grand Haven.
Family Planning Clinic: 8 a.m. to 5 p.m. at Ottawa Department of Public Health, 1207 S. Beechtree St., Suite B, Grand Haven. By appointment only.

SMART Recovery: 12:30 p.m. at The Momentum Center, 401 N. Seventh St., Grand Haven.

Alzheimer's and Dementia Caregiver Group: 1-2:30 p.m. at United Methodist Church of the Dunes, 717 Sheldon Road.

United Methodist Church of the Dunes: 717 Sheldon Road, Grand Haven. Fee is \$1 per class.
Support Group for Loss of Loved One Due to Addiction: 6-7:30 p.m. at The Momentum Center, 401 N. Seventh St., Grand Haven.

Alcoholics Anonymous: 7 p.m. at First Presbyterian Church, 508 Franklin Ave., Grand Haven.

Al-Anon: 7 p.m. at St. John's Episcopal Church, 524 Washington Ave., Grand Haven.

Department of State
Elections & Campaign Finance
Administrative Rules for Use of Electronic Pollbook
Rule Set 2025-14 ST

NOTICE OF PUBLIC HEARING
Tuesday, July 15, 2025 — 9:30 a.m.

Public Meeting Room A
Delta Charter Township Building, 7710 W. Saginaw Highway,
Lansing, MI 48917

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Comments on these proposed rules may be made at the hearing, by mail, or by electronic mail at the following addresses until 5 p.m. on July 15, 2025.

Bureau of Elections
P.O. Box 20126, Lansing, MI 48901-0726
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The public hearing will be conducted in compliance with the 1990 Americans with Disabilities Act. If the hearing is held at a physical location, the building will be accessible with handicap parking available. Anyone needing assistance to take part in the hearing due to disability may call 800-292-5973 to make arrangements.



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Stonewall

Continued from Page 1A

They fought back, with the fists and fury of a people tired of being targeted and condemned for who they are.

The Stonewall riots represent such a significant chapter in American history that President Barack Obama designated the bar's exterior, an adjacent park and the surrounding streets a national monument in 2016 so that what happened there, and the people involved, would never be forgotten.

Less than a decade later, President Donald Trump wants Americans to remember only part of the story. In February, the National Park Service stripped references to transgender people from the monument's website. The move was part of Trump's broader campaign to recognize the existence of just two sexes — male and female — and combat what he calls "gender ideology."

Trans people who battled police alongside gay men and lesbians at Stonewall have now been erased from the government's official history of that event.

"That's just wrong," said Miss Major Griffin-Gracy, who participated in the riots and now lives in Little Rock, Arkansas. Miss Major, as she is known, is a transgender activist who has argued for years that trans Americans' involvement in Stonewall has never been fully acknowledged.

Mark Segal, a gay rights activist from Philadelphia who was inside Stonewall the night of the raid, is appalled by Trump's attempt at trans-washing LGBTQ+ history.

"I am a witness to history, and my trans brothers and sisters were with me that night," Segal said. "I won't allow him to censor history. I want people to realize that when a government tries to erase a group of people, that's dangerous."

'Go get 'em, girls!'

Segal was at the back of the bar, near the dance floor, where other young people hung out, when police came barreling through. It was 1:20 a.m., a Saturday. Segal, then 18, had been in New York for just six weeks. Growing up in Philadelphia, he had felt as if he were the only gay man in the world. Gay men were practically invisible in 1969. He had heard that Greenwich Village was a place where people could be themselves, so he headed to New York and found his way to Christopher Street in the heart of the city's gay scene.

There, he found a circle of friends like himself. He found Stonewall.

Freddi "Tree" Sequoia had discovered Greenwich Village a few years earlier. He had heard about it from a friend. So one day, while he was a teenager, he sneaked off from his home in Brooklyn and boarded a train to the city. He was so taken by the neighborhood's thriving mixture of clubs, coffee shops and easy sex that he moved there and never left.

Stonewall opened in early 1967 and quickly became his main hangout. He was there, along with Segal and others, dancing at the back of the bar, when the police charged in.

What happened next is legend, one that has been repeated and embellished so often that it can be hard to separate fact from fiction.

About 200 people were inside the bar that morning. Some, like Sequoia, were dancing. Others were just standing around, talking to friends, openly flirting — something that could have gotten them arrested in an era where same-sex relations were considered deviant and criminal.



A placard placed by police on the doors of the Stonewall Inn in New York City's Greenwich Village after their raid in June 1969 is now part of the national historic monument that honors the struggle for LGBTQ+ rights.

DREW ANGERER/GETTY IMAGES FILE



Major Griffin-Gracy was at the Stonewall Inn in New York City on the early morning of June 28, 1969, when patrons fought back against a police raid that would trigger the modern movement for LGBTQ+ rights.

JACOB SLATON/SPECIAL TO USA TODAY

Suddenly, the lights in the bar blinked on and the music stopped. Sequoia heard a friend known as Gypsy scream at the top of his lungs, "Don't touch me!"

Then, pandemonium.

A dozen or so police officers moved swiftly through the bar. They justified the raid by saying they were investigating the illegal sale of alcohol. Until 1966, New York had barred the sale of booze to known or suspected homosexuals. Gay bars like Stonewall had tried to get around that rule by operating as private clubs, but with homosexuality a crime, they were still easy targets and often subjected to police raids and brutality.

Officers smashed bottles of liquor against the bar, shattered the jukebox and cigarette machine, and shoved people up against the wall.

"I was scared out of my mind," Segal said. "I had never seen such violence in my life."

Police demanded to see IDs. Most patrons, including Segal and Sequoia, were eventually allowed to leave. Trans people were isolated in a back room so police could examine them to verify their sex. Some refused to cooperate. Lesbians in the front of the bar recoiled at what they considered unnecessary frisking. One reportedly punched a cop.

Out on the street, rumors of the raid spread. A crowd gathered in front of the bar and watched as police officers yanked drag queens and trans people through the door, some kicking and screaming, and shoved them into the back of a waiting van.

"They were just rude," said Miss Major, who was in the crowd. "They put their hand where it didn't belong. They shoved them and pushed them around and then they didn't help us when we had to go up the steps to the paddy wagon."

Boyce and a friend, Robert "Birdie" Rivera, were on their way to Stonewall when the raid happened. They were dressed in "scare drag" — a looser gender-bending style that would later be popularized by the singer Boy George — instead of full drag, which could have gotten them thrown in jail. Police were known to arrest anyone who wasn't wearing at least three items of clothing that corresponded to their sex at birth.

All at once, Boyce, then 21, felt a surge of people behind him that seemed unusual, even for a weekend. He looked toward Stonewall and could see the police cars' red bubble lights, twirling and brightening up the night sky. The crowd was pushing toward the bar. Boyce and

Rivera headed in that direction. By the time they got to Stonewall, the number of onlookers had grown and formed a semi-circle outside the bar's doors.

Boyce watched as an officer dragged the skinny queen in the rhinestone-studded pumps out the door. The bystanders giggled as she fought back and the officer struggled to get her into the police van. They laughed harder when she kicked him to the pavement with her sparkly footwear. He got up and bolted into the vehicle.

When the beating was over, he stepped back onto the sidewalk, jaws clenched, Boyce recalls, and barked a slur at the crowd. "You saw what you came to see. Now get out of here!"

Instead of scattering, the onlookers moved in his direction. Boyce could see the officer's anger rise as he commanded the crowd to disperse and ducked back inside the bar.

Exactly what turned the resistance into a riot remains an open debate. By some accounts, the tipping point was the lesbian punching the officer. Boyce suggests it was the officer's menacing response after he was kicked to the ground. Whatever the cause, the crowd's frustration gave way to fury.

"People started throwing things at the door, whether it be coins from their pockets or a stone they picked up, or an empty can of soda," Segal said.

Segal saw drag queens, loud and boisterous, hurl anything that wasn't fastened to the street. "Whoever assumes that a swishy queen can't fight

See STONEWALL, Page 5A

Department of State
Elections & Campaign Finance
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517.372.2424 solutions@mediaplacementone.com



Advertiser: Michigan Dept of State

Date of order: June 10, 2025

This is to certify that the Public Notice scheduled to run in the newspaper listed ran as the placement details below and proof of publication is attached.

Newspaper Name: Marquette Mining Journal

Run Date	Ad Size	Caption/Position/Special Instructions
6/14/2025	1/4 Page	Public Notice

Signed by  (MP1/MANSI Representative)
June 14, 2025

Notary Public:
Signed by  (Notary Public)
June 14, 2025

JAMES R. TARRANT
NOTARY PUBLIC – STATE OF MICHIGAN
COUNTY OF VAN BUREN
My commission expires April 12, 2029
Acting in the County of Ingham

RECEIVED by MCOC 8/12/2026 4:05:48 PM



AFFIDAVIT OF PUBLICATION

1642 Yosemite Dr., Lansing, MI 48917
517.372.2424 solutions@mediaplacementone.com



Advertiser: Michigan Dept of State

Date of order: June 10, 2025

This is to certify that the Public Notice scheduled to run in the newspaper listed ran as the placement details below and proof of publication is attached.

Newspaper Name: Grand Haven Tribune

Run Date	Ad Size	Caption/Position/Special Instructions
6/14/2025	1/4 Page	Public Notice

Signed by  (MP1/MANSI Representative)
June 14, 2025

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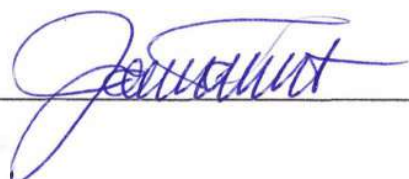
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Newspaper Name: Adrian Daily Telegram

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6/15/2025	1/4 Page	Public Notice

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EXHIBIT 12

RETRIEVED FROM DEMOCRACYDOCKET.COM

PROPOSED ADMINISTRATIVE RULES

DEPARTMENT OF STATE

BUREAU OF ELECTIONS

USE OF ELECTRONIC POLLBOOK

Filed with the secretary of state on

These rules become effective immediately after filing with the secretary of state unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the secretary of state by section 31 of the Michigan election law, 1954 PA 116, MCL 168.31)

R 168.41, R 168.42, R 168.43, R 168.44, R 168.45, R 168.46, R 168.47, and R 168.48 are added to the Michigan Administrative Code, as follows:

R 168.41 Definitions.

Rule 1. (1) As used in these rules:

- (a) “Act” means the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992.
 - (b) “Approved form of transmission” means an encrypted or password protected, or both, flash drive or other electronic media used to store election files and transfer files between the electronic pollbook and qualified voter file, or another form of secure storage and transmission if approved by the bureau of elections.
 - (c) “Department” means the department of state.
 - (d) “Electronic pollbook” means computer software that receives information from the qualified voter file and is used during elections to process voters and generate reports. Electronic pollbook includes, but is not limited to, the early voting electronic pollbook, the election day vote center electronic pollbook, and the election day electronic pollbook, or any combination of those electronic pollbooks.
 - (e) “Secretary of state’s duly authorized agent” includes bureau of elections staff, other necessary department staff, county, city, and township clerks or their designees, election inspectors, and relevant department of technology, management, and budget staff as determined by the director of elections.
- (2) Unless otherwise defined in these rules, a term defined in the act has the same meaning when used in these rules.

R 168.42 Access to electronic pollbook data and software.

Rule 2. (1) The voter data contained in the electronic pollbook are public records subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246. Voter data that is exempt from disclosure under section 13 of the freedom of information act, 1976 PA 442, MCL 15.243, must not be released.

(2) Records regarding electronic pollbook software programming are confidential and must not be released if disclosure of the records may compromise the confidentiality, integrity, or availability of cybersecurity of election information systems.

(3) The secretary of state's duly authorized agents shall have access to the electronic pollbook software and complete the security verification required by the department to access the electronic pollbook software.

R 168.43 Download and backup.

Rule 3. (1) For the early voting period, if a jurisdiction conducts early voting, the clerk designated in the early voting agreement shall access the early voting electronic pollbook software as instructed by the department.

(2) For election day, the clerk conducting the election shall download the electronic pollbook software as instructed by the department.

(3) If the electronic pollbook software as described in section 668b(1) of the act, MCL 168.668b, has a secure live connection to the qualified voter file software at a polling place or early voting site, the electronic pollbook software with the secure live connection must be used to process voters and to generate election precinct reports, and the downloaded electronic pollbook software, or a paper copy of the downloaded electronic pollbook software, serves as a backup.

R 168.44 Electronic pollbook during the early voting period.

Rule 4. (1) If an early voting site has internet access, the electronic pollbook software used during the early voting period must have a secure live connection to the qualified voter file software to allow real-time updates to voter history and ballot issuance.

(2) At the conclusion of each day of early voting, election inspectors at an early voting site shall print from the electronic pollbook a list of voters who voted that day at the early voting site and include the list in the physical pollbook.

R 168.45 Electronic pollbook on election day.

Rule 5. If a polling place has internet access and the bureau of elections has established live connectivity functionality with the qualified voter file, the electronic pollbook software used on election day must have a secure live connection to the qualified voter file software to allow real-time updates to voter history and ballot issuance.

R 168.46 Production of reports.

Rule 6. (1) If the polling place produces required reports after the close of polls on election day, election inspectors at the polling place shall print from the electronic pollbook the required reports and include the reports in the physical pollbook.

(2) If the receiving board produces reports after the close of polls on election day, election inspectors shall download the required reports to the approved form of transmission, seal it in a transfer case, and 2 election inspectors representing each of the major political parties shall deliver it to the receiving board. The receiving board shall print from the approved form of transmission the required reports for the election day polling place, early voting site, or vote center and include the list in the physical pollbook.

R 168.47 Upload of electronic pollbook files to the qualified voter file.

Rule 7. If the electronic pollbook is not connected via secure live connection to the qualified voter file while voting takes place, within 7 days after an election, the clerk responsible for administering the election shall upload the voting history and other required files from the electronic pollbook to the qualified voter file using the approved form of transmission.

R 168.48 Data retention.

Rule 8. (1) Subject to subrule (2) of this rule, the electronic pollbook software and associated files must be deleted from all devices by the seventh day following the final canvass and certification of the election, unless a petition for recount has been filed and the recount has not been completed, a post-election audit has been scheduled, or the deletion of the data has been stayed by an order of the court or the secretary of state. If a precinct is selected for an audit, the electronic pollbook software and associated files must be deleted from all devices by the seventh day following completion of the audit.

(2) The electronic pollbook software and associated files must not be deleted from devices until the bureau of elections or county clerk, as applicable, issues the release of security memorandum pertaining to that election.

ADMINISTRATIVE RULES

DEPARTMENT OF STATE

BUREAU OF ELECTIONS

USE OF ELECTRONIC POLLBOOK

Filed with the secretary of state on October 23, 2025

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Rule 7. If the electronic pollbook is not connected via secure live connection to the qualified voter file while voting takes place, within 7 days after an election, the clerk responsible for administering the election shall upload the voting history and other required files from the electronic pollbook to the qualified voter file using the approved form of transmission.

R 168.48 Data retention.

Rule 8. (1) Subject to subrule (2) of this rule, the electronic pollbook software and associated files must be deleted from all devices by the seventh day following the final canvass and certification of the election, unless a petition for recount has been filed and the recount has not been completed, a post-election audit has been scheduled, or the deletion of the data has been stayed by an order of the court or the secretary of state. If a precinct is selected for an audit, the electronic pollbook software and associated files must be deleted from all devices by the seventh day following completion of the audit.

(2) The electronic pollbook software and associated files must not be deleted from devices until the bureau of elections or county clerk, as applicable, issues the release of security memorandum pertaining to that election.

EXHIBIT 13

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Michigan Office of Administrative Hearings and Rules
Administrative Rules Division (ARD)
MOAHR-Rules@michigan.gov

REQUEST FOR RULEMAKING (RFR)

1. **Department:**
State
2. **Bureau:**
Elections & Campaign Finance
3. **Promulgation type:**
Full Process
4. **Title of proposed rule set:**
Use of Electronic Pollbook
5. **Rule numbers or rule set range of numbers:**
168.41 – R 168.51
6. **Estimated time frame:**
6 months

Name of person filling out RFR:
Jenny McInerney

Email of person filling out RFR:
McInerneyJ1@michigan.gov

Phone number of person filling out RFR:
517-331-7825

Address of person filling out RFR:
430 W. Allegan, Lansing, MI 48918
7. **Describe the general purpose of these rules, including any problems the changes are intended to address.**
The purpose of these rules is to clarify rules regarding the electronic pollbook, given technological advances, the introduction of early voting and the early voting pollbook, and the security benefits of real time connection with the Qualified Voter File.
8. **Please cite the specific promulgation authority for the rules (i.e., department director, commission, board, etc.).**
MCL 168.31(1)(a) provides that the secretary of state shall "issue instructions and promulgate rules pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, for the conduct of elections and registrations in accordance with the laws of this state."
 - A. **Please list all applicable statutory references (MCLs, Executive Orders, etc.).**
MCL 168.31.
 - B. **Are the rules mandated by any applicable constitutional or statutory provision? If so, please explain.**
MCL 168.31(1)(a) provides that the secretary of state shall "issue instructions and promulgate rules pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, for the conduct of elections and registrations in accordance with the laws of this state." Because these rules pertain to the use of the electronic pollbook--a vital tool in conducting elections in Michigan--they fall under this section.
9. **Please describe the extent to which the rules conflict with or duplicate similar rules, compliance requirements, or other standards adopted at the state, regional, or federal level.**

The rules do not conflict with any similar rules, requirements, or standards. The proposed rules do not explicitly duplicate any similar rules, compliance requirements, or other standards but they do update the interpretation of the electronic pollbook download in MCL 168.668b of the Michigan Election Law to account for technological and security advances and the use of live connectivity for the early voting pollbook in 2024.

10. Is the subject matter of the rules currently contained in any guideline, handbook, manual, instructional bulletin, form with instructions, or operational memoranda?

The early voting subject matter is in the Bureau publication Early Voting Electronic Poll Book (EV EPB) Manual.

11. Are the rules listed on the department's annual regulatory plan as rules to be processed for the current year?

The rules are not listed on the department's 2024 annual regulatory plan.

12. Will the proposed rules be promulgated under Section 44 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.244, or under the full rulemaking process?

Full Process

13. Please describe the extent to which the rules exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level.

The rules do not exceed similar regulations, compliance requirements, or other standards adopted at the state, regional or federal level.

14. Do the rules incorporate the recommendations received from the public regarding any complaints or comments regarding the rules? If yes, please explain.

Yes. Following the success of the EV EPB during the 3 elections for which it was used in 2024, the Bureau of Elections convened a Lean Process Improvement (LPI) workshop to identify successes, opportunities for improvement, and ways the Election Day EPB (ED EPB) could more closely align with the EV EPB. Prior to the LPI, a survey was sent to clerk staff and over 350 stakeholders responded. The LPI also included 13 expert participants who serve as clerks, deputy clerks, and clerk staff in cities and townships around Michigan. The recommendation of the LPI, supported overwhelmingly by survey responses, was that all EPBs have live connectivity like the EV EPB.

15. If amending an existing rule set, please provide the date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed the regulatory activity covered by the rules since the last evaluation.

The proposed rules do not amend existing rules.

16. Are there any changes or developments since implementation that demonstrate there is no continued need for the rules, or any portion of the rules?

No, there are no changes or developments because the rules do not amend existing rules.

17. Is there an applicable decision record (as defined in MCL 24.203(6) and required by MCL 24.239(2))? If so, please attach the decision record.

No

Based on the information provided in this RFR, MOAHR concludes that there are sufficient policy and legal bases for approving the RFR. The RFR satisfies the requirements of the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, and Executive Reorganization Order No. 2019-1, MCL 324.99923.

EXHIBIT 14

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**Michigan Office of Administrative Hearings and Rules
Administrative Rules Division (ARD)**

MOAHR-Rules@michigan.gov

**REGULATORY IMPACT STATEMENT
and COST-BENEFIT ANALYSIS (RIS)**

Agency Information:

Department name:

State

Bureau name:

Elections & Campaign Finance

Name of person filling out RIS:

Jenny McInerney

Phone number of person filling out RIS:

517-331-7825

E-mail of person filling out RIS:

McInerneyJ1@michigan.gov

Rule Set Information:

ARD assigned rule set number:

2025-14 ST

Title of proposed rule set:

Use of Electronic Pollbook

Comparison of Rule(s) to Federal/State/Association Standard

1. Compare the proposed rules to parallel federal rules or standards set by a state or national licensing agency or accreditation association, if any exist.

There are no parallel federal rules or standards.

A. Are these rules required by state law or federal mandate?

MCL 168.31(1)(a) says the secretary of state shall "issue instructions and promulgate rules pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, for the conduct of elections and registrations in accordance with the laws of this state."

B. If these rules exceed a federal standard, please identify the federal standard or citation, describe why it is necessary that the proposed rules exceed the federal standard or law, and specify the costs and benefits arising out of the deviation.

The rules do not exceed a federal standard.

2. Compare the proposed rules to standards in similarly situated states, based on geographic location, topography, natural resources, commonalities, or economic similarities.

Minnesota prohibits the connection of electronic pollbooks (EPBs) to the internet. Indiana, Maryland, and New Mexico EPBs are networked and receive immediate updates on who has voted at other voting locations. Michigan currently uses a live-connected electronic pollbook for early voting and Election Day vote centers, and this would expand their use to Election Day polling places. Similarly to Indiana, Maryland, and New Mexico, Michigan's EPBs would be connected to the QVF and would receive immediate live updates on voting activity.

A. If the rules exceed standards in those states, please explain why and specify the costs and benefits arising out of the deviation.

The rules do not exceed standards in other states.

3. Identify any laws, rules, and other legal requirements that may duplicate, overlap, or conflict with the proposed rules.

There are no laws, rules, or other legal requirements that duplicate, overlap, or conflict with the proposed rules.

A. Explain how the rules have been coordinated, to the extent practicable, with other federal, state, and local laws applicable to the same activity or subject matter. This section should include a discussion of the efforts undertaken by the agency to avoid or minimize duplication.

The rules provide additional context for MCL 168.668b of the Michigan Election Law. Section 668b requires jurisdictions to download the electronic pollbook beginning at 4pm on the day before Election Day (or beginning at 2pm on the Saturday preceding Election Day, for populous jurisdictions). The rules would clarify that the download must be completed as provided in statute and that it serves as a backup to a live connected electronic pollbook. There is nothing that needs to be coordinated with the rules.

Purpose and Objectives of the Rule(s)

4. Identify the behavior and frequency of behavior that the proposed rules are designed to alter.

Historically, clerks have downloaded the voting list to the electronic pollbook pursuant to MCL 168.668b, and the electronic pollbook has been offline on Election Day. Following the adoption of Proposal 2022-2 and the inclusion of its provisions in the Michigan Constitution, early voting was offered to voters for 9 days ahead of statewide and federal elections. Because of the many voter activities that occur during the early voting period (registration, the return of absent voter ballots, etc.) the early voting electronic pollbook was connected to the internet via a secure live connection during the early voting period. Similarly, the Vote Center electronic pollbook was connected to the internet via a secure live connection, as it concerns voters who are registered on Election Day (and those voters are immediately added to the Qualified Voter File.) However, the Election Day electronic pollbook was still not connected to the internet following the download provided in section 668b. As they do currently, under the rules clerks would still download the electronic pollbook at 4pm or 2pm, as applicable, but that would serve as a backup if they did not have internet connectivity for any reason. Unlike current practice, on Election Day, election inspectors would use the live-connected electronic pollbook rather than the downloaded copy.

Moving the Election Day electronic pollbook to a secure live connection (to mirror the early voting pollbook and Vote Center pollbook) would alter the behavior of clerks for all elections—generally three elections per year (May, August, and November), but four elections in presidential election years (February in addition to the aforementioned elections), and special elections, when applicable.

A. Estimate the change in the frequency of the targeted behavior expected from the proposed rules.

Because secure live connection is not currently used on Election Day, but would be used for all elections going forward, the frequency would increase from zero times per year to approximately three or four times per year.

B. Describe the difference between current behavior/practice and desired behavior/practice.

Secure live connection is not currently used on Election Day but would be used for all elections going forward.

C. What is the desired outcome?

The desired outcome is a secure live connection between the electronic pollbook and Michigan's Qualified Voter File. This would provide real-time updates of information to election inspectors and clerks, to show if a voter has already submitted a ballot and prevent the issuance of more than one ballot to a voter.

5. Identify the harm resulting from the behavior that the proposed rules are designed to alter and the likelihood that the harm will occur in the absence of the rule.

When the electronic pollbook is offline, election inspectors must call a clerk when a voter appears to vote and the electronic pollbook (last updated at 4pm on the day before Election Day) indicates that the voter was sent an absentee ballot and the ballot has not been returned. The clerk then has to check if the ballot was returned after the time of the download. Because the voter may not vote twice, either (a) the clerk must cancel the issued absentee ballot in QVF so that the voter may vote in person (and the absentee ballot, even if it is later returned, is not counted) or (b) the clerk tells the election inspector that the voter has returned their absentee ballot and may not be issued an Election Day ballot.

A live electronic pollbook would eliminate this process. Because it would update QVF in real time, election inspectors would be able to see if the absentee ballot has been returned at the moment a voter requests an Election Day ballot. If it had not, they could issue an Election Day ballot, thereby cancelling the absentee ballot. If it had, they would allow the absentee ballot to be tabulated and refuse to issue an Election Day ballot.

Additionally, a single type of electronic pollbook would create greater efficiency for the Bureau of Elections in making updates and more clarity for clerks in using a single system.

A. What is the rationale for changing the rules instead of leaving them as currently written?

There are no pre-existing rules to modify.

6. Describe how the proposed rules protect the health, safety, and welfare of Michigan citizens while promoting a regulatory environment in Michigan that is the least burdensome alternative for those required to comply.

The proposed rules would simplify the system for Michigan voters but generally would not have an impact on the health, safety, or welfare of Michigan citizens.

7. Describe any rules in the affected rule set that are obsolete or unnecessary and can be rescinded.

There are no obsolete or unnecessary rules in the rule set that can be rescinded because these rules create a new rule set and there is no existing rule set.

Fiscal Impact on the Agency

Fiscal impact is an increase or decrease in expenditures from the current level of expenditures, i.e. hiring additional staff, higher contract costs, programming costs, changes in reimbursements rates, etc. over and above what is currently expended for that function. It does not include more intangible costs for benefits, such as opportunity costs, the value of time saved or lost, etc., unless those issues result in a measurable impact on expenditures.

8. Please provide the fiscal impact on the agency (an estimate of the cost of rule imposition or potential savings for the agency promulgating the rule).

The savings would be at the state and local level. The creation and maintenance of a single type of electronic pollbook would create greater efficiency at the state level because staff would not need to make duplicative updates and fixes across multiple system. Additionally, the state would field fewer questions from clerks about the electronic pollbook with a streamlined single system.

At the local level, clerks would spend less time training election inspectors on the differences between the two systems.

9. Describe whether or not an agency appropriation has been made or a funding source provided for any expenditures associated with the proposed rules.

No specific agency appropriation has been made for these proposed rules.

10. Describe how the proposed rules are necessary and suitable to accomplish their purpose, in relationship to the burden(s) the rules place on individuals. Burdens may include fiscal or administrative burdens, or duplicative acts.

The rules are not anticipated to place a burden on individuals and will instead alleviate current burdens. The rules would extend the popular improvements in the early voting electronic pollbook and the Vote Center electronic pollbook to the Election Day electronic pollbook.

A. Despite the identified burden(s), identify how the requirements in the rules are still needed and reasonable compared to the burdens.

There are no expected burdens on individuals.

Impact on Other State or Local Governmental Units

11. Estimate any increase or decrease in revenues to other state or local governmental units (i.e. cities, counties, school districts) as a result of the rule. Estimate the cost increases or reductions for other state or local governmental units (i.e. cities, counties, school districts) as a result of the rule. Include the cost of equipment, supplies, labor, and increased administrative costs in both the initial imposition of the rule and any ongoing monitoring.

There are no estimated increases or decreases in revenue to other state or local governmental units. There are no estimated increases or reductions in cost to other state or local governmental units.

12. Discuss any program, service, duty, or responsibility imposed upon any city, county, town, village, or school district by the rules.

Michigan election officials with internet access will be required to use a secure live connection to access the online version of the electronic pollbook.

A. Describe any actions that governmental units must take to be in compliance with the rules. This section should include items such as record keeping and reporting requirements or changing operational practices.

To be in compliance with the proposed rules, Michigan election officials with internet access will be required to use the online/live connected version of the electronic pollbook. This version is already used for early voting and Vote Centers, so the change in operational practices is minimal and will minimize operational requirements, as live connectivity will allow certain data to update in real time rather than via an upload in the days following an election.

13. Describe whether or not an appropriation to state or local governmental units has been made or a funding source provided for any additional expenditures associated with the proposed rules.

There will not be any increase or decrease to funding to other state or local government units.

Rural Impact

14. In general, what impact will the rules have on rural areas?

The proposed rules are not expected to impact rural areas.

A. Describe the types of public or private interests in rural areas that will be affected by the rules.

The proposed rules should have no impact on public or private interests in rural areas.

Environmental Impact

15. Do the proposed rules have any impact on the environment? If yes, please explain.

The proposed rules will not have an impact on the environment.

Small Business Impact Statement

16. Describe whether and how the agency considered exempting small businesses from the proposed rules.

Small businesses will not be governed or impacted by the proposed rules, so the agency did not consider small businesses.

17. If small businesses are not exempt, describe (a) the manner in which the agency reduced the economic impact of the proposed rules on small businesses, including a detailed recitation of the efforts of the agency to comply with the mandate to reduce the disproportionate impact of the rules upon small businesses as described below (in accordance with MCL 24.240(1)(a-d)), or (b) the reasons such a reduction was not lawful or feasible.

The proposed rules do not apply to small businesses.

A. Identify and estimate the number of small businesses affected by the proposed rules and the probable effect on small businesses.

The proposed rules do not apply to small businesses.

B. Describe how the agency established differing compliance or reporting requirements or timetables for small businesses under the rules after projecting the required reporting, record-keeping, and other administrative costs.

The proposed rules do not apply to small businesses and will not have an impact on their reporting requirements.

C. Describe how the agency consolidated or simplified the compliance and reporting requirements for small businesses and identify the skills necessary to comply with the reporting requirements.

The agency did not consolidate or simplify the compliance and reporting requirements for small businesses as the proposed rules do not apply to small businesses.

D. Describe how the agency established performance standards to replace design or operation standards required by the proposed rules.

The proposed rules do not apply to performance, design, or operation standards in relation to small businesses.

18. Identify any disproportionate impact the proposed rules may have on small businesses because of their size or geographic location.

The proposed rule set will have no disproportionate impact on small businesses.

19. Identify the nature of any report and the estimated cost of its preparation by small businesses required to comply with the proposed rules.

There are no estimated costs for small businesses as the proposed rules do not apply to small businesses.

20. Analyze the costs of compliance for all small businesses affected by the proposed rules, including costs of equipment, supplies, labor, and increased administrative costs.

The proposed rule set will have no impact on small businesses and require no compliance from small businesses.

21. Identify the nature and estimated cost of any legal, consulting, or accounting services that small businesses would incur in complying with the proposed rules.

The proposed rule set will have no impact on small businesses and require no legal, consulting, or accounting services on behalf of small businesses.

22. Estimate the ability of small businesses to absorb the costs without suffering economic harm and without adversely affecting competition in the marketplace.

There are no costs for small businesses to absorb.

23. Estimate the cost, if any, to the agency of administering or enforcing a rule that exempts or sets lesser standards for compliance by small businesses.

There will be no costs to the agency of administering or enforcing a rule that exempts or sets lesser standards for compliance for small businesses.

24. Identify the impact on the public interest of exempting or setting lesser standards of compliance for small businesses.

There is no impact on the public interest by exempting or setting lesser standards of compliance for small business.

25. Describe whether and how the agency has involved small businesses in the development of the proposed rules.

The agency has not involved small businesses in the development of the proposed rules.

A. If small businesses were involved in the development of the rules, please identify the business(es).

Small businesses were not involved in the development of the proposed rules.

Cost-Benefit Analysis of Rules (independent of statutory impact)

26. Estimate the actual statewide compliance costs of the rule amendments on businesses or groups.

There will be no compliance costs on businesses or groups.

A. Identify the businesses or groups who will be directly affected by, bear the cost of, or directly benefit from the proposed rules.

The rules do not affect businesses. The rules will directly benefit the 1604 county, city, and township clerks and several thousand election inspectors, all of whom use electronic pollbooks in administering elections in Michigan.

There may also be a benefit to Michigan voters, as a streamlined, consistent, real-time system may provide minimal time savings when voting.

B. What additional costs will be imposed on businesses and other groups as a result of these proposed rules (i.e. new equipment, supplies, labor, accounting, or recordkeeping)? Please identify the types and number of businesses and groups. Be sure to quantify how each entity will be affected.

There will be no costs imposed on businesses and other groups as a result of these proposed rules.

27. Estimate the actual statewide compliance costs of the proposed rules on individuals (regulated individuals or the public). Include the costs of education, training, application fees, examination fees, license fees, new equipment, supplies, labor, accounting, or recordkeeping.

There will be no additional statewide compliance cost. The Bureau is making updates to the early voting electronic pollbook in response to user feedback following its first year of use in 2024; those updates will be extended to the Election Day electronic pollbook.

A. How many and what category of individuals will be affected by the rules?

Michigan's 1,604 county and local clerks, thousands of election inspectors, and BOE staff who maintain the electronic pollbook will be positively affected. Additionally, it is anticipated that under the rules all of Michigan's 7.3 million registered voters will be issued ballots using the single electronic pollbook (whereas now early voters and those voting at Vote Centers are issued ballots using the online version and those voting at their Election Day polling place are issued ballots using the offline version); it is unlikely that voters will notice any difference.

B. What qualitative and quantitative impact do the proposed changes in rules have on these individuals?

Qualitatively, clerks, election inspectors, and BOE staff will maintain and use a single system rather than two parallel systems, which will lead to greater efficiency. There is no anticipated qualitative impact on registered voters, except for possible minimal time savings.

Quantitatively, there is no anticipated impact.

28. Quantify any cost reductions to businesses, individuals, groups of individuals, or governmental units as a result of the proposed rules.

The rules are expected to result in a cost reduction to governmental units charged with administering elections because a single system rather than two parallel systems would have to be maintained, but the amount of the expected savings is unknown. The rules are not expected to have any cost impact to businesses, individuals, or groups or individuals outside of individuals that are part of governmental units charged with administering elections.

29. Estimate the primary and direct benefits and any secondary or indirect benefits of the proposed rules. Please provide both quantitative and qualitative information, as well as your assumptions.

In primary or direct benefits, the proposed rules will allow for greater efficiency because clerks, election inspectors, and BOE staff will be using, maintaining, and accessing a single system. Additionally, the single system will be simplified and streamlined to incorporate feedback from the first year the online electronic pollbook was used (for early voting, in 2024). In secondary or indirect benefits, BOE staff and contractors will be freed up from performing duplicative tasks and will be able to perform needed work on other projects. The department assumes that a simplified and streamlined single system provides a qualitative benefit to clerks, election inspectors, and BOE staff who need to use, maintain, and access that system. There is no relevant quantitative information or assumptions related to quantities as no quantities are being affected by these rules.

30. Explain how the proposed rules will impact business growth and job creation (or elimination) in Michigan.

The proposed rules will not impact business growth and job creation in Michigan. The rules are not anticipated to result in job creation or elimination.

31. Identify any individuals or businesses who will be disproportionately affected by the rules as a result of their industrial sector, segment of the public, business size, or geographic location.

There are no individuals or businesses who will be disproportionately affected by the rules.

32. Identify the sources the agency relied upon in compiling the regulatory impact statement, including the methodology utilized in determining the existence and extent of the impact of the proposed rules and a cost-benefit analysis of the proposed rules.

The agency relied upon the Department's current practice and comments provided by county, city, and township clerks, especially those submitted during a Lean Process Improvement workshop completed in January regarding potential improvements to the electronic pollbook. By far the most common request was making the Election Day electronic pollbook as similar as possible to the early voting electronic pollbook.

A. How were estimates made, and what were your assumptions? Include internal and external sources, published reports, information provided by associations or organizations, etc., that demonstrate a need for the proposed rules.

The Lean Process Improvement's report on identified improvements relied on survey feedback from over 350 stakeholders, of whom 66% were city and township clerks, 4% were county clerks, 12% were deputy clerks, 6%

were election directors, and 12% were other parties. The following are a sample of the feedback received:

1. Making the switch the online version (like Early Voting EPB) for Election Day EPB
2. Election Day Poll Book should be the same as the Early Voting poll book. Election Day Poll book especially the ballot summary is a nightmare after a 16-hour day. The entire platform needs to be revamped and easier to use for all including the elderly which consists of almost all my election workers.
3. I would like to see the EV poll book implemented on election day. It makes sense, easier to navigate and less training for workers that only work a few times a year.
4. It would be nice if the Election Day poll book was live like during the early voting. It is cumbersome with voters that have been sent a ballot but not returned them. Early voting EPB runs so much more efficient and simplified.
5. Now that we have had the year 2024 under our belt with LIVE PB. It would be nice to allow Election Day EPB to be LIVE too.
6. Please think about EV and Election Day being the same Poll Book.
7. Make it live.
8. I would strongly advise a legislative push/policy change to allow the EPB to be online/live, similar to the EV EPB. Not only would this allow for greater protection from error (for example, someone voting, then registering to vote and voting in another place on election day, OR someone voting in person, then dropping off an AV ballot). While I understand there are procedural things in place to help with this, it would take significant work (on the day of the election) off the clerk if the EPB was live online and could cross check for these items. And it would add protection in case these steps were missed.
9. Having the election day poll book online (like the Early Voting Poll Book) would save my office from receiving hundreds of election worker phone calls on election day about spoiling/invalidating av ballots.
10. If the EPB could be set up to be live like the Early Voting computer is, Election Day would run faster and smoother. It is extremely helpful having the information in real time with the number of people who register to vote on Election Day and the people who turn in their absentee ballot on Election Day.
11. It would be nice for the Election day poll book to be online like the EV Poll book and still have the downloaded Poll book as a back up option going forward.
12. There is just enough difference between the EVEPB and the ED EPB to make it confusing for our EPB workers. I love the live update capability of the EVEPB. It would be nice if they were combined into one improved system.
13. I would support a live EPB as used in Early Voting for Election Day. This would be consistent for election workers, provide a live database to eliminate typing in newly registered voters, and reduce errors.
14. The election inspectors that work both election day and early voting prefer the format of the early voting EPB.
15. I would like it to be more like the Early Voting EPB.
16. It would be a great feature if the pollbook was live on election day as it is during early voting.
17. It would be nice if the ED poll book could be in real time.
18. Live QVF, Setup like the Early Voting EPB. Seems silly that the Election Day EPB would be different than EV

EPB, especially the livetime function.

19. Come up with a system like the Early Voting Poll Book for jurisdictions with internet to use. The "real-time" data is more efficient and would help reduce fraud.

Alternative to Regulation

33. Identify any reasonable alternatives to the proposed rules that would achieve the same or similar goals.

The only reasonable alternative to the proposed rules that would achieve the same or similar goals is amendment of the Michigan Election Law to explicitly require live connectivity to be used on Election Day. However, the Department cannot amend the law, so there is no reasonable alternative that is within the Department's control.

A. Please include any statutory amendments that may be necessary to achieve such alternatives.

The alternative would likely provide for an explicit allowance for live connectivity to be added to the Michigan Election Law in MCL 168.668b.

34. Discuss the feasibility of establishing a regulatory program similar to that proposed in the rules that would operate through private market-based mechanisms. Please include a discussion of private market-based systems utilized by other states.

There are no private market-based mechanisms available to address the needs covered by the proposed rules.

35. Discuss all significant alternatives the agency considered during rule development and why they were not incorporated into the rules. This section should include ideas considered both during internal discussions and discussions with stakeholders, affected parties, or advisory groups.

The proposed rules represent the only reasonable procedure going forward. The Bureau has sent the rules out to the county and municipal clerk associations for initial feedback and the only additional suggestion was that the rules include specific procedures for when and how electronic pollbooks should be switched between online and offline functionality (in the case of an internet outage, etc). However, the Bureau determined that specific procedures were more appropriate for instructions issued periodically as needed, as the procedure may change slightly from year to year to address technological changes and potential future efficiencies.

Additional Information

36. As required by MCL 24.245b(1)(c), please describe any instructions regarding the method of complying with the rules, if applicable.

The rules explicitly inform persons of requirements and methods of compliance.

EXHIBIT 15

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Michigan Office of Administrative Hearings and Rules

MOAHR-Rules@michigan.gov

**AGENCY REPORT TO THE
JOINT COMMITTEE ON ADMINISTRATIVE RULES (JCAR)**

1. Agency Information

Agency name:

State

Division/Bureau/Office:

Elections & Campaign Finance

Name of person completing this form:

Jenny McInerney

Phone number of person completing this form:

517-331-7825

E-mail of person completing this form:

McInerneyJ1@michigan.gov

Name of Department Regulatory Affairs Officer reviewing this form:

Doug Novak

2. Rule Set Information

MOAHR assigned rule set number:

2025-14 ST

Title of proposed rule set:

Use of Electronic Pollbook

3. Purpose for the proposed rules and background:

The purpose of these rules is to clarify rules regarding the electronic pollbook, given technological advances, the introduction of early voting and the early voting pollbook, and the security benefits of real time connection with the Qualified Voter File.

4. Summary of proposed rules:

To provide that an electronic pollbook must have a secure live connection to the Qualified Voter File while voting is taking place, if the site has internet access. Further, to provide that the electronic pollbook software download provided in MCL 168.668b must still take place and serve as backup to the live connection.

5. List names of newspapers in which the notice of public hearing was published and publication dates:

Marquette Mining Journal—6/14/25

Adrian Daily Telegram—6/15/25

Grand Haven Tribune—6/14/25

6. Date of publication of rules and notice of public hearing in Michigan Register:

7/1/2025

MCL 24.242 and 24.245

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7. Date, time, and location of public hearing:

7/15/2025 09:30 AM at Public Meeting Room A , Delta Charter Township Building, 7710 West Saginaw Hwy, Lansing, MI 48917

8. Provide the link the agency used to post the regulatory impact statement and cost-benefit analysis on its website:

<https://ARS.apps.lara.state.mi.us/Transaction/RFRTransaction?TransactionID=1587>

9. List of the name and title of agency representative(s) who attended the public hearing:

Jenny McInerney, Michigan Bureau of Elections, Regulatory Attorney
Alessa Boes, Michigan Bureau of Elections, Regulatory Attorney

10. Persons submitting comments of support:

Melanie Macey, Promote the Vote, Policy & Government Affairs Director
Ray Moulden, Cannon Township, Election & Technology Specialist

11. Persons submitting comments of opposition:

No individual submitted comments in opposition to the rules.

12. Persons submitting other comments:

No individual submitted other comments.

13. Identify any changes made to the proposed rules based on comments received during the public comment period:

	Name & Organization	Comments made at public hearing	Written Comments	Agency Rationale for Rule Change and Description of Change(s) Made	Rule number & citation changed
1					

14. Date report completed:

7/24/2025