



Election Crimes Manual: Obligations and Penalties Imposed by State Election Laws

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Introduction.....1
Duties of election officials and local authorities.....1
Prohibition on campaign activity at polling places and early voting sites2
Prohibition on intimidation of or interference with election workers3
Voting-related offenses4
Absent voter and absent voter ballot offenses7
Voter challenges and challengers..... 10
Petition-related offenses and circulator misconduct..... 11
Election or other public official misconduct..... 13
Distribution of materially deceptive media 15
Firearms offenses 16
Appendix I: Michigan Election Law Crimes 20



Introduction

This publication provides information about the duties and obligations imposed upon election staff, election inspectors, election challengers, voters, and members of the public under the Michigan Election Law and other relevant state laws.¹ Any questions or concerns about the information contained in this document may be addressed by calling the Bureau of Elections during business hours at (517) 335-3234.

Duties of election officials and local authorities

The Michigan Election Law governs the conduct of election officials throughout the voting process. It is the duty of an election inspector to ensure that every qualified voter can cast a ballot without disruption, distraction, or intimidation. Each board of election inspectors has the “full authority to maintain peace, regularity, and order” in the polling place, and to “enforce obedience to their lawful commands during any primary or election and during the canvass of the votes after the poll is closed.”² This means that anyone present at the polling place or absent voter ballot processing facility must follow all lawful instructions or directions issued by the election inspectors on duty at those locations.³

County prosecuting attorneys and law enforcement agencies have a statutory duty to investigate alleged criminal violations of Michigan election law. Every prosecuting attorney, upon receipt of credible information that any such offense has been committed, has the duty to prosecute the offender.⁴ Members of law enforcement have a duty to act when a crime described in the Michigan Election Law occurs, is in process, or is likely to occur. Any police officer, sheriff, or other peace officer who is present and has knowledge of a violation of any of the provisions of the election law must institute criminal proceedings for the punishment of such offender.⁵

¹ 1954 PA 116, MCL 168.1 *et seq.*

² MCL 168.678.

³ See *The Appointment, Rights, and Duties of Election Challengers and Poll Watchers*, published by the Michigan Bureau of Elections and available at https://www.michigan.gov/sos/-/media/Project/Websites/sos/01vanderroest/SOS_ED_2_CHALLENGERS.pdf.

⁴ MCL 168.940.

⁵ MCL 168.941.



Prohibition on campaign activity at polling places and early voting sites

Polling places⁶ must be free from campaigning or campaigners who attempt to sway voters. Michigan law prohibits individuals from posting, displaying, or distributing inside a polling place or any hallway used by voters to enter or exit a polling place, or within 100 feet of an entrance to a building in which a polling place is located, “any material that directly or indirectly makes reference to an election, a candidate, or a ballot question.”⁷ While this restriction applies to candidates and ballot proposals appearing on the ballot at the election, it does not apply to official election materials that are required by law to be posted, displayed, or distributed in a polling place on Election Day or at an early voting site during the early voting period. Moreover, voters are not barred from bringing campaign literature into the polling place with them, so long as the literature is used only for the voter’s own reference and the voter does not attempt to distribute the literature to other voters.⁸

The following activities by any person, including election inspectors, inside a polling place or any hallway used by voters to enter or exit a polling place, or within 100 feet of an entrance to a building in which a polling place is located, are misdemeanors:

- Persuading or trying to persuade an individual to vote for or against any particular candidate, party ticket, or ballot question.⁹
- Placing or distributing stickers other than those provided by election officials pursuant to law.¹⁰
- Soliciting donations, gifts, contributions, purchase of tickets, or similar demands.¹¹

⁶ “Voters at early voting sites shall have the same rights and be subject to the same requirements as voters at polling places on election day.” Const 1963, art 2 § 4(1)(m).

⁷ MCL 168.744(3).

⁸ *Managing Your Precinct on Election Day: Election Inspectors’ Procedure Manual*, published by the Michigan Bureau of Elections and available at <https://www.michigan.gov/sos/-/media/Project/Websites/sos/Election-Administrators/Managing-Your-Precinct-on-Election-Day-July-2022.pdf?rev=c3f3495746284db4bb85c2a091367905&hash=A8AC1F8E745DB319C4FA008627E56A26>.

⁹ MCL 168.744(1).

¹⁰ *Id.*

¹¹ MCL 168.744(2).



- Requesting or obtaining signatures on petitions.¹²
- Soliciting votes while the polls are open on Election Day.¹³
- Causing the name of an elected or appointed public official to appear on any material that is temporarily posted, displayed, or distributed to voters in a polling place or polling room on Election Day.¹⁴
- Causing the name of an elected or appointed official of this state or a political subdivision of this state to appear on any ballot-related material provided to a voter.¹⁵

It is a misdemeanor for an individual or an individual's agent to knowingly make, publish, disseminate, circulate, or place before the public in this state, a written or spoken statement of fact concerning a candidate for public office at an election in this state, that is false, deceptive, scurrilous, or malicious, without the true name of the author being attached to the statement if written, or announced if unwritten.¹⁶ It is also a misdemeanor for any person to advertise or use in any campaign material the words incumbent, re-elect, re-election, or otherwise give the impression that a candidate for public office is the incumbent, when in fact the candidate is not the incumbent.¹⁷

Prohibition on intimidation of or interference with election workers

It is a crime for an individual to intimidate an election worker, including an election inspector, because of their status as an election worker and with the specific intent to interfere with their performance of election-related duties. For a first or second offense, the individual who intimidates the election worker is guilty of a misdemeanor. For a third or subsequent offense, the individual is guilty of a felony. This prohibition on interference does not apply to constitutionally protected activity such as reporting or advocacy.¹⁸

¹² *Id.*

¹³ MCL 168.931(1)(j).

¹⁴ MCL 168.744a(1).

¹⁵ MCL 168.931a(1). For the purposes of this prohibition, "ballot-related material" includes any material provided to a voter with an absent voter ballot, absent voter ballot instructions, an envelope used to mail to a voter an absent voter ballot or any other ballot material, and an absent voter ballot return envelope. *Id.*

¹⁶ MCL 168.931(3).

¹⁷ MCL 168.944.

¹⁸ MCL 168.931b.



Voting-related offenses

A voter entitled to registration in an election precinct can become registered in that precinct by applying in person and signing the registration application before the clerk or assistant clerk of the township, city, or village in which the precinct is located. If the applicant, in answer to a question or in the registration application, makes a material statement that is false, the applicant is guilty of a misdemeanor.¹⁹ An individual is prohibited from registering as a voter if they know or have reason to believe that they are not a resident and do not meet the qualifications to be a voter. Anyone who violates this prohibition is guilty of a misdemeanor.²⁰ However, if an ineligible individual unintentionally becomes registered to vote through human or mechanical error, the individual is not considered to have knowingly intended to register to vote in violation of election law.²¹

In addition, where an individual seeks to be issued a ballot but is not listed on the voter registration list, the election inspector may require them to execute a sworn statement affirming that they submitted a voter registration application on or before Election Day and are eligible to vote in the election. It is perjury to provide false information in a signed sworn statement under Michigan law.²²

It is a misdemeanor for voters and the general public to engage in any of the following conduct:

- Giving, lending, or promising anything of value to another person in return for voting for or against a candidate or ballot question or as a reward for refraining from voting.²³
- Accepting anything of value for voting or refraining from voting, or inducing or attempting to induce another to vote or to refrain from voting, either before, on, or after an election.²⁴

¹⁹ MCL 168.499(1).

²⁰ MCL 168.519.

²¹ MCL 168.493a(5).

²² MCL 168.523a(2).

²³ MCL 168.931(1)(a). For the purposes of this prohibition, "anything of value" includes, but is not limited to, money, property, a gift, a prize or chance for a prize, a fee, a loan, an office, a position, an appointment, or employment. MCL 168.931(4).

²⁴ MCL 168.931(1)(b).



- Keeping a room or building for the purpose of recording or registering bets or wagers, or of selling pools upon the result of a political nomination, appointment, or election.²⁵
- Wagering anything of value, or being the custodian of anything of value, staked, wagered, or pledged upon the result of a political nomination, appointment, or election.²⁶
- Soliciting anything of value from a candidate for nomination for, or election to, an office described in the Michigan Election Law.²⁷
- Either directly or indirectly, discharging or threatening to discharge an employee for the purpose of influencing the employee's vote at an election.²⁸
- If the individual is a priest, pastor, curator, or other officer of a religious society, influencing a voter at an election by imposing or threatening to impose upon the voter a penalty of excommunication, dismissal, or expulsion, or commanding or advising the voter, under pain of religious disapproval.²⁹
- Making or exciting any disturbance or contention at any election or other public meeting where citizens are peaceably and lawfully assembled.³⁰

It is a felony for any individual to engage in, or aid or abet in, any of the following activities:³¹

- During the progress of any election or after the closing of the polls and before the final results of the election have been ascertained, breaking open or violating the seals or locks of any ballot box or voting machine used or in use at that election.
- Willfully damaging or destroying any ballot box or voting machine.
- Obtaining undue possession of that ballot box or voting machine.

²⁵ MCL 168.931(1)(k).

²⁶ *Id.*

²⁷ MCL 168.931(1)(c).

²⁸ MCL 168.931(1)(d).

²⁹ MCL 168.931(1)(e).

³⁰ MCL 750.170

³¹ MCL 168.932(b).



- Concealing, withholding, or destroying a ballot box or voting machine, or fraudulently or forcibly adding to or diminishing the number of ballots legally deposited in the box or the totals on the voting machine.

The following actions are also felonies under the Michigan Election Law:

- An individual falsely claiming to be incapable of marking their own ballot.³²
- Disclosing an election result from an early voting site before Election Day or disclosing an election result before the polls are closed on Election Day.³³
- Causing the polls to be closed or disclosing an election result or in any manner characterizing how any ballot being counted has been voted in a voting precinct before the time polls can be legally closed on Election Day.³⁴
- Voting or attempting to vote at an election both in person and by means of an absent voter ballot.³⁵
- Attempting, by means of bribery, menace, or other corrupt means, to influence, deter, or interrupt a voter in giving their vote at any election held in this state.³⁶
- Disclosing to any other person the name of any candidate voted for by any voter or in any manner obstructing or attempting to obstruct any voter during the voting process.³⁷
- Falsely impersonating another person at an election, voting or attempting to vote under the name of another person, or inducing or attempting to induce an individual to impersonate another person or to vote or attempt to vote under the name of another person.³⁸
- Assuming a false or fictitious name to vote.³⁹
- Willfully offering to vote or attempting to vote at an election held in this state when a person is not a qualified and registered voter, or aiding or counseling another person who is not a qualified and

³² MCL 168.756.

³³ MCL 168.720j(14); MCL 168.765a(9).

³⁴ MCL 168.765a(9).

³⁵ MCL 168.769(4).

³⁶ MCL 168.932(a).

³⁷ MCL 168.932(d).

³⁸ MCL 168.932a(a).

³⁹ MCL 168.932a(b).



registered voter to vote or offering to vote at the place where the vote is given during an election.⁴⁰

- A qualified and registered voter offering or attempting to vote in a precinct in which the voter does not reside.⁴¹
- Knowingly procuring, aiding, or counseling another person to vote at an election in a township, ward, or voting precinct in which the person is not qualified or registered to vote.⁴²
- Voting or attempting to vote more than once at the same election, either in the same or in another voting precinct, or giving two or more votes folded together.⁴³
- Compensating another person for registering individuals to vote based upon the total number of individuals that person registers to vote or the total number of individuals that person registers to vote in a particular political party.⁴⁴
- Making a false affidavit or swearing falsely while under oath for a postelection statement or to secure registration, vote at an election, or qualify as a candidate for elective office.⁴⁵
- If an individual either (a) knowingly makes, files, or otherwise publishes a false document with the intent to defraud or (b) knowingly makes, files, or otherwise publishes a false document that contains false signatures with the intent to defraud.⁴⁶

Absent voter and absent voter ballot offenses

Absent voters and absent voter ballots are also governed by Michigan election law.

It is a misdemeanor for any person to engage in the following conduct with respect to absent voting and absent voter ballots:

- Photographing or videorecording a ballot or any other election records, other than posted election results, in an absent voter counting place.⁴⁷

⁴⁰ MCL 168.932a(c).

⁴¹ MCL 168.932a(d).

⁴² *Id.*

⁴³ MCL 168.932a(e).

⁴⁴ MCL 168.932c(1).

⁴⁵ MCL 168.933 (defining perjury); MCL 168.936 (prescribing penalty).

⁴⁶ MCL 168.933a (defining forgery); MCL 168.937 (prescribing penalty).

⁴⁷ MCL 168.765a(19).



- Making a false statement in an absent voter ballot application.⁴⁸
- Knowingly making a false statement on an absent voter ballot return envelope.⁴⁹
- Distributing absent voter ballot applications to voters and receiving signed applications from voters for delivery to the appropriate clerk or assistant of the clerk, unless the individual returning the application is a member of the voter’s family or household, was asked by the voter to return the application, or is an authorized election official.⁵⁰
- Participating in a meeting or a portion of a meeting of more than two persons, other than the absent voter’s immediate family, at which an absent voter ballot is voted.⁵¹
- Giving, lending, or promising anything of value to induce another person to both distribute absent voter ballot applications to voters and receive signed absent voter ballot applications from voters for delivery to the appropriate clerk, unless the individual is an authorized election official.⁵²
- Inducing or attempting to induce the person to apply to vote as an absent voter knowing that another person is not qualified to vote as an absent voter.⁵³

It is a felony for any person either to possess an absent voter ballot mailed or delivered to another person, regardless of whether the ballot has been voted, or to return, solicit to return, or agree to return an absent voter ballot to the clerk of a city, township, village, or school district.⁵⁴ **Only** the following individuals are **exempted** from this prohibition:

- An absent voter.
- An individual whose job it is to handle mail before, during, or after being transported by a public postal service, express mail service, parcel post service, or common carrier, but only during the normal course of their employment.

⁴⁸ MCL 168.759(13).

⁴⁹ MCL 168.761(5).

⁵⁰ MCL 168.759(13); MCL 168.931(1)(b)(iv).

⁵¹ MCL 168.931(1)(i).

⁵² MCL 168.931(1)(m).

⁵³ MCL 168.945.

⁵⁴ MCL 168.932(f)(i)-(ii).



- A clerk or clerks' assistant.
- A member of the immediate family of the absent voter, including father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, or grandchild.
- An individual residing in the absent voter's household.⁵⁵

Those who assist absent voters who are disabled or otherwise unable to mark their ballot must only render their assistance by showing the absent voter how to vote the ballot as the absent voter desires or by marking the ballot as directed by the absent voter. It is a felony for an individual who assists an absent voter to suggest or in any manner attempt to influence the absent voter on how he or she should vote or allow any other person to do so.⁵⁶

The following actions are also felony offenses related to absent voting and absent voter ballots:

- Forging a signature on an absent voter ballot application.⁵⁷
- Intentionally making, or aiding or abetting another person to make, a false statement on an emergency absent voter application.⁵⁸
- Assisting an absent voter in knowingly making a false statement on the absent voter ballot return envelope.⁵⁹
- If a person not involved in the counting of ballots as provided by law and being in possession of an absent voter ballot mailed or delivered to another person, doing any of the following: (i) Opening the envelope containing the ballot. (ii) Making any marking on the ballot. (iii) Altering the ballot in any way. (iv) Substituting a different ballot for the other person's absent voter ballot.⁶⁰
- Suggesting or in any manner attempting to influence an absent voter on how they should vote when present while an absent voter is voting their ballot.⁶¹

⁵⁵ MCL 168.932(f).

⁵⁶ MCL 168.932(g).

⁵⁷ MCL 168.759(13).

⁵⁸ MCL 168.759b.

⁵⁹ MCL 168.761(5).

⁶⁰ MCL 168.932(e).

⁶¹ MCL 168.932(h).



- Planning or organizing a meeting at which absent voter ballots are to be voted.⁶²

Voter challenges and challengers

When an individual attempts to vote but is challenged as unqualified, the individual may be sworn by an election inspector to truthfully answer any questions concerning their qualifications as a voter. If any one of the individual's answers concerning a material matter is not true, that individual, upon conviction, may be deemed guilty of perjury.⁶³

Not less than 20 and not more than 30 days before an election, an authorized incorporated organization or organized committee of interested citizens intending to appoint challengers at the election must file with the clerk of the county, city, village, or township in which the election is to be held, a statement setting forth the intention of the organization or committee to appoint challengers. The clerk or secretary of state, as applicable, may deny an organization or committee the authorization to appoint challengers if that organization or committee fails to furnish evidence satisfactory to the clerk or secretary of state. It is a felony for any person to file a statement of intent on behalf of an organization or committee that is not authorized by the Michigan Election Law to appoint challengers or any clerk to knowingly fail to perform the duties required under this law.⁶⁴

The election inspectors and other election officials on duty at a polling place or the counting board must protect an election challenger in the discharge of their duties.⁶⁵ The board of election inspectors are required by law to provide space for the challengers within the polling place that allow challengers to observe the election procedure and each person applying to vote.⁶⁶ Because an early voting site is considered to be a polling place,⁶⁷ the same provisions apply to challengers at an early voting site. Space should likewise be provided for each challenger at each counting board that enables the challengers to observe the counting of the ballots.⁶⁸ It is a felony for any officer or election board to prevent the presence of any challenger, or to

⁶² MCL 168.932(i).

⁶³ MCL 168.729.

⁶⁴ MCL 168.731.

⁶⁵ MCL 168.733(3).

⁶⁶ MCL 168.733(1).

⁶⁷ Const 1963, art 2 § 4(1)(m).

⁶⁸ MCL 168.733(2).



refuse or fail to provide such challenger with conveniences for the performance of their expected duties.⁶⁹

In cases where a challenger has repeatedly ignored the instructions of an election inspector, the election inspector has authority to order the challenger to leave the polling place.⁷⁰ If the challenger refuses to leave the polling place, the election inspector may request that law enforcement remove that challenger.⁷¹ Any evidence of drinking of alcoholic beverages or disorderly conduct is sufficient cause for the expulsion of a challenger from the polling place or the counting board.⁷²

The following actions by challengers are misdemeanors:⁷³

- Challenging indiscriminately and without good cause, or for the purpose of harassment.
- Handling the poll books while observing election procedures or the ballots during the counting of the ballots.
- Interfering with or unduly delaying the work of the election inspectors.
- Challenging a qualified and registered voter of a voting precinct for the purpose of annoying or delaying voters.

Petition-related offenses and circulator misconduct

Michigan law strictly prohibits an individual from signing any of the following petitions with multiple names:⁷⁴

- Nominating petition for candidate for school board.
- Initiative petition (proposed constitutional amendment, initiation of legislation, or referendum of legislation)
- Partisan nominating petition.
- Qualifying petition for a candidate without political party affiliation.

⁶⁹ MCL 168.734.

⁷⁰ MCL 168.678; 168.733(3).

⁷¹ See *The Appointment, Rights, and Duties of Election Challengers and Poll Watchers*, published by the Michigan Bureau of Elections and available at https://www.michigan.gov/sos/-/media/Project/Websites/sos/01vanderroest/SOS_ED_2_CHALLENGERS.pdf.

⁷² MCL 168.733(3).

⁷³ MCL 168.727(3).

⁷⁴ MCL 168.303(6); MCL 168.482e(3); MCL 168.544c(10); MCL 168.590h(6); MCL 168.685(11); MCL 168.954(4).



- Petition to form a new political party.
- Recall petition.

An individual who violates this prohibition is guilty of a felony, and any signature by that individual on that petition is invalid and must not be counted.⁷⁵

It is a misdemeanor for an individual to do any of the following to any of the above petitions:

- Signing a petition with a name other than their own.
- Making a false statement in a certificate on a petition.
- If not a circulator, signing a petition as a circulator.
- Signing a name as a circulator other than their own.⁷⁶

The following petition-related activities are misdemeanors under the Michigan Election Law:

- Knowingly making a false statement concerning the circulator of an initiative's status as a paid signature gatherer or volunteer signature gatherer.⁷⁷
- Signing or knowingly signing more nominating petitions for the same office than there are persons to be elected to the office.⁷⁸
- Knowingly signing more petitions for the same office than there are persons to be elected to the office.⁷⁹
- Knowingly signing a petition to organize more than one new state political party or to sign a petition to organize a new state political party more than once.⁸⁰
- Knowingly making a false statement in the certificate of circulator.⁸¹

⁷⁵ MCL 168.303(7); MCL 168.482e(4); MCL 168.590h(7); MCL 168.685(12); MCL 168.954(5).

⁷⁶ MCL 168.303(4); MCL 168.482e(1); MCL 168.544c(8); MCL 168.590h(4); MCL 168.685(9); MCL 168.954(2).

⁷⁷ MCL 168.482c.

⁷⁸ MCL 168.544c(7); MCL 168.303(3).

⁷⁹ MCL 168.590h(3).

⁸⁰ MCL 168.685(8).

⁸¹ MCL 168.957(2).



Election or other public official misconduct

Willfully failing to perform a duty imposed upon an individual by the election law, or disobeying a lawful instruction or order of the secretary of state as chief state election officer, or of a board of county election commissioners, board of city election commissioners, or board of inspectors of election, is a misdemeanor.⁸²

It is also a misdemeanor for any election inspector, township or city clerk, assistant clerk, or other election official to engage in the any of the following conduct:

- Unless excused, failing to report at the polling place designated on election morning at the time specified by the board of election commissioners after accepting an appointment as an election inspector.⁸³
- Registering an individual to vote, if the clerk knows or has good reason to believe that said individual is not a resident and qualified.⁸⁴
- Accepting a fee from a voter applying for registration, either for the registering of the voter or for the taking of the acknowledgement on the registration application (for a clerk or assistant clerk).⁸⁵
- Using or permitting the use of a ballot container that has not been approved under the election law.⁸⁶
- Any member of the board of election inspectors failing to sign the statement of returns, or subscribing to any statement in said certificate which is untrue.⁸⁷

If a voter's ballot is challenged, election inspectors shall securely attach a slip or piece of blank paper to the ballot that covers and wholly conceals the endorsement to prevent the identification of the ballot. An inspector or other election official is guilty of a misdemeanor if they identify or attempt to identify the ballot or allow another person to identify the ballot.⁸⁸

The following actions are felonies under Michigan election law:

⁸² MCL 168.931(1)(g).

⁸³ MCL 168.931(1)(f).

⁸⁴ MCL 168.519.

⁸⁵ MCL 168.499(2).

⁸⁶ MCL 168.24j(6). See also MCL 168.24j(3) (approval requirements for a ballot container).

⁸⁷ MCL 168.808.

⁸⁸ MCL 168.746.



- An individual intentionally misrepresenting themselves at a polling place on Election Day as an election official.⁸⁹
- If having custody of any record, election list of voters, affidavit, return, statement of votes, certificates, poll book, or of any paper, document, or vote of any description, which is legally directed to be made, filed, or preserved, willfully destroying, mutilating, defacing, falsifying, or fraudulently removing or secreting any or all of those items, in whole or in part, or fraudulently making any entry, erasure, or alteration on any or all of those items, or permitting any other person to do so.⁹⁰
- Any member of the board of election inspectors knowingly subscribing to any statement in the statement of returns which is untrue.⁹¹
- Willfully assisting any voter in any manner contrary to the provisions of the Michigan election law.⁹²
- Any officer, assistant, clerk, or employee engaged in the conduct of a recount willfully committing any act which interferes with a fair and impartial recount of the votes cast for a contested office, amendment, or proposition.⁹³

With respect to recounts, the clerk of the board shall call a meeting of the board of canvassers for the purpose of investigating the facts set forth in a submitted petition for recount. The board has the power to issue subpoenas requiring the person in charge to bring before it the ballot boxes used in the election precinct or precincts referred to in the petition, as well as the poll lists, tally sheets, statements of returns, and such other documents or reports as may be deemed necessary. Failure to appear and produce any requested ballot container and election materials under a subpoena is a misdemeanor.⁹⁴ Moreover, the boards of state and county canvassers each have the right to subpoena any election inspector, county officer, or other person to appear before it for any desired purpose in connection with the matter of such recount. It is a misdemeanor for any person who is subpoenaed for that purpose to fail to obey that order.⁹⁵

The following are misdemeanors under Michigan election law:

⁸⁹ MCL 168.932e(1).

⁹⁰ MCL 168.932(c).

⁹¹ MCL 168.808.

⁹² MCL 168.757.

⁹³ MCL 168.873; MCL 168.887.

⁹⁴ MCL 168.870.

⁹⁵ MCL 168.885.



- A candidate for delegate to the county or district conventions of a political party failing to meet the residency qualifications or to file an affidavit of identity with the county clerk of the county in which the candidate resides. Failing to seat all duly elected and certified delegates at the county or district county conventions.⁹⁶
- A convention delegate or member soliciting a candidate for nomination before the convention for anything of value in return for support by the convention delegate or member. A candidate or other person promising or giving to a delegate anything of value in return for support by or vote of the convention delegate.⁹⁷
- A person elected to the office of delegate to a convention accepting or receiving anything of value for their vote as a delegate.⁹⁸

Finally, the conduct of certain elected candidates and their candidate committees are also governed by the Michigan Campaign Finance Act (MCFA).⁹⁹ Importantly, each elected candidate subject to the MCFA, and whose candidate committee received or expended more than \$1,000.00 during the election cycle, must file a postelection statement with the filing official designated to receive the elected candidate's candidate committee campaign statements. It is a crime to fail to file a postelection statement or to make a false statement in a postelection statement.¹⁰⁰

Distribution of materially deceptive media

It is a crime for a person to distribute, or enter into an agreement with another person to distribute, materially deceptive media (deepfakes), when all of the following apply:

- The person knows the media falsely represents the depicted individual.
- The distribution occurs within 90 days before an election.
- The person intends the distribution to harm the reputation or electoral prospects of a candidate and the distribution is reasonably likely to cause that result.

⁹⁶ MCL 168.624(2).

⁹⁷ MCL 168.931(1)(h).

⁹⁸ MCL 168.931(1)(i).

⁹⁹ 1976 PA 388, MCL 169.201 to 169.282.

¹⁰⁰ MCL 168.848.



- The person intends to influence the outcome of the election and the distribution is reasonably likely to cause that result.¹⁰¹

It is not a crime to distribute materially deceptive media if the media includes a disclaimer informing the viewer that it has been manipulated by technical means and depicts speech or conduct that did not occur. Additional required elements of the disclaimer depend on the type of media:

- If the media is a video, the disclaimer must appear throughout the entire video, be clearly visible and readable, and in a size that is at least as large as most of any other text on the video, or if there is no other text in the video, in a size that is easily readable by the average viewer.
- If the media is audio only, the disclaimer must be read at the beginning and the end of the media in the same language as the media in a clearly spoken manner and pitch that can be easily heard by the average listener.
- If the media is an image, the disclaimer must be clearly visible and viewable by the average viewer, and if there is other text it must be at least as large as most of the other text and must be in the same language used in the image media.
- If the media was generated by editing an existing image, audio, or video, a citation to the original source of the unedited media must be included.¹⁰²

A first violation is a misdemeanor, and a second or subsequent violation that occurs within 5 years of a previous conviction is a felony.¹⁰³

Firearms offenses

Finally, it is important for election officials and law enforcement to consider laws regulating open carry and concealed carry of firearms. Many polling places are located within public or private property that impose some general restrictions on every person who enters that location. For example, it is generally understood that private property owners have the right to exclude possession of firearms in buildings they own or control and which

¹⁰¹ MCL 168.932f(1).

¹⁰² MCL 168.932f(2).

¹⁰³ MCL 168.932f(3). Note that knowing violation of the identification requirements set forth for printed matter referencing an election, candidate, or ballot question in the Michigan Campaign Finance Act is a misdemeanor. MCL 169.247(6).



may be the location of an early voting site or polling place.¹⁰⁴ Voters, election inspectors, challengers, and poll watchers must respect these restrictions, so long as the restriction does not prevent an individual from voting or carrying out election-related duties.¹⁰⁵

In Michigan, the open carry of a firearm in public is legal if the person is carrying the firearm with lawful intent and the firearm is not concealed.¹⁰⁶ However, state law limits the carrying of a firearm by a person on certain premises. The Michigan Penal Code provides that it is a misdemeanor to possess a firearm on the premises of a church or other place of worship.¹⁰⁷ Likewise, it is also a misdemeanor to possess a weapon in a weapon free school zone.¹⁰⁸ Certain exceptions apply in both cases.

The restrictions on open carry do not apply to any of the following:

- The owner or a person hired as security (if the firearm is possessed for the purpose of providing security).
- A peace officer.
- A person licensed by this state or another state to carry a concealed weapon.
- A person who possesses a firearm on the premises of a place of worship or school with the permission of the owner or owner's agent.¹⁰⁹

The concealed carry of firearms by individuals who are licensed to carry a concealed pistol is generally prohibited in schools or school property and any

¹⁰⁴ The right of a private property owner to exclude a person possessing firearms is enforceable through criminal trespass provisions. *See, e.g., Adams v Cleveland-Cliffs Iron Co.*, 237 Mich App 51 (1999); *Dressler v Rice*, 739 Fed Appx 814 (CA 6, 2018). *See also* MCL 750.552.

¹⁰⁵ *See Duties and Obligations Imposed by State and Federal Election Laws*, published by the Michigan Bureau of Elections and available at <https://www.michigan.gov/sos/-/media/Project/Websites/sos/Election-Administrators/Duties-and-Obligations-State-and-Federal-Laws.pdf?rev=a1ffa9fffe2443499af99fd9f7b2719c&hash=03010E8265729AF974C8D8508EBBAB1A>.

¹⁰⁶ Under MCL 750.226 it is a felony to carry a firearm "with intent to use the same unlawfully against the person of another[.]"

¹⁰⁷ MCL 750.234d(1). The statute also prohibits possession of a firearm on the premises of certain financial institutions, courts, theatres, sports arenas, day care centers, and hospitals.

¹⁰⁸ MCL 750.237a(4). "Weapon free school zone" means school property and a vehicle used by a school to transport students to or from school property. MCL 750.237a(6).

¹⁰⁹ MCL 750.234d(2); MCL 750.237a(5).



property owned or operated by a place of worship unless a specific exception applies to the concealed pistol license (CPL) holder.¹¹⁰

An individual who is licensed under the Firearms Act¹¹¹ and who is any of the following is exempted from this restriction on concealed carry:

- A retired police officer, retired law enforcement officer, or retired federal law enforcement officer.
- An employed or contracted security service provider who is required to carry a concealed firearm on the premises of the employing or contracting entity.
- A licensed private investigator or private detective.
- A current or retired corrections officer of a county sheriff's department, if that individual has received county sheriff approved weapons training.
- A motor carrier officer or capitol security officer of the department of state police.
- A member of a sheriff's posse.
- An auxiliary officer or reserve officer of a police or sheriff's department.
- A current or retired parole, probation, or corrections officer, or a current or retired absconder recovery unit member, of the department of corrections, if that individual has obtained a Michigan department of corrections weapons permit.
- A state court judge or state court retired judge.
- A court officer.
- A peace officer.¹¹²

¹¹⁰ MCL 28.425o(1). For the purposes of this prohibition, "premises" does not include parking areas of the places identified under this provision. MCL 28.425o(4). "School" means a public, private, denominational, or parochial school offering developmental kindergarten, kindergarten, or any grade from 1 through 12. MCL 750.237a(6). "School property" means a building, playing field, or property used for school purposes to impart instruction to children or used for functions and events sponsored by a school. *Id.* MCL 28.425o also applies to other premises that are not likely to be used as an election venue.

¹¹¹ 1927 PA 372, MCL 28.421 to 28.435.

¹¹² MCL 28.425o(5).



If no exception applies, then a person cannot carry a concealed firearm in these places. Law enforcement should be contacted to assist election officials as necessary.

Further, it is a misdemeanor for a person to willfully and knowingly brandish a firearm in public, unless the person is lawfully performing their duties as a peace officer or lawfully acting in self-defense.¹¹³ Similarly, it is a misdemeanor for any person, except for a peace officer, to intentionally but without malice point or aim a firearm at or toward another person.¹¹⁴ If an election official observes or is notified of this kind of activity occurring in a place where elections are conducted, law enforcement should be contacted immediately to assist election officials as necessary.

¹¹³ MCL 750.234e. "Brandish" means to point, wave about, or display in a threatening manner with the intent to induce fear in another person. MCL 750.222(c).

¹¹⁴ MCL 750.233.



Appendix I: Michigan Election Law Crimes

168.678 Board of election inspectors; authority.

(<http://legislature.mi.gov/doc.aspx?mcl-168-678>)

Each board of election inspectors shall possess full authority to maintain peace, regularity and order at its polling place, and to enforce obedience to their lawful commands during any primary or election and during the canvass of the votes after the poll is closed.

168.727 Challenge; duty of election inspector; indiscriminate challenge; penalty.

(<http://legislature.mi.gov/doc.aspx?mcl-168-727>)

(1) An election inspector shall challenge an applicant applying for a ballot if the inspector knows or has good reason to suspect that the applicant is not a qualified and registered elector of the precinct, or if a challenge appears in connection with the applicant's name in the registration book. A registered elector of the precinct present in the polling place may challenge the right of anyone attempting to vote if the elector knows or has good reason to suspect that individual is not a registered elector in that precinct. An election inspector or other qualified challenger may challenge the right of an individual attempting to vote who has previously applied for an absent voter ballot and who on election day is claiming to have never received the absent voter ballot or to have lost or destroyed the absent voter ballot.

(2) Upon a challenge being made under subsection (1), an election inspector shall immediately do all of the following:

(a) Identify as provided in sections 745 and 746 a ballot voted by the challenged individual, if any.

(b) Make a written report including all of the following information:

(i) All election disparities or infractions complained of or believed to have occurred.

(ii) The name of the individual making the challenge.

(iii) The time of the challenge.

(iv) The name, telephone number, and address of the challenged individual.

(v) Other information considered appropriate by the election inspector.



(c) Retain the written report created under subdivision (b) and make it a part of the election record.

(d) Inform a challenged elector of his or her rights under section 729.

(3) A challenger shall not make a challenge indiscriminately and without good cause. A challenger shall not handle the poll books while observing election procedures or the ballots during the counting of the ballots. A challenger shall not interfere with or unduly delay the work of the election inspectors. An individual who challenges a qualified and registered elector of a voting precinct for the purpose of annoying or delaying voters is guilty of a misdemeanor.

168.733 Challengers; space in polling place; rights; space at counting board; expulsion for cause; protection; threat or intimidation.

(<http://legislature.mi.gov/doc.aspx?mcl-168-733>)

(1) The board of election inspectors shall provide space for the challengers within the polling place that enables the challengers to observe the election procedure and each person applying to vote. A challenger may do 1 or more of the following:

(a) Under the scrutiny of an election inspector, inspect without handling the pollbooks as ballots are issued to electors and the electors' names being entered in the poll book.

(b) Observe the manner in which the duties of the election inspectors are being performed.

(c) Challenge the voting rights of a person who the challenger has good reason to believe is not a registered elector.

(d) Challenge an election procedure that is not being properly performed.

(e) Bring to an election inspector's attention any of the following:

(i) Improper handling of a ballot by an elector or election inspector.

(ii) A violation of a regulation made by the board of election inspectors pursuant to section 742.

(iii) Campaigning being performed by an election inspector or other person in violation of section 744.



- (iv) A violation of election law or other prescribed election procedure.
- (f) Remain during the canvass of votes and until the statement of returns is duly signed and made.
- (g) Examine without handling each ballot as it is being counted.
- (h) Keep records of votes cast and other election procedures as the challenger desires.
- (i) Observe the recording of absent voter ballots on voting machines.

(2) The board of election inspectors shall provide space for each challenger, if any, at each counting board that enables the challengers to observe the counting of the ballots. A challenger at the counting board may do 1 or more of the activities allowed in subsection (1), as applicable.

(3) Any evidence of drinking of alcoholic beverages or disorderly conduct is sufficient cause for the expulsion of a challenger from the polling place or the counting board. The election inspectors and other election officials on duty shall protect a challenger in the discharge of his or her duties.

(4) A person shall not threaten or intimidate a challenger while performing an activity allowed under subsection (1). A challenger shall not threaten or intimidate an elector while the elector is entering the polling place, applying to vote, entering the voting compartment, voting, or leaving the polling place.

168.734 Challengers; preventing presence, penalty.

<http://legislature.mi.gov/doc.aspx?mcl-168-734>

Any officer or election board who shall prevent the presence of any such challenger as above provided, or shall refuse or fail to provide such challenger with conveniences for the performance of the duties expected of him, shall, upon conviction, be punished by a fine not exceeding \$1,000.00, or by imprisonment in the state prison not exceeding 2 years, or by both such fine and imprisonment in the discretion of the court.

168.744 Prohibited acts; violation as misdemeanor.

<http://legislature.mi.gov/doc.aspx?mcl-168-744>

(1) An election inspector or any other person in a polling room, in a compartment connected to a polling room, or within 100 feet from any entrance to a building in which a polling place is located shall not persuade



or endeavor to persuade a person to vote for or against any particular candidate or party ticket or for or against any ballot question that is being voted on at the election. A person shall not place or distribute stickers, other than stickers provided by the election officials pursuant to law, in a polling room, in a compartment connected to a polling room, or within 100 feet from any entrance to a building in which a polling place is located.

(2) A person shall not solicit donations, gifts, contributions, purchase of tickets, or similar demands, or request or obtain signatures on petitions in a polling room, in a compartment connected to a polling room, or within 100 feet from any entrance to a building in which a polling place is located.

(3) On election day, a person shall not post, display, or distribute in a polling place, in any hallway used by voters to enter or exit a polling place, or within 100 feet of an entrance to a building in which a polling place is located any material that directly or indirectly makes reference to an election, a candidate, or a ballot question. Except as otherwise provided in section 744a, this subsection does not apply to official material that is required by law to be posted, displayed, or distributed in a polling place on election day.

(4) A person who violates this section is guilty of a misdemeanor.

168.744a Appearance of name of elected or appointed official in polling place or room prohibited; violation; fine.

(<http://legislature.mi.gov/doc.aspx?mcl-168-744a>)

(1) Notwithstanding any provision of law to the contrary, the name of an elected or appointed official of this state or a political subdivision of this state shall not appear on any material that is temporarily posted, displayed, or distributed in a polling place or polling room on election day.

(2) A person who violates this section is guilty of a misdemeanor punishable by a fine of not more than \$100.00 for a first offense and is guilty of a misdemeanor punishable by a fine of not more than \$250.00 for a second or subsequent offense.

168.931 Prohibited conduct; violation as misdemeanor; "valuable consideration" defined.

(<http://legislature.mi.gov/doc.aspx?mcl-168-931-amended>)

(1) An individual who violates 1 or more of the following subdivisions is guilty of a misdemeanor:



(a) An individual shall not, either directly or indirectly, give, lend, or promise valuable consideration to or for any individual as an inducement to influence the manner of voting by an individual relative to a candidate or ballot question or as a reward for refraining from voting.

(b) An individual shall not, either before, on, or after an election, for the individual's own benefit or on behalf of any other individual, receive, agree, or contract for valuable consideration for 1 or more of the following:

- (i) Voting or agreeing to vote, or inducing or attempting to induce another to vote, at an election.
- (ii) Refraining or agreeing to refrain, or inducing or attempting to induce another to refrain, from voting at an election.
- (iii) Doing anything prohibited by this act.
- (iv) Both distributing absent voter ballot applications to voters and receiving signed applications from voters for delivery to the appropriate clerk or assistant of the clerk. This subparagraph does not apply to an authorized election official.

(c) An individual shall not solicit any valuable consideration from a candidate for nomination for, or election to, an office described in this act. This subdivision does not apply to requests for contributions of money by or to an authorized representative of the political party committee of the organization to which the candidate belongs. This subdivision does not apply to a regular business transaction between a candidate and any other person that is not intended for, or connected with, the securing of votes or the influencing of voters in connection with the nomination or election.

(d) An individual shall not, either directly or indirectly, discharge or threaten to discharge an employee of the individual for the purpose of influencing the employee's vote at an election.

(e) A priest, pastor, curate, or other officer of a religious society shall not for the purpose of influencing a voter at an election, impose or threaten to impose upon the voter a penalty of excommunication, dismissal, or expulsion or command or advise the voter under pain of religious disapproval.

(f) In a city, township, village, or school district that has a board of election commissioners authorized to appoint inspectors of election, an inspector of election, a clerk, or other election official who accepts an



appointment as an inspector of election shall not fail to report at the polling place designated on election morning at the time specified by the board of election commissioners, unless excused as provided in this subdivision. An individual who violates this subdivision is guilty of a misdemeanor punishable by a fine of not more than \$10.00 or imprisonment for not more than 10 days, or both. An inspector of election, clerk, or other election official who accepts an appointment as an inspector of election is excused for failing to report at the polling place on election day and is not subject to a fine or imprisonment under this subdivision if 1 or more of the following requirements are met:

- (i) The inspector of election, clerk, or other election official notifies the board of election commissioners or other officers in charge of elections of the inability to serve at the time and place specified, 3 days or more before the election.
- (ii) The inspector of election, clerk, or other election official is excused from duty by the board of election commissioners or other officers in charge of elections for cause shown.

(g) An individual shall not willfully fail to perform a duty imposed upon that individual by this act or disobey a lawful instruction or order of the secretary of state as chief state election officer or of a board of county election commissioners, board of city election commissioners, or board of inspectors of election.

(h) A delegate or member of a convention shall not solicit a candidate for nomination before the convention for money, reward, position, place, preferment, or other valuable consideration in return for support by the delegate or member in the convention. A candidate or other individual shall not promise or give to a delegate money, reward, position, place, preferment, or other valuable consideration in return for support by or vote of the delegate in the convention.

(i) An individual elected to the office of delegate to a convention shall not accept or receive any money or other valuable consideration for the individual's vote as a delegate.

(j) An individual shall not, while the polls are open on an election day, solicit votes in a polling place or within 100 feet from an entrance to the building in which a polling place is located.

(k) An individual shall not keep a room or building for the purpose, in whole or in part, of recording or registering bets or wagers, or of



selling pools upon the result of a political nomination, appointment, or election. An individual shall not wager property, money, or thing of value, or be the custodian of money, property, or thing of value staked, wagered, or pledged upon the result of a political nomination, appointment, or election.

(l) An individual shall not participate in a meeting or a portion of a meeting of more than 2 individuals, other than the individual's immediate family, at which an absent voter ballot is voted.

(m) An individual, other than an authorized election official, shall not, either directly or indirectly, give, lend, or promise any valuable consideration to or for an individual to induce that individual to both distribute absent voter ballot applications to voters and receive signed absent voter ballot applications from voters for delivery to the appropriate clerk.

(2) An individual who violates a provision of this act for which a penalty is not otherwise specifically provided in this act is guilty of a misdemeanor.

(3) An individual or an individual's agent who knowingly makes, publishes, disseminates, circulates, or places before the public, or knowingly causes directly or indirectly to be made, published, disseminated, circulated, or placed before the public, in this state, either orally or in writing, an assertion, representation, or statement of fact concerning a candidate for public office at an election in this state, that is false, deceptive, scurrilous, or malicious, without the true name of the author being subscribed to the assertion, representation, or statement if written, or announced if unwritten, is guilty of a misdemeanor.

(4) As used in this section, "valuable consideration" includes, but is not limited to, money, property, a gift, a prize or chance for a prize, a fee, a loan, an office, a position, an appointment, or employment.

168.931a Appearance of name of elected or appointed official on ballot-related material; prohibition; violation as misdemeanor; penalty.

(<http://legislature.mi.gov/doc.aspx?mcl-168-931a>)

(1) Notwithstanding any provision of law to the contrary, and except as otherwise provided in subsection (2), the name of an elected or appointed official of this state or a political subdivision of this state shall not appear on any ballot-related material that is provided to an elector. As used in this section, "ballot-related material" includes any of the following:



- (a) Any material provided to an elector with an absent voter ballot.
- (b) Absent voter ballot instructions.
- (c) An envelope used to mail to an elector an absent voter ballot or any other ballot material.
- (d) An absent voter ballot return envelope.

(2) Any ballot-related material printed or prepared before the effective date of the amendatory act that added this section that contains the name of an elected or appointed official of this state or a political subdivision of this state may be used if the elected or appointed official whose name appears on the ballot-related materials is not a candidate at the election in which those ballot-related materials are being used.

(3) A person who violates this section is guilty of a misdemeanor punishable by a fine of not more than \$100.00 for a first offense and is guilty of a misdemeanor punishable by a fine of not more than \$250.00 for a second or subsequent offense.

168.931b Prohibition on intimidation of or interference with election workers; violation; penalties; application to constitutionally protected activities; definitions.

<http://legislature.mi.gov/doc.aspx?mcl-168-931b-added>

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

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

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

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

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



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

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

(5) As used in this section:

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

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

(ii) Registering voters.

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

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

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

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

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

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

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

168.932 Prohibited conduct; violation as felony.

(<http://legislature.mi.gov/doc.aspx?mcl-168-932>)



A person who violates 1 or more of the following subdivisions is guilty of a felony:

(a) A person shall not attempt, by means of bribery, menace, or other corrupt means or device, either directly or indirectly, to influence an elector in giving his or her vote, or to deter the elector from, or interrupt the elector in giving his or her vote at any election held in this state.

(b) A person not duly authorized by law shall not, during the progress of any election or after the closing of the polls and before the final results of the election have been ascertained, break open or violate the seals or locks of any ballot box or voting machine used or in use at that election. A person shall not willfully damage or destroy any ballot box or voting machine. A person shall not obtain undue possession of that ballot box or voting machine. A person shall not conceal, withhold, or destroy a ballot box or voting machine, or fraudulently or forcibly add to or diminish the number of ballots legally deposited in the box or the totals on the voting machine. A person shall not aid or abet in any act prohibited by this subdivision.

(c) An inspector of election, clerk, or other officer or person having custody of any record, election list of voters, affidavit, return, statement of votes, certificates, poll book, or of any paper, document, or vote of any description, which pursuant to this act is directed to be made, filed, or preserved, shall not willfully destroy, mutilate, deface, falsify, or fraudulently remove or secrete any or all of those items, in whole or in part, or fraudulently make any entry, erasure, or alteration on any or all of those items, or permit any other person to do so.

(d) A person shall neither disclose to any other person the name of any candidate voted for by any elector, the contents of whose ballots were seen by the person, nor in any manner obstruct or attempt to obstruct any elector in the exercise of his or her duties as an elector under this act.

(e) A person who is not involved in the counting of ballots as provided by law and who has possession of an absent voter ballot mailed or delivered to another person shall not do any of the following:

(i) Open the envelope containing the ballot.

(ii) Make any marking on the ballot.

(iii) Alter the ballot in any way.



(iv) Substitute another ballot for the absent voter ballot that the person possesses.

(f) A person other than an absent voter; a person whose job it is to handle mail before, during, or after being transported by a public postal service, express mail service, parcel post service, or common carrier, but only during the normal course of his or her employment; a clerk or assistant of the clerk; a member of the immediate family of the absent voter including father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, or grandchild; or a person residing in the absent voter's household shall not do any of the following:

(i) Possess an absent voter ballot mailed or delivered to another person, regardless of whether the ballot has been voted.

(ii) Return, solicit to return, or agree to return an absent voter ballot to the clerk of a city, township, village, or school district.

(g) A person who assists an absent voter who is disabled or otherwise unable to mark the ballot shall only render his or her assistance by showing the absent voter how to vote the ballot as the absent voter desires or by marking the ballot as directed by the absent voter. A person who assists an absent voter who is disabled or otherwise unable to mark the ballot shall not suggest or in any manner attempt to influence the absent voter on how he or she should vote or allow any other person to do so.

(h) A person present while an absent voter is voting an absent voter ballot shall not suggest or in any manner attempt to influence the absent voter on how he or she should vote.

(i) A person shall not plan or organize a meeting at which absent voter ballots are to be voted.

168.932a Violations as felony; penalty.

(<http://legislature.mi.gov/doc.aspx?mcl-168-932a>)

A person who does any of the following is guilty of a felony punishable by imprisonment for not more than 4 years or a fine of not more than \$2,000.00, or both:

(a) A person shall not, at an election, falsely impersonate another person, or vote or attempt to vote under the name of another person, or induce or attempt to induce a person to impersonate another



person or to vote or attempt to vote under the name of another person.

(b) A person shall not assume a false or fictitious name to vote or to offer to vote by that name, enter or cause to be entered upon the registration book in a voting precinct a false or fictitious name, or induce or attempt to induce another person to assume a false or fictitious name in order to vote, by that name, vote, or offer to or enter or cause to be entered upon the registration book of a voting precinct, a false or fictitious name.

(c) A person who is not a qualified and registered elector shall not willfully offer to vote or attempt to vote at an election held in this state. A person shall not aid or counsel a person who is not a qualified and registered elector to vote or offer to vote at the place where the vote is given during an election.

(d) A qualified and registered elector shall not offer to vote or attempt to vote in a voting precinct in which the elector does not reside, except as otherwise provided in this act. A person shall not procure, aid, or counsel another person to go or come into a township, ward, or voting precinct for the purpose of voting at an election, knowing that the person is not qualified or registered to vote in that township, ward, or voting precinct.

(e) A person shall not offer to vote or attempt to vote more than once at the same election either in the same or in another voting precinct. A person shall not give 2 or more votes folded together.

168.932c Registering individuals; compensation prohibited; violation as felony; penalty.

<http://legislature.mi.gov/doc.aspx?mcl-168-932c>

(1) A person shall not provide compensation to another person for registering individuals to vote that is based upon any of the following:

(a) The total number of individuals a person registers to vote.

(b) The total number of individuals a person registers to vote in a particular political party.

(2) A person who violates this section is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$1,000.00, or both.



168.932e Misrepresentation as election official; violation as felony.
(<http://legislature.mi.gov/doc.aspx?mcl-168-932e>)

(1) A person shall not intentionally misrepresent by word or act in a polling place on election day that he or she is an election official if that person is not an election official.

(2) A person who violates this section is guilty of a felony.

168.933 Perjury; definition.
(<http://legislature.mi.gov/doc.aspx?mcl-168-933>)

A person who makes a false affidavit or swears falsely while under oath under section 848 or for the purpose of securing registration, for the purpose of voting at an election, or for the purpose of qualifying as a candidate for elective office under section 558 is guilty of perjury.

168.934 Misdemeanor; penalty.
(<http://legislature.mi.gov/doc.aspx?mcl-168-934>)

Any person who shall be found guilty of a misdemeanor under the provisions of this act shall, unless herein otherwise provided, be punished by a fine of not exceeding \$500.00, or by imprisonment in the county jail for a term not exceeding 90 days, or both such fine and imprisonment in the discretion of the court.

168.935 Felony; penalty.
(<http://legislature.mi.gov/doc.aspx?mcl-168-935>)

Any person found guilty of a felony under the provisions of this act shall, unless herein otherwise provided, be punished by a fine not exceeding \$1,000.00, or by imprisonment in the state prison for a term not exceeding 5 years, or by both such fine and imprisonment in the discretion of the court.

168.940 Prosecuting attorney; duty to prosecute.
(<http://legislature.mi.gov/doc.aspx?mcl-168-940>)

It is hereby made the duty of every prosecuting attorney, whenever he shall receive credible information that any such offense has been committed, to cause the same to be prosecuted.

168.941 Peace officers; duty to institute proceedings.



(<http://legislature.mi.gov/doc.aspx?mcl-168-941>)

It is hereby made the duty of any police, sheriff or other peace officer, present and having knowledge of any violation of any of the provisions of this act, to forthwith institute criminal proceedings for the punishment of such offender.

