

DEPARTMENT OF STATE

BUREAU OF ELECTIONS

ONLINE ABSENT VOTER BALLOT APPLICATION

Filed with the secretary of state on December 19, 2022

These rules take effect immediately upon 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 168.31, R 168.32, R 168.33, R 168.34, and R 168.35 are added to the Michigan Administrative Code, as follows: o

R 168.31 Definitions.

Rule 1. As used in these rules:

- (a) "Absent voter ballot application" means the paper application developed by the secretary of state or the online application described in R. 168.32.
- (b) "Jurisdiction" means the city or township in which the voter is registered.
- (c) "Manual digital signature" means a digitally captured image of a registered voter's handwritten signature.
- (d) "Qualified Voter File" means the voter registration database maintained by the secretary of state.
- (e) "Stored digital signature" means the image of the registered voter's signature captured by the department of state and maintained in the department of state's motor vehicle database.

R 168.32 Maintenance of online absent voter ballot application; form.

Rule 2. (1) The secretary of state shall maintain an online absent voter ballot application.

(2) This online absent voter ballot application must provide an option that allows qualified and registered voters to request an absentee ballot for an election occurring in their jurisdiction.

(3) The online absent voter ballot application must be in substantially the same form as the absent voter ballot application developed by the secretary of state under section 759 of the Michigan election law, 1954 PA 116, MCL 168.759.

R 168.33 Use of digital signature on online absent voter ballot applications.

Rule 3. (1) The online absent voter ballot application must provide an opportunity for a voter to use the voter's stored digital signature on file with the secretary of state on the application.

(2) In order to allow a voter to use the voter's stored digital signature, the online absent voter ballot application must verify the voter's identity and registration status by requesting the voter's name, complete driver's license or state ID number, full date of birth, last four digits of the voter's social security number, and eye color.

(3) For registered voters whose stored digital signature is on file with the secretary of state, the online absent voter ballot application must be signed with that stored digital signature.

(4) Registered voters without a stored digital signature on file with the secretary of state may provide a manual digital signature by uploading a photograph of their physical handwritten signature to the online absent voter ballot application.

(5) Completed online absent voter ballot applications, including digital signature, must be sent electronically through the Qualified Voter File to the city or township clerk for processing. An application signed using a stored digital signature or manual signature must be treated identically as an application signed with a physical handwritten signature.

R 168.34 Processing online absent voter ballot application.

Rule 4. The clerk of a city or township shall process online absent voter ballot applications in the same manner as all absent voter ballot applications submitted by a voter pursuant to section 759 or 759a of the Michigan election law, 1954 PA 116, MCL 168.759 or 168.759a.

R 168.35 Prohibited conduct.

Rule 5. Online absent voter ballot applications are subject to the same prohibitions governing completion and submission of all absent voter ballot applications.