

DEPARTMENT OF STATE

BUREAU OF ELECTIONS

ELECTION CHALLENGERS AND POLL WATCHERS

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

R 168.201 Definitions.

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

(a) "Absent voter ballot processing facility" means the location where a single absent voter counting board, multiple absent voter counting boards, a single combined absent voter counting board, or multiple combined absent voter counting boards are conducted. Absent voter ballot processing facilities do not include a clerk's office or other locations where absent voter ballots are stored, signatures appearing on absent voter ballot envelopes are checked, or other election-related activities are conducted before absent voter ballots being removed from absent voter ballot envelopes and prepared for tabulation.

(b) "Act" means the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992.

(c) "Challenge" means a challenge made by a challenger credentialed by a credentialing organization. For the purposes of these rules, a challenged ballot issued to a voter for a reason other than a challenge made by a challenger is not a challenge and does not require any of the reporting or other requirements created by a challenge made by a credentialed challenger.

(d) "Challenger" means an individual credentialed as the representative of a credentialing organization to observe election-related activities at an early voting site, a polling place on Election Day, an absent voter ballot processing facility, or a clerk's office at any time the applicable location is open to the public. An individual shall not serve as a challenger if the individual is serving as an election inspector or individual is running for nomination or election at the same election, except that candidates for precinct delegate can serve as challengers so long as the candidates do not serve at the precinct where the candidates are running for office.

(e) "Clerk's office" means any location where a clerk or an employee of the clerk is issuing absent voter ballots to voters who appear in person and accepting completed absent voter ballots from voters who appear in person. This definition includes satellite offices or other locations established on a temporary or permanent basis to issue absent voter ballots to voters appearing in person or receive absent voter ballots from voters appearing in person.

(f) "Combined absent voter counting board" is an absent voter counting board established under section 764d(1) of the act, MCL 168.764d, or an absent voter counting board established to process each ballot form containing identical offices

and names in a jurisdiction with more than 250 precincts under section 569a(2) of the act, MCL 168.569a.

(g) "Credential card" is the card required to be included in an application to become a credentialing organization under section 731(1) of the act, MCL 168.731, and the authority required to be signed by the individual identified under section 732 of the act, MCL 168.732. The authority must be in a form prescribed by the secretary of state and be known as the Michigan challenger credential card.

(h) "Credentialing organization" means an organization that is eligible to appoint and credential challengers in this state. A credentialing organization is an entity described in section 730 of the act, MCL 168.730. A credentialing organization other than a political party committee shall have satisfied the requirements of section 731 of the act, MCL 168.731.

(i) "Election staff" includes the clerk of a jurisdiction, employees and authorized assistants of that clerk, the secretary of state, any member of the secretary of state staff, the director of elections, and any member of the bureau of elections staff.

(j) "Pollbook" refers to either a physical or electronic pollbook.

(k) "Poll watcher" is a member of the public who is observing election processes and is not credentialed as a challenger. A candidate shall not serve as a poll watcher at a location where the candidate appears on the ballot.

(l) "Team of election inspectors" refers to the set of election inspectors assigned to process ballots at an individual absent voter count board or a combined absent voter count board.

(2) Unless otherwise defined in these rules, a term defined in the act has the same meaning when used in these rules.

History: 2026 MR 9, Eff. May 6, 2026.

R 168.202 Pollbook records.

Rule 2. (1) If both a physical and an electronic pollbook are utilized at an Election Day polling place, early voting site, or absent voter ballot counting facility, the clerk of the jurisdiction shall direct the records required by these rules to be recorded in the physical pollbook, the electronic pollbook, or both.

(2) Regardless of the form of pollbook used at an Election Day polling place, early voting site, or absent voter ballot counting facility, any challenge forms completed under R 168.213(2) must be stored by the local clerk in the same manner as the physical pollbook is stored.

History: 2026 MR 9, Eff. May 6, 2026.

R 168.203 Record of individuals serving as challengers; organizational training.

Rule 3. (1) For each challenger to whom a credentialing organization provides credentials, the credentialing organization shall keep the following records:

(a) The challenger's name.

(b) The challenger's mobile phone number, if the challenger has a mobile phone.

(c) Other contact information that may be used to contact the challenger during the performance of the challenger's duties.

(d) The city or township where the challenger is registered to vote.

(e) Each Election Day polling place, early voting site, and absent voter ballot processing facility where the challenger is designated to serve.

(2) Before the beginning of service by any challenger, the credentialing organization shall designate a member of the credentialing organization to be a point of contact between the credentialing organization and election officials. Except for political parties appointing challengers, the credentialing organization shall make the point of contact known to the secretary of state and the clerk of each jurisdiction where the credentialing organization is appointing challengers, using a form prescribed by the secretary of state. Political parties appointing challengers shall make the point of contact known to the secretary of state, using a form prescribed by the secretary of state. The individual serving as a point of contact shall be available to be contacted by election officials at any time when a challenger credentialed by the credentialing organization is serving as a challenger. The point of contact shall have the records described in subrule (1) of this rule readily available for reference if contacted by an election official.

(3) The records described in subrule (1) of this rule must be retained by the credentialing organization for 1 year after the date of the challenger's service.

(4) Before issuing credentials to any challengers, each individual issuing credentials on behalf of the credentialing organization shall complete training created by the secretary of state for credentialing organizations. This training must include information about permissible and impermissible challenges, and the rights and duties of challengers. The training may include certification that the individual has reviewed written materials designated by the secretary of state or may include virtual or in-person training.

History: 2026 MR 9, Eff. May 6, 2026.

R 168.204 Credential card.

Rule 4. (1) The authority required under section 732 of the act, MCL 168.732, shall be in a form prescribed by the secretary of state, and be known as the Michigan challenger credential card.

(2) A credential card may be digital and presented on a phone or other electronic device. If a challenger uses a digital credential, the credential must mirror the physical template credential form promulgated by the secretary of state and must not include any information or graphics that are not included or requested on the physical template credential form.

(3) No county, city, or township clerk shall approve an organization's application to credential challengers under section 731(1) of the act, MCL 168.731, unless the facsimile of the credential card submitted by the organization is in a form prescribed by the secretary of state.

(4) If any field required on the credential card is blank, the credential is invalid and the individual presenting the form cannot serve as a challenger.

(5) The credential card shall not be displayed or shown to voters.

(6) Clerks may allow or require challengers serving at a polling place on Election Day, at an early voting site during the early voting period, or at a clerk's office at any time that voters are present, to wear a reasonably sized nametag or badge. The nametag or badge cannot include any text or graphics aside from the challenger's name and the words "election challenger". The nametag must be printed on white paper, and the words "election challenger" must be printed in black ink.

(7) Clerks may allow or require challengers present at absent voter ballot processing facilities to display the challenger's credential card or wear nametags or badges that identify challengers and the organization represented by the challenger.

History: 2026 MR 9, Eff. May 6, 2026.

R 168.205 Challenger liaison.

Rule 5. (1) Each clerk shall designate 1 or more election inspectors per Election Day polling place, early voting site, or absent voter ballot processing facility as a challenger liaison. Unless otherwise specified, the challenger liaison at election related sites is the following:

(a) At an Election Day polling place, the precinct chairperson.

(b) At an early voting site, the early voting site chairperson.

(c) At the clerk's office, the most senior member of the clerk's election staff present.

(2) Challengers shall not communicate with election inspectors other than the challenger liaison or the challenger liaison's designee unless otherwise instructed by the challenger liaison or a member of the clerk's staff.

(3) The challenger liaison is responsible for answering challenger questions and addressing challenger concerns. The challenger liaison is made known to challengers on the challenger's arrival at the Election Day polling place, early voting site, absent voter ballot processing facility, or clerk's office.

(4) If multiple precincts or absent voter counting boards are included in a single location, a single election inspector may serve as the challenger liaison for multiple precincts or absent voter counting boards.

(5) Challenger liaisons are responsible for maintaining an orderly election process in the location where the challenger liaisons serve. Challenger liaisons may issue directions to challengers to ensure compliance with the act; with the election inspector's duty to maintain the peace, regularity, and order at the location where the challenger liaisons are serving under section 678 of the act, MCL 168.678; with these rules; or with the requirement of maintaining an orderly election process.

(6) Challengers are required to follow the directions of the challenger liaison. If the challenger objects to the direction, the objection shall be treated as a challenge to an election process described in R 168.209. The challenger may

contact the clerk responsible for the jurisdiction to appeal directions that the challenger believes are prohibited by the act or these rules.

(7) A challenger liaison may delegate any of their duties under these rules to another election inspector serving in the same location.

History: 2026 MR 9, Eff. May 6, 2026.

R 168.206 Total number of challengers; challengers at Election Day polling places, early voting sites, or absent voter ballot processing facilities.

Rule 6. (1) The maximum number of challengers that a credentialing organization may field at a location is determined as follows:

(a) If the challengers are serving at an Election Day polling place, the total number of challengers allowed to each credentialing organization at a precinct must not exceed the total number allowed under section 730(1) of the act, MCL 168.730.

(b) If the challengers are serving at an early voting site, the total number of challengers allowed to each credentialing organization at a site is the total number allowed under section 730(1) of the act, MCL 168.730, as an early voting site is subject to the same requirements as an Election Day precinct pursuant to section 4(1)(m) of article II of the state constitution of 1963.

(c) If the challengers are serving at a single absent voter counting board, 1 challenger, as provided in section 730(1) of the act, MCL 168.730.

(d) If the challengers are serving at an absent voter ballot processing facility where more than 1 absent voter counting board is located, 1 challenger for each board, as provided in section 730(1) of the act, MCL 168.730.

(e) During processing and tabulation of absent voter ballots before Election Day, the total number of challengers allowed to each credentialing organization at the location must not exceed the total number allowed under section 765a(14) of the act, MCL 168.765a.

(f) If the challengers are serving at a local clerk's office or a satellite location maintained by a clerk, each credentialing organization is limited to 1 challenger at that office.

(g) If the challengers are serving at an Election Day vote center, the total number of challengers allowed to each credentialing organization at the location must not exceed the total number allowed under section 523b(2) of the act, MCL 168.523b.

(2) At no point shall more than 1 challenger from any single credentialing organization observe the activities of any single team of election inspectors processing ballots at an absent voter ballot processing facility.

(3) Clerks shall make reasonable efforts to accommodate the number of challengers equal to the number of credentialing organizations approved to credential challengers in the clerk's jurisdiction multiplied by the maximum number of challengers allowed in the location as calculated under subrule (1) of this rule.

(4) If an Election Day polling place, early voting site, or absent voter ballot processing facility cannot accommodate the total number of challengers contemplated in subrule (1) of this rule, the maximum number of challengers each

credentialing organization is allowed to have present in that location as calculated in subrule (1) of this rule is decreased by an equal number for all credentialing organizations.

(5) If the absent voter ballot processing facility cannot accommodate 1 challenger for each credentialing organization, the clerk's notice under section 765a(12) of the act, MCL 168.765a, shall provide notice of the number of challengers that can be accommodated, and 1 challenger per organization is admitted until that number is met.

(6) If a challenger leaves a location where the challenger is credentialed to serve, the organization that credentialed that challenger is allowed to replace that challenger with a new challenger credentialed by that organization so long as the replacement process does not disrupt the work of election inspectors or clerk staff present at the location. A replacement challenger shall comply with the provisions of these rules.

History: 2026 MR 9, Eff. May 6, 2026.

R 168.207 Challenger training.

Rule 7. (1) Each credentialing organization shall provide each challenger credentialed by that organization with the manual created by the secretary of state governing challengers and poll watchers and other materials designated by the secretary of state.

(2) A credentialing organization is responsible for training each challenger credentialed by that organization regarding all of the following:

(a) Election Day polling place operation, if the challenger is designated to serve at an Election Day polling place.

(b) Early voting site operation, if the challenger is designated to serve at an early voting site.

(c) Absent voter counting board operation, if the challenger is designated to serve at an absent voter ballot processing facility.

(d) Voter registration and the issuance and acceptance of absent voter ballots at a clerk's office, if the challenger is designated to serve at a clerk's office.

(3) If the challenger is designated to serve at multiple categories of locations described in subrule (2) of this rule, the credentialing organization shall train the challenger on operations of all of the categories applicable at the location where the challenger is credentialed to serve.

(4) The challenger training must include, but is not limited to, an explanation of the processes and procedures during the category of location where the challenger is credentialed and the powers, rights, and duties of election challengers.

(5) Each challenger shall sign or electronically sign a written statement certifying that the challenger completed the required training and has a working knowledge of the material presented at training. The credentialing organization shall retain this statement for 2 years after the last date that the challenger served.

(6) An individual must not serve as a challenger unless the individual has completed challenger training as required under this rule within the last 2 calendar

years. If a change in the election law, a change in election regulations, a court order, or another event substantially alters or abrogates information contained in the training, the secretary of state may require individuals wishing to serve as challengers to complete a supplemental training before serving as a challenger, even if that individual has completed the required challenger training within the 2 calendar years before the date the individual serves as a challenger.

History: 2026 MR 9, Eff. May 6, 2026.

R 168.208 Challenge to a voter's eligibility; challenge to an elector's ability to cast a ballot at an Election Day polling place or early voting site after receiving an absent voter ballot.

Rule 8. (1) A challenger may make a challenge to a voter's eligibility at an Election Day polling place or early voting site if the challenger has a good reason to believe that the individual is not a registered elector.

(2) The following are the only permissible reasons that a challenger may challenge a voter's eligibility:

(a) The individual is not registered to vote.

(b) The individual is less than 18 years of age on Election Day.

(c) The individual is not a United States citizen.

(d) The individual has not resided in the city or township where the individual is attempting to vote for 30 or more days before the election.

(3) The following are impermissible challenges to a voter's eligibility because they are improper reasons for challenge:

(a) The individual's race or ethnic background.

(b) The individual's sexual orientation or gender identity.

(c) The individual's physical or mental disability.

(d) The individual's inability to read, write, or speak English.

(e) The individual's need for assistance in the voting process.

(f) The individual's manner of dress.

(g) The individual's support for or opposition to a candidate, political party, or ballot question.

(h) The appearance or the challenger's impression of any of the preceding traits.

(i) Another characteristic or appearance of a characteristic that is not relevant to an individual's qualification to cast a ballot.

(4) A permissible challenge to a voter's eligibility triggers the process laid out in section 729 of the act, MCL 168.729.

(5) A challenge to a voter's eligibility must be made to the challenger liaison or to an election inspector designated by the challenger liaison.

(6) If a challenge to a voter's eligibility is properly made under subrule (2) of this rule, the challenger liaison or election inspector to whom the challenge is made shall ask the challenger to state with specificity which of the voter eligibility criteria the challenger believes the individual whose eligibility is challenged does not meet, and why the challenger believes the individual whose eligibility is challenged does not meet that criteria.

(7) A challenge determined to be made for reasons other than the reasons allowed under subrule (2) of this rule must be rejected as an impermissible challenge.

(8) Voter eligibility challenges are not permissible at an absent voter ballot processing facility.

History: 2026 MR 9, Eff. May 6, 2026.

R 168.209 Challenges to an election process.

Rule 9. (1) A challenger may challenge an election process, including the way that election inspectors are operating a polling place or early voting site or processing absent voter ballots at an absent voter ballot processing facility. The challenge must state the specific element or elements of the process that the challenger believes are being improperly performed.

(2) An explanation for a challenge to an election process must include an explanation of the proper performance of the element or elements in question but need not take the form of a direct citation to statute or election administration materials.

(3) A challenge to an election process is impermissible and must not be recorded by the election inspectors in either or both of the following circumstances:

(a) If the challenger cannot identify a specific element or multiple elements of the process that the challenger believes are improper if performed.

(b) If the challenger cannot adequately explain why the process is being performed in a manner prohibited by state law.

(4) A permissible challenge to an election process is rejected if the challenger liaison determines that the specific element or elements of the election process are being carried out in accordance with state law.

(5) If a challenger wishes to challenge recurring elements of an election process under subrule (1) of this rule, the challenger shall make a blanket challenge. A blanket challenge is recorded in the same manner as other challenges made under subrule (1) of this rule. The challenger shall not challenge subsequent repetitions of the process.

(6) A challenge to an election process must be made to the challenger liaison.

History: 2026 MR 9, Eff. May 6, 2026.

R 168.210 Impermissible challenges.

Rule 10. (1) Impermissible challenges are challenges that are made on improper grounds.

(2) Subject to R 168.209(3), a challenge determined to be impermissible is not accepted or rejected but is noted in the pollbook as impermissible if it is possible to do so without slowing the voting or absent voter ballot tabulation process.

(3) Repeated impermissible challenges may result in a challenger's removal from the polling place, early voting site, or absent voter ballot processing facility.

(4) Impermissible challenges include the following:

(a) Challenges made to something other than a voter's eligibility or an election process.

(b) Challenges made with no explanation for the challenge.

(c) Challenges made alleging lack of photo identification against a voter who signs an Affidavit of Voter Not in Possession of Picture ID.

(d) Challenges made for an improper reason as described in R 168.208(3).

(5) A challenger shall not make a challenge indiscriminately or without good cause. A challenge is made indiscriminately and without good cause if the challenger does not know or has a reasonable belief that the challenged individual is ineligible or that the election process is being improperly performed.

(6) A challenger shall not make challenges for the purpose of harassing an elector, an election inspector, or another individual, or interfering with election processes.

History: 2026 MR 9, Eff. May 6, 2026.

R 168.211 Rejected challenges.

Rule 11. (1) Rejected challenges are challenges that are permissible that the challenger liaison does not accept. Whether a challenge is permissible but rejected is a context-specific determination that depends on the type of challenge being made.

(2) If a challenge is permissible but rejected, the following information must be recorded in the pollbook:

(a) The challenger's name.

(b) The name of the credentialing organization that credentialed the challenger.

(c) The time of the challenge.

(d) The substance of the challenge.

(e) The reason why the challenge was rejected.

History: 2026 MR 9, Eff. May 6, 2026.

R 168.212 Accepted challenges.

Rule 12. (1) Accepted challenges are challenges that are permissible and the challenger liaison determines are correct.

(2) If a challenge is accepted, the following information must be recorded in the pollbook:

(a) The challenger's name.

(b) The time of the challenge.

(c) The substance of the challenge.

(d) The actions taken by the challenger liaison in response to the challenge.

History: 2026 MR 9, Eff. May 6, 2026.

R 168.213 Recording of challenges.

Rule 13. (1) If a challenger makes a challenge known to a challenger liaison without identifying the election process challenged as required by these rules, or otherwise fails to provide information required to support a challenge under the act or these rules, the challenger liaison shall ask the challenger to state the missing information necessary to support the challenge. If the challenger cannot state the information supporting the challenge, the challenge does not have a sufficient basis and is impermissible.

(2) A challenger making a challenge determined to have sufficient basis under subrule (1) of this rule shall be provided with a challenge recording form prescribed by the secretary of state. The challenger shall complete the form and return the form to the challenger liaison or election inspector designated by the challenger liaison in order for the challenge to be recorded. The challenge recording form must include fields specifying the time that the challenge is made, the name of the challenger making the challenge, the organization the challenger represents, the type of challenge being made, and other information determined necessary or appropriate by the secretary of state.

(3) Permissible challenges to a voter's eligibility properly made under these rules must be recorded in the physical pollbook and, if it is being used at that location, in the electronic pollbook. The record included in the pollbook must contain a short description of the challenge and the resolution of the challenge.

(4) If a challenge is properly made but ultimately rejected, the record of the challenge in the pollbook must note in the pollbook the reason that the challenge was rejected.

(5) After the close of polls or after ballot processing is completed, challenge recording forms must be maintained with the physical pollbook.

History: 2026 MR 9, Eff. May 6, 2026.

R 168.214 Rights and duties of challengers.

Rule 14. (1) When entering an Election Day polling place, early voting site, or absent voter ballot processing facility, a challenger shall make the challenger's presence known to the challenger liaison and complete the oath set out in R 168.215 before making any challenges or enjoying any of the rights accorded to a challenger. The challenger's name, credentialing organization, and time of arrival must be recorded in a pollbook. If the challenger is credentialed in more than 1 precinct or counting board at a location, the challenger liaison may allow the challenger to complete the oath only once and be recorded in only one pollbook.

(2) If the challenger leaves an Election Day polling place, early voting site, or absent voter ballot processing facility before the end of tabulation, the challenger shall notify the challenger liaison. On notification, the time that the challenger leaves must be recorded in the pollbook.

(3) Properly credentialed challengers who made the challenger's presence known to the challenger liaison and have signed the oath set out in R 168.215 have the right to the following:

(a) Be present in the polling place, early voting site, absent voter ballot processing facility, or Election Day vote center.

(b) Make challenges to the challenger liaison or the challenger liaison's designee as provided in R 168.208 and R 168.209.

(c) Be treated with respect by election inspectors.

(d) Be provided with reasonable assistance in performing the duties of a challenger.

(e) Inspect applications to vote, registration lists, and other printed materials used to conduct elections that are available at the location, so long as the challenger does not touch or handle any of those materials and so long as the inspection does not interfere with the voting process.

(f) Observe election inspectors' preparation of voting equipment at the polling place or early voting site before the opening of the polls during the early voting period and on Election Day, and observe election inspectors' handling of voting equipment after the close of polls on Election Day, so long as the challenger does not touch or handle any of that equipment and so long as that observation does not interfere with the election inspectors in completion of the election inspectors' duties.

(g) Observe the election process from a reasonable distance, so long as election inspectors have sufficient room to perform the election inspectors' duties and voters are not impeded in any way.

(h) If serving in a polling place or early voting site during the early voting period or on Election Day, to use electronic devices, so long as the device is not disruptive and so long as the device is not used to photograph or make video or audio recordings of the polling place or early voting site except for posted election results.

(i) If serving in an absent voter ballot processing facility, to use electronic devices, so long as the device is not disruptive and so long as the device is not used to photograph or make video or audio recordings except for posted election results.

(j) Observe election-related activities at an early voting site or at a polling place on Election Day at any time the early voting site or polling place is open to the public, including before the opening of polls or after the closing of polls.

(k) Take notes about the election process.

(l) Notify the challenger liaison of perceived violations of election laws by third-parties, including electioneering within 100 feet of an entrance to the building where a polling place or early voting site is located, improper handling of a ballot by a voter, or other issues.

(m) Remain in the Election Day polling place, early voting site, or absent voter ballot processing facility after the close of polls or the end of tabulation and until the election inspectors complete the election inspectors' duties.

(n) If serving in an early voting site or polling place where ballots are being issued, stand behind the processing table and intermittently move close enough to view the pollbook as ballots are issued to voters and the voters' names are entered into the pollbook, so long as the challenger does not touch or handle the pollbook or otherwise interfere with the work of the election inspectors.

(o) If serving at an absent voter ballot processing facility, stand in a location where the tabulation of absent voter ballots can be observed, or stand in a location where the challenger can intermittently move close enough to view the entry of the names of voters whose ballots are being processed into the pollbook, so long as the challenger does not touch or handle any election-related materials.

(4) Challengers shall not:

(a) Speak with or interact in any way with voters.

(b) Threaten or intimidate voters, other challengers, or election inspectors, or attempt to threaten or intimidate voters, other challengers, or election inspectors at any stage of the voting process.

(c) Continuously stand in close proximity to election inspectors in a way a reasonable individual could find intimidating.

(d) Speak with or interact with election inspectors who are not the challenger liaison or the challenger liaison's designee, unless given explicit permission by the challenger liaison or a member of the clerk's staff.

(e) Make repeated impermissible challenges.

(f) Make a challenge indiscriminately or without good cause, or for the purpose of harassing, delaying, or annoying voters, election inspectors, or another individual.

(g) Physically touch or interact with ballots, absent voter ballot envelopes, electronic pollbooks, physical pollbooks, or other election materials.

(h) Stand so close to the pollbook or other materials that the challenger's proximity to those materials interferes with the election inspectors' ability to perform the election inspectors' duties.

(i) Use a device to photograph or make video or audio recordings in a polling place, early voting site, clerk's office, or at an absent voter ballot processing facility, other than the recording of election results.

(j) Provide or offer to provide assistance to voters.

(k) Wear any clothing or other apparel relating to any party, candidate, or proposition on the ballot or that disrupts the peace or order of the early voting site or polling place, unless the challenger is serving at an absent voter ballot processing facility and is given permission or instructed to wear an identifier by an election official.

(l) Wear clothing or other apparel expressly advocating for or against the election of a candidate or advocating the passage or defeat of a ballot measure.

(m) Set up a table or other furniture in the early voting site or polling place.

(n) Take any actions to disrupt or interfere with voting, ballot tabulation, or other election processes.

(5) A challenger may request and be provided with a chair to use when conducting challenger activities, so long as the provision of the chair does not interfere with the orderly conduct of elections. The placement of the chair is at the discretion of the challenger liaison or clerk.

History: 2026 MR 9, Eff. May 6, 2026.

R 168.215 Challenger oath.

Rule 15. (1) After making the challenger's presence known to the challenger liaison, a challenger who is not completing the oath in section 765a of the act, MCL 168.765a, shall complete the following oath:

"I (name of individual taking oath) do solemnly swear (or affirm) that I have reviewed the written materials designated by the Secretary of State for my training and will comply with the provisions in those materials. I will follow the directions of the election inspectors operating the (description of applicable location). Further, I shall not photograph, or audio or video record, within the (description of applicable location), except for posted election results."

(2) The oaths administered under subrule (1) of this rule must be placed in an envelope provided for this purpose and sealed with the red state seal. Following the election, the oaths must be delivered to the city or township clerk.

History: 2026 MR 9, Eff. May 6, 2026.

R 168.216 Challenger conduct; challenger liaison management of election locations.

Rule 16. (1) If a challenger is serving at a location with multiple precincts or absent voter counting boards, and if the credentialing organization whom the challenger represents has fewer challengers present than the number of precincts or absent voter counting boards in the location, the credentialing organization may designate a challenger to serve at multiple precincts or absent voter counting boards within the location, subject to reasonable limits by the clerk.

(2) Challengers enjoy the rights enumerated in R 168.214(3) only at the Election Day polling places, early voting sites, or absent voter ballot processing facilities where the challengers are designated to serve.

History: 2026 MR 9, Eff. May 6, 2026.

R 168.217 Prohibited challenger conduct; ejection of challengers.

Rule 17. (1) The right of a challenger to be present is conditional on the challenger's compliance with election inspectors' lawful commands under section 678 of the act, MCL 168.678. Any failure to comply with the lawful command of an election inspector may result in expulsion from the Election Day polling place, early voting site, absent voter ballot processing facility, Election Day vote center, or clerk's office.

(2) If a challenger liaison has a reasonable belief that a challenger is making challenges that do not comply with the requirements of R 168.208 or R 168.209, that the challenger is making impermissible challenges as described in R 168.210, or that the challenger is violating any of the prohibitions in R 168.214(4), the challenger liaison shall warn the challenger of the challenger's noncompliant challenges or impermissible behavior.

(3) If a challenger liaison has a reasonable belief that a challenger who was warned under subrule (2) of this rule is continuing to make challenges that do not comply with the requirements of R 168.208 or R 168.209, that the challenger is

making impermissible challenges as described in R 168.210, or that the challenger is violating any of the prohibitions in R 168.214(4), the challenger liaison may eject the challenger from the Election Day polling place, early voting site, absent voter ballot processing facility, Election Day vote center, or clerk's office.

(4) If a challenger photographs, or audio or video records, within an Election Day polling place, early voting site, or absent voter ballot processing facility other than as allowed by the act, the election inspector shall eject the individual from the location.

(5) Any warning or ejection, and the reason for that warning or ejection, must be recorded in the physical pollbook and, if it is being used at that location, in the electronic pollbook.

(6) A challenger who is ejected may appeal that ejection by contacting the clerk of the jurisdiction where the challenger is serving, after the challenger has left the polling place, early voting site, or absent voter ballot processing facility.

History: 2026 MR 9, Eff. May 6, 2026.

R 168.218 Challengers serving in clerk offices.

Rule 18. (1) Challengers may be present at a clerk's office only if the clerk's office is open for business and during the period before an election when voters may request or return an absent voter ballot at the office.

(2) A challenger serving at a clerk's office shall make the challenger's presence known to the clerk as provided in R 168.214(1).

(3) A challenger serving at a clerk's office may be present only in areas of the clerk's office where an absent voter ballot may be requested. Nothing in these rules allows a challenger to be present in areas of the clerk's office reserved for the clerk or employees of the clerk.

(4) A challenger present at a clerk's office shall not view the qualified voter file.

(5) A challenger serving at a clerk's office shall follow directions given to the challenger by election staff.

(6) A challenger serving at a clerk's office shall not observe the selections a voter makes on the voter's absent voter ballot if that voter chooses to complete the absent voter ballot in the clerk's office.

(7) A challenger serving at a clerk's office is bound by the same duties as a challenger serving at an Election Day polling place, early voting site, or absent voter ballot processing facility.

(8) If a challenger photographs, or audio or video records at a clerk's office other than as allowed by the act, the election inspector shall eject the individual from the location.

History: 2026 MR 9, Eff. May 6, 2026.

R 168.219 Poll watcher.

Rule 19. (1) Poll watchers have the right to do the following:

(a) Be present at an Election Day polling place, early voting site, or absent voter ballot processing facility, if there is sufficient space.

(b) Observe the electoral process from a public viewing area designated by the clerk, which must be placed in a location that does not interfere in any way with the work of election inspectors present in the location, or with participation in the voting process if voters are present. If the public viewing area for a particular election location is full and cannot accommodate more poll watchers, and if the public viewing area cannot be enlarged without disrupting election processes, the clerk or challenger liaison must deny entry to additional poll watchers.

(c) Request to view the pollbook without handling it, but the challenger liaison may decline that request. A poll watcher shall never handle the pollbook or other election equipment or materials.

(2) Poll watchers are subject to all of the same restrictions as credentialed challengers, including the prohibitions against speaking with voters and against speaking with election inspectors other than the challenger liaison without the challenger liaison's permission.

(3) In addition to the restrictions in subrule (2) of this rule, poll watchers shall not do the following:

(a) Issue challenges.

(b) Sit or stand behind the processing table at an Election Day polling place or early voting site.

(c) Be present in any part of the polling place, early voting site, clerk's office, or absent voter ballot processing facility, except the designated public viewing area.

(4) If an election inspector has a reasonable belief that a poll watcher is in violation of subrule (2) or (3) of this rule, the election inspector shall warn the individual of the poll watcher's nonallowed behavior.

(5) If an election inspector reasonably believes that a poll watcher who was warned under subrule (4) of this rule is continuing to violate this rule, the election inspector must eject that poll watcher from the Election Day polling place, early voting site, or absent voter ballot processing facility. If the poll watcher refuses to leave after being informed of the ejection by an election inspector, the election inspector may request law enforcement remove the poll watcher from the polling place, early voting site, or absent voter ballot processing facility.

(6) If a poll watcher photographs, or audio or video records, within an Election Day polling place, early voting site, or absent voter ballot processing facility, the election inspector shall expel the individual from the location.

History: 2026 MR 9, Eff. May 6, 2026.

R 168.220 Challenger appeal of challenger liaison or election inspector determinations.

Rule 20. (1) A challenger may appeal to the city or township clerk of the jurisdiction where the challenger is serving a decision by the challenger liaison or other election inspectors relating to any of the following:

(a) The validity of a challenge.

(b) A challenger's conduct.

(c) A challenger's ejection.

(2) The following apply to a challenger appeal:

(a) The appeal must be made outside the hearing of voters.

(b) If the challenger is appealing the ejection, the appeal must be made after the challenger has left the polling place, early voting site, or absent voter ballot processing facility. If the city or township clerk rejects the challenger's ejection as improper, the clerk shall inform the challenger liaison and the challenger shall be allowed to reenter the polling place, early voting site, or absent voter ballot processing facility.

(c) At the request of a challenger, the challenger liaison shall provide the contact information of the city or township clerk.

(3) The challenger may appeal the decision of the local clerk to the bureau of elections.

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

History: 2026 MR 9, Eff. May 6, 2026.