

Know Someone Voting by Absentee? Things You Need to Know

Absentee voting is the Michiganders solution for submitting your vote before an election and not having to go to the polling location to do so. In 2018 a law was passed enabling any registered voter to vote by absentee without having to meet any special criteria, such as a medical condition, disability, or out of town assignment making the election day vote impossible.

However, many people may not realize there are actual laws regarding the environment in which that ballot may be voted.

For instance, to receive a ballot, before each election, the voter must sign an application. Their signature on the application must reasonably match with their legal signature on file with the Secretary of State. Once the signature on the returned application has been verified, then a ballot may be issued.

According to 168.932 Prohibited conduct; violation as felony... part f: only an immediate family member, member of the same household, mail carrier, clerk, or deputy clerk

- may deliver, receive, hold, an absentee ballot issued to another person
- may return or agree to return an absent voter ballot to the clerk of a city, township, village, or school district.

In assisting an absent voter who is disabled or unable to mark a ballot, the helper may only show the voter how to complete the ballot or make the marks on the ballot as directed specifically by the absent voter. It is illegal to suggest or in any manner attempt to influence the absent voter on how he or she should vote. Additionally, the helper must not allow any other person to allow persuasion or suggestion to the absent voter while he or she is voting the ballot.

Additional legal parameters on absentee voting situations:

- Anyone who happens to be present in the vicinity of someone voting an absentee ballot, may not suggest or attempt to influence the voting being made. (Example, talking loud about who you voted for or what is or isn't something people should keep in mind while voting for proposals, etc.)

- Meetings may not be organized for a group of absentee voters to gather together to complete their ballots. (This is true even for nursing homes and retirement communities.)

To clarify the last, 168.931 (violation as a misdemeanor) further stipulates, “a person shall not participate in a meeting or a portion of a meeting of more than TWO persons, other than the person’s immediate family, at which an absent voter ballot is voted.” This language only allows the voter present and one additional non-family member. And regardless of position, there is no legal scenario in which someone can suggest to the absentee voter who they should vote for. If the ballot is present, all discussion and persuasion must be over.

Respect for a voter’s right to their privacy has attempted to be safe guarded throughout the election process whether one votes in person or absentee.