



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

October 16, 2020

Open Carry of Firearms at Polling Places on Election Day Prohibited

In Michigan, an individual's ability to carry a firearm depends on several factors, such as whether he or she is licensed to carry a concealed weapon or is exempt from licensure; the location; whether the weapon is concealed or openly carried; and other circumstances.

The presence of firearms at the polling place, clerk's office(s), or absent voter counting board may cause disruption, fear, or intimidation for voters, election workers, and others present. Absent clear standards, there is potential for confusion and uneven application of legal requirements for Michigan's 1,600 election officials, 30,000 election inspectors, 8 million registered voters, and thousands of challengers and poll watchers on Election Day.

As Michigan's chief election officer with supervisory control over local election officials in the performance of their duties, the Secretary of State issues the following directions to clarify that the open carry of firearms on Election Day in polling places, clerk's office(s), and absent voter counting boards is prohibited; to provide additional guidance to election workers if they encounter individuals with firearms at or near polling places, and to secure the full and free exercise of the right to vote. The Secretary of State is coordinating with the Attorney General and state and local law enforcement to ensure uniform enforcement of these requirements.

Within 100 feet of a polling place, clerk's office(s), or absent voter counting board

- **The open carry of a firearm is prohibited in a polling place, in any hallway used by voters to enter or exit, or within 100 feet of any entrance to a building in which a polling place is located.** A person may leave a firearm inside a vehicle parked within 100 feet of the building when visiting these locations if otherwise permitted by law to possess the firearm within the vehicle.
- Concealed carry of a firearm is prohibited in any building that already prohibits concealed carry unless an individual is authorized by the building to do so.
- Election inspectors should contact law enforcement immediately if these prohibitions are violated. The prohibition on open carry does not apply to law enforcement officers acting in the course of their duties.

Outside 100 feet of a polling place, clerk's office(s), or absent voter counting board

- Outside of 100 feet of a polling place, if any person is acting in a way that would tend to intimidate, hinder or impede voters on the way to the polls, election inspectors should immediately contact law enforcement.

Signage and Contacting Law Enforcement

- Election inspectors must post signage providing notice of this regulation inside the room containing the polling place and at the building entrance. Notice may also be posted at 100 feet at the discretion of the local clerk.
- Clerks should contact local police departments and county sheriffs in advance of election day to establish points of contact for enforcing this or any other election day regulations.

Required signage:

NOTICE

THE OPEN CARRYING OF A FIREARM IS PROHIBITED IN A POLLING PLACE, INSIDE ANY HALLWAY USED BY VOTERS TO ENTER OR EXIT A POLLING PLACE, AND WITHIN 100 FEET OF AN ENTRANCE TO A BUILDING CONTAINING A POLLING PLACE ON ELECTION DAY. OUTSIDE OF 100 FEET, NO PERSON CAN ACT IN A WAY THAT WOULD TEND TO INTIMIDATE, HINDER OR IMPEDE VOTERS ON THEIR WAY TO THE POLLING PLACE. THESE PROHIBITIONS ALSO APPLY TO AN ELECTION CLERK'S OFFICE OR ABSENT VOTER COUNTING BOARD ON ELECTION DAY.