

# Legislative Analysis

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## **ALLOW DIFFERENT ADDRESSES FOR DRIVER'S LICENSE AND VOTING**

Mitchell Bean, Director  
Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**House Bill 4447 & 4448 as passed by the House**  
**Sponsor: Rep. Rebekah Warren**  
**Committee: Ethics and Elections**

### **First Analysis (1-14-08)**

**BRIEF SUMMARY:** The bills would permit a voter to have a different resident address on a driver's license from that recorded in the qualified voter file.

**FISCAL IMPACT:** A fiscal analysis is in process.

### **THE APPARENT PROBLEM:**

Currently under Michigan Election law, a registered voter's address must be the same on both the voter's driver's license and in the Qualified Voter File maintained by the secretary of state and used by local election clerks. The requirement is intended to reduce voter fraud, since the picture and address on a driver's license can be used to authenticate identification and residency, thus eliminating the possibility that voters would cast ballots twice on Election Day, voting at two different locations.

According to committee testimony offered by the Michigan Election Reform Alliance (<http://www.MichiganElectionReformAlliance.Org>), the requirement sometimes prevents lawfully registered voters from casting their ballots. The Alliance offers three examples, based on its members' research and experience. First, the Alliance cites many examples of error in local clerks' offices, as voters seek to align their new driver's license addresses with changes in the Qualified Voter File. Second, voters in college towns who do successfully change the addresses on their driver's licenses and on the Qualified Voter File sometimes risk losing their family health care coverage, since they no longer live "at home." Third, voters in college towns who do not change their driver's license to reflect their changes of address are prevented from voting in elections back home by casting an absentee ballot, since Michigan law requires a first-time absent ballot voter to make application for the absent voter ballot in person, at the office of the hometown office clerk. For many university students there is little time between fall enrollment and fall elections--too little time to travel home and apply for an absent ballot application.

Confidence in the electoral process is a cornerstone of our participatory democracy. That confidence erodes if citizens cannot vote on Election Day. In order to ensure that all registered voters find a lawful path to vote in every election, bills have been introduced to permit a resident address on a driver license (or personal identification card) that is different than the voter registration address (on the Qualified Voter File).

## ***THE CONTENT OF THE BILLS:***

The bills would amend the Michigan Election Law and the Michigan Vehicle Code, respectively, to permit a voter to have a different resident address on his or her driver's license from that recorded in the qualified voter file. A more detailed explanation follows.

House Bill 4447 would amend the Michigan Election Law (MCL 168.509o) to specify that, regardless of any provision of law to the contrary, an individual could change the residence address on an operator's or chauffeur's license issued under the Michigan Vehicle Code, or on an official state personal identification card, without changing the address for purposes of the qualified voter file. Or, the reverse would be possible under the bill. That is, an individual could change the address on the qualified voter file without changing the residence address on the operator's or chauffeur's license.

House Bill 4448 would amend the Michigan Vehicle Code (MCL 257.307 and 257.315) to strike out the requirement that the secretary of state use the residence address provided on a driver license application as the applicant's address on the qualified voter file for voter registration and voting.

The bill would also eliminate the following notice currently used by the secretary of state to inform the applicant that the driver's license address will serve as the address on the qualified voter file: "NOTICE: Michigan law requires that the same address be used for voter registration and driver license purposes. Therefore, if the residence address you provide in this application differs from your voter registration address as it appears on the qualified voter file, the secretary of state will automatically change your voter registration to match the residence address on this application, after which your voter registration at your former address will no longer be valid for voting purposes. A new voter registration card, containing the information of your polling place, will be provided to you by the clerk of the jurisdiction where your residence address is located."

## ***ARGUMENTS:***

### ***For:***

Voting is a right, and it is the duty of lawmakers in our democracy to make voting as easy and accessible as possible. To erect or to allow barriers that deny individuals reasonable access to the voting booth undermines voter confidence in the electoral process--damaging the cornerstone of our participatory democracy. The Michigan Election Reform Alliance has recorded, in one voting precinct alone, more than 30 cases where voters applied to vote from an address not listed in the precinct poll-book, some of which were the result of administrative error in the office of the city clerk when new changes of address were never, or erroneously, recorded. Further, the Alliance has identified several barriers for college students when they seek to begin, or continue, voting from home, or from their new addresses on campus. In all instances, these barriers to voting would be eliminated if Michigan law permitted a resident address on a driver license or personal

identification card that is different from the voter registration address (on the Qualified Voter File). These bills would enable that change in Michigan's Vehicle Code and Election Law.

***Against:***

These changes in Michigan statutes could result in less orderly record-keeping in the offices of local election clerks. The bills would also make voter fraud more difficult to detect, since voters' names could conceivably be recorded in the poll-books of two polling precincts in towns miles apart, sometimes in different states. Further, according to the Washtenaw County Clerk, *under current Michigan law, voters can request that their Qualified Voter File contain a mailing address and a street address.* The aim of these bills could, perhaps, be better accomplished by making that provision more explicit, ensuring that it was known and understood by college voters and local election clerks in college and university towns.

***POSITIONS:***

The Services Employees International Union (SEIU) supports the bills. (7-24-07)

The Michigan Election Reform Alliance supports the bills. (5-15-07)

The Secretary of State opposes the bills. (7-24-07)

The Michigan Association of County Clerks opposes the bills. (7-24-07)

The Michigan Association of Municipal Clerks opposes the bills. (7-24-07)

Legislative Analyst: J. Hunault  
Fiscal Analyst: Robin Risko

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.