

# HOUSE BILL No. 4383

February 19, 2009, Introduced by Reps. Pearce, Scripps, Agema, Lori, Horn, Crawford, Schuitmaker, Hildenbrand, Green, Ball and Stamas and referred to the Committee on Ethics and Elections.

A bill to amend 1954 PA 116, entitled  
 "Michigan election law,"  
 by amending section 509t (MCL 168.509t), as amended by 2004 PA 92.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 509t. (1) Notwithstanding another provision of law to the  
 2           contrary, a person who is a qualified elector in this state and who  
 3           registers to vote in a manner consistent with the national voter  
 4           registration act of 1993 is considered a registered voter under  
 5           this act.

6           (2) ~~A-EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION AND~~  
 7           SUBSECTION (3), A person who registers **BY MAIL** to vote in a  
 8           jurisdiction in this state ~~by mail~~ shall vote in person and shall  
 9           provide identification as required under section 303(b) of the help  
 10          America vote act of 2002, 42 USC 15483, if that person has not  
 11          previously voted in person in this state. This subsection does not

1 apply to any of the following registered voters:

2 (a) A person entitled to vote by absentee ballot under the  
3 uniformed and overseas citizens absentee voting act.

4 (b) A person who has a disability as defined in section 103 of  
5 the persons with disabilities civil rights act, 1976 PA 220, MCL  
6 37.1103, or, for purposes of voting in person only, a person who is  
7 60 years of age or older.

8 (c) A person who is entitled to vote other than in person  
9 under any other federal law.

10 (3) A PERSON WHO REGISTERS BY MAIL TO VOTE MAY SATISFY THE  
11 IDENTIFICATION REQUIREMENT OF THE HELP AMERICA VOTE ACT OF 2002 AND  
12 THE REQUIREMENT TO VOTE IN PERSON AS PROVIDED IN SUBSECTION (2) IF  
13 HE OR SHE PRESENTS A VALID FORM OF IDENTIFICATION AS PROVIDED IN  
14 SECTION 303(B) OF THE HELP AMERICA VOTE ACT OF 2002, 42 USC 15483,  
15 TO ANY COUNTY, CITY, OR TOWNSHIP CLERK IN THIS STATE. A CLERK WHO  
16 RECEIVES A VALID FORM OF IDENTIFICATION AND WHO IS NOT THE CLERK OF  
17 THE CITY OR TOWNSHIP WHERE THE ELECTOR IS REGISTERED TO VOTE SHALL  
18 TRANSMIT TO THE CLERK OF THE CITY OR TOWNSHIP WHERE THE ELECTOR IS  
19 REGISTERED TO VOTE A NOTICE THAT THE ELECTOR HAS SATISFIED THE  
20 REQUIREMENT TO VOTE IN PERSON AND THE IDENTIFICATION REQUIREMENT OF  
21 THE HELP AMERICA VOTE ACT OF 2002. THE NOTICE SHALL BE TRANSMITTED  
22 IN A MANNER PRESCRIBED BY THE SECRETARY OF STATE. THE CLERK OF THE  
23 CITY OR TOWNSHIP WHERE THE ELECTOR IS REGISTERED TO VOTE SHALL,  
24 UPON RECEIPT OF A NOTICE UNDER THIS SUBSECTION, UPDATE THE  
25 INFORMATION IN THE QUALIFIED VOTE FILE OF THE ELECTOR.

26 (4) ~~(3)~~—This section does not preclude this state from  
27 prosecuting a violation of this act that is also a violation of a

1 federal election or voting rights law.