

# HOUSE BILL No. 4803

August 18, 2015, Introduced by Reps. Hoadley, Plawecki, Liberati, Love, Wittenberg and Chang and referred to the Committee on Elections.

A bill to amend 1954 PA 116, entitled  
"Michigan election law,"  
by amending section 662 (MCL 168.662), as amended by 2004 PA 92.

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

1           Sec. 662. (1) The legislative body in each city, village, and  
2 township shall designate and prescribe the place or places of  
3 holding an election for a city, village, or township election, and  
4 shall provide a suitable polling place in or for each precinct  
5 located in the city, village, or township for use at each election.  
6 Except as otherwise provided in this section, school buildings,  
7 fire stations, police stations, and other publicly owned or  
8 controlled buildings shall be used as polling places. If it is not  
9 possible or convenient to use a publicly owned or controlled  
10 building as a polling place, the legislative body of the city,

1 township, or village may use as a polling place a building owned or  
2 controlled by an organization that is exempt from federal income  
3 tax as provided by section 501(c), other than 501(c)(4), (5), or  
4 (6), of the internal revenue code of 1986, ~~or any successor~~  
5 ~~statute.~~ **26 USC 501.** The legislative body of a city, township, or  
6 village shall not designate as a polling place a building that is  
7 owned by a person who is a sponsor of a political committee or  
8 independent committee. A city, township, or village shall not use  
9 as a polling place a building that does not meet the requirements  
10 of this section. As used in this subsection, "sponsor of a  
11 political committee or independent committee" means a person who is  
12 described as being a sponsor under section 24(3) of the Michigan  
13 campaign finance act, 1976 PA 388, MCL 169.224, and includes a  
14 subsidiary of a corporation or a local of a labor organization, if  
15 the corporation or labor organization is considered a sponsor under  
16 section 24(3) of the Michigan campaign finance act, 1976 PA 388,  
17 MCL 169.224.

18 (2) The legislative body in each city, village, and township  
19 shall make arrangements for the rental or erection of suitable  
20 buildings for use as polling places if publicly owned or controlled  
21 buildings are not available, and shall have the polling places  
22 equipped with the necessary facilities for lighting and with  
23 adequate facilities for heat and ventilation. The legislative body  
24 may establish a central polling place or places for 6 precincts or  
25 less if it is possible and convenient for the electors to vote at  
26 the central polling place. The legislative body may abolish other  
27 polling places not required as a result of the establishment of a

1 central polling place.

2 (3) The legislative body of a city, village, or township may  
3 establish a polling place at a for profit or nonprofit residence or  
4 facility in which 150 persons or more aged 62 or older reside or at  
5 an apartment building or complex in which 150 persons or more  
6 reside. A township board may provide polling places located within  
7 the limits of a city that has been incorporated from territory  
8 formerly a part of the township, and the electors of the township  
9 may cast their ballots at those polling places. If 2 contiguous  
10 townships utilize a combined township hall or other publicly owned  
11 or controlled building within 1 of the township's boundaries and  
12 outside of the other township's boundaries, and there is not  
13 another publicly owned or controlled building or a building owned  
14 or controlled by an organization that is exempt from federal income  
15 tax ~~—~~as provided by section 501(c), other than 501(c)(4), (5), or  
16 (6), of the internal revenue code of 1986, **26 USC 501**, available or  
17 suitable for a polling place within the other township, then each  
18 township board may provide a polling place in that publicly owned  
19 building for 1 or more election precinct.

20 (4) The legislative body of a city, village, or township shall  
21 not establish, move, or abolish a polling place less than 60 days  
22 before an election unless necessary because a polling place has  
23 been damaged, destroyed, or rendered inaccessible or unusable as a  
24 polling place.

25 (5) The legislative body of a city, village, or township shall  
26 ensure that a polling place established under this section is  
27 accessible and complies with the voting accessibility for the

1 elderly and handicapped act and the help America vote act of 2002.

2           (6) THE LEGISLATIVE BODY OF A CITY, VILLAGE, OR TOWNSHIP SHALL  
3 ENSURE THAT THE OWNER OR OPERATOR OF ANY BUILDING USED AS A POLLING  
4 PLACE PERMITS ELECTIONEERING, NOT OTHERWISE PROHIBITED UNDER  
5 SECTION 744, IN A NONDISCRIMINATORY MANNER BETWEEN THE HOURS OF 7  
6 A.M. AND 8 P.M. ON ELECTION DAY ON ANY REAL PROPERTY ASSOCIATED  
7 WITH THE BUILDING USED AS A POLLING PLACE.

8           (7) ~~(6)~~As used in this section, "accessible" means the  
9 removal or modification of policies, practices, and procedures that  
10 deny an individual with a disability the opportunity to vote,  
11 including the removal of physical barriers as identified in ~~section~~  
12 ~~261(b) of the help America vote act of 2002, 42 USC 15421, 52 USC~~  
13 ~~21021~~, so as to ensure individuals with disabilities the  
14 opportunity to participate in elections in this state.

15           Enacting section 1. This amendatory act takes effect 90 days  
16 after the date it is enacted into law.