

HOUSE JOINT RESOLUTION PP

July 13, 2016, Introduced by Reps. Driskell and Hoadley and referred to the Committee on Elections.

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 4 of article II and by adding section 1a to article II, to provide for the rights of electors.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to provide for the rights of electors, is proposed, agreed to, and submitted to the people of the state:

ARTICLE II

SEC. 1A. (1) AN INDIVIDUAL WHO MEETS THE QUALIFICATIONS OF AN ELECTOR AND IS QUALIFIED TO VOTE IN ANY ELECTION IN THIS STATE HAS ALL OF THE FOLLOWING RIGHTS:

(A) THE RIGHT TO VOTE A SECRET BALLOT IN ALL ELECTIONS.

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1 (B) THE RIGHT, IF SERVING IN THE UNIFORMED SERVICES OR LIVING
2 OVERSEAS, TO HAVE AN ABSENTEE VOTER BALLOT SENT TO HIM OR HER AT
3 LEAST 45 DAYS BEFORE AN ELECTION. AS USED IN THIS SUBDIVISION,
4 "UNIFORMED SERVICES" MEANS THE ARMY, NAVY, AIR FORCE, MARINE CORPS,
5 COAST GUARD, THE COMMISSIONED CORPS OF THE UNITED STATES PUBLIC
6 HEALTH SERVICE, THE COMMISSIONED CORPS OF THE NATIONAL OCEANIC AND
7 ATMOSPHERIC ADMINISTRATION, A RESERVE COMPONENT OF A UNIFORMED
8 SERVICE, OR THE MICHIGAN NATIONAL GUARD.

9 (C) THE RIGHT, ONCE REGISTERED TO VOTE IN THIS STATE, TO
10 REMAIN REGISTERED AND TO VOTE BY ABSENTEE VOTER BALLOT OR REGULAR
11 BALLOT IN THE JURISDICTION IN WHICH HE OR SHE RESIDES, IMMEDIATELY
12 UPON SIGNING A REGISTRATION AFFIDAVIT.

13 (D) THE RIGHT TO BE AUTOMATICALLY REGISTERED TO VOTE IF HE OR
14 SHE IS ISSUED A STATE DRIVER LICENSE OR STATE PERSONAL
15 IDENTIFICATION CARD, OR IF HE OR SHE CONDUCTS ANY OTHER BUSINESS AT
16 A SECRETARY OF STATE BRANCH OFFICE, AND HAS THE RIGHT TO DECLINE TO
17 BE AUTOMATICALLY REGISTERED TO VOTE.

18 (E) THE RIGHT TO REGISTER TO VOTE IN PERSON OR BY MAIL UP TO
19 AND INCLUDING 15 DAYS BEFORE AN ELECTION. IF THE FIFTEENTH DAY
20 BEFORE AN ELECTION FALLS ON A SATURDAY, SUNDAY, OR LEGAL HOLIDAY,
21 THE RIGHT TO REGISTER TO VOTE IS EXTENDED TO THE NEXT BUSINESS DAY
22 FOLLOWING THE FIFTEENTH DAY BEFORE AN ELECTION.

23 (F) THE RIGHT TO VOTE BY ABSENTEE VOTER BALLOT IN PERSON
24 DURING, AT A MINIMUM, THE 15 DAYS BEFORE AN ELECTION. DURING THE 15
25 DAYS BEFORE AN ELECTION, EACH CITY OR TOWNSHIP CLERK, OR HIS OR HER
26 DEPUTY, SHALL BE AVAILABLE IN AT LEAST ONE LOCATION IN THE CITY OR
27 TOWNSHIP FOR A MINIMUM OF FOUR HOURS EACH DAY TO ISSUE AND RECEIVE

1 IN PERSON ABSENTEE VOTER BALLOTS. EACH CITY OR TOWNSHIP CLERK MAY,
2 IN HIS OR HER DISCRETION, ISSUE AND RECEIVE IN PERSON ABSENTEE
3 VOTER BALLOTS FOR A PERIOD OF TIME LONGER THAN 15 DAYS BEFORE AN
4 ELECTION.

5 (G) THE RIGHT TO VOTE BY ABSENTEE VOTER BALLOT WITHOUT HAVING
6 TO PROVIDE A REASON.

7 (2) ALL RIGHTS SET FORTH IN THIS SECTION SHALL BE SELF-
8 EXECUTING.

9 (3) THIS SECTION SHALL BE LIBERALLY CONSTRUED IN FAVOR OF
10 VOTERS' RIGHTS.

11 (4) IF ANY PROVISION OF THIS SECTION IS FOUND TO BE INVALID,
12 UNENFORCEABLE, OR UNCONSTITUTIONAL, THAT PROVISION SHALL BE
13 SEVERABLE FROM THE REMAINING PORTIONS OF THIS SECTION.

14 Sec. 4. ~~The~~ EXCEPT AS OTHERWISE PROVIDED IN THIS CONSTITUTION
15 OR IN THE CONSTITUTION AND LAWS OF THE UNITED STATES, THE
16 legislature shall enact laws to regulate the time, place, and
17 manner of all nominations and elections, ~~except as otherwise~~
18 ~~provided in this constitution or in the constitution and laws of~~
19 ~~the United States. The legislature shall enact laws to preserve the~~
20 purity of elections, to preserve the secrecy of the ballot, to
21 guard against abuses of the elective franchise, and to provide for
22 a system of voter registration and absentee voting. No law shall be
23 enacted ~~which~~ THAT permits a candidate in any partisan primary or
24 partisan election to have a ballot designation except when required
25 for identification of candidates for the same office who have the
26 same or similar surnames.

27 Resolved further, That the foregoing amendment shall be

1 submitted to the people of the state at the next general election
2 in the manner provided by law.