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BILL ANALYSIS



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Senate Bill 814 (as enacted)
Sponsor: Senator Dave Robertson
Senate Committee: Elections and Government Reform
House Committee: Elections and Ethics

PUBLIC ACT 125 of 2018

Date Completed: 9-27-18

CONTENT**The bill amends the Michigan Election Law to do the following:**

- **Require a voter registration application to contain additional information and statements.**
- **Revise requirements for the Secretary of State (SOS) and the clerk of a city or village to manage destroyed or damaged voter registration records.**
- **Modify requirements concerning the cancellation of a previous registration.**

The bill repeals sections of the Law concerning registration cards, changes of address, and other matters.

Under the Law, to be eligible to register as an elector, an individual must be at least 18 years old, a resident of Michigan for at least 30 days, and a resident of a township, city, or village on or before the 30th day before the next regular or special election or primary election.

Under the bill, to be eligible, an individual must be at least 17½ years old, a resident of the State, and a resident of the township or city in which he or she was registering.

The Law requires a registration application to contain all of the following:

- The name of the elector.
- The residence address of the elector.
- The birthplace and date of birth of the elector.
- The driver license or State personal identification card number of the elector, if available.
- A statement that the elector is a citizen of the United States.
- A statement that the elector is at the time of completing the affidavit, or will be on the date of the next election, not less than 18 years of age.
- A statement that the elector has or will have lived in the State not less than 30 days before the next election.
- A statement that the elector has or will have established his or her residence in the township, city, or village in which the elector is applying for registration not less than 30 days before the next election.
- A statement that the elector is or will be a qualified elector of the township, city, or village on the date of the next election.
- A space in which the elector must state the place of his or her last registration, if any.

Under the bill, the registration application also must include:

- The city or township and county of residence of the elector, and the school district of the elector, if known.

- A statement that the registration is not effective until processed by the clerk of the city or township in which the applicant resided. A statement that the applicant, if qualified, could vote at an election occurring at least 30 days after the date of completing the application.
- A statement that authorizes the cancellation of registration at the elector's last place of registration.
- A space for the elector to sign and certify to the truth of the statements on the application.

The Law provides that notice of registration for a school millage election must be required to be published once and must be made at least five days before the last day for receiving registrations. The bill deletes this provision.

The bill deletes provisions that require the SOS and the clerk of the city, township, or village to manage damaged or lost registration cards and to make the corrections in the records necessary to comply with the Law.

Under the bill, if voter registration records are destroyed or mutilated making them unusable, the clerk of the city or township must request a back-up file from the SOS. The SOS must provide a list of registered electors and their signatures, if available, from the qualified voter file to the city or township clerk. If the SOS is unable to provide a back-up file to the city or township clerk, the clerk must require the electors to reregister as prescribed by the SOS.

The Law requires a registration officer to ascertain, at the time an elector is applying for registration, if the elector is already registered as an elector. If he or she is previously registered, the elector must, at the time of applying for registration, sign an authorization to cancel a previous registration. The Secretary of State must prescribe forms for this purpose. The form may be a part of the application or a separate form. The clerk of the city or township in which the elector is newly registered must notify the registration officer of the place of previous registration of the authorization to cancel. The bill deletes the notification requirement.

The Law requires notices of cancellation to contain the name, birth date, and address at which the elector was previously registered, and the name of the city or township of previous registration of all people authorizing cancellations. Notices must be sent within 30 days after receipt, but not later than five days after the close of registration. Upon receipt of the notice, the clerk must cancel the registration of the people listed on the notices. The clerk receiving the notice also must notify the clerk of each village in which a person listed on the notice resides of receipt of an authorization to cancel. The bill deletes these requirements.

The bill repeals Sections 494, 500c, 500h, 500j, 507b, 509s, and 517, and 522a. Those sections pertain to registration cards, voter identification cards, notification of changes of address or deaths, voting after the close of registration, an implementation study of the qualified voter file, the transfer of registration cards upon the division of a ward or precinct, and Freedom of Information Act requests.

The bill will take effect on December 31, 2018.

MCL 168.491 et al.

Legislative Analyst: Nathan Leaman

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.