

HOUSE BILL No. 5265

November 28, 2017, Introduced by Reps. Wittenberg, Gay-Dagnogo, Moss, Zemke, Camilleri, Hertel, Hoadley, Geiss, Liberati, Pagan, Schor, Howrylak and Robinson and referred to the Committee on Elections and Ethics.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 497, 498, 500a, and 500d (MCL 168.497, 168.498, 168.500a, and 168.500d), section 497 as amended by 1989 PA 142, section 498 as amended by 2005 PA 71, and section 500a as amended by 1995 PA 87; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 497. (1) A person who is not registered **TO VOTE** but
 2 possesses the qualifications of an elector as ~~set forth~~ **PROVIDED** in
 3 section 492 ,—may apply for registration to the clerk of the
 4 county, township, city, or village in which he or she resides on a
 5 day other than Saturday, Sunday, a legal holiday, or the day of a
 6 regular, primary, school, or special election. ~~Registrations~~ **VOTER**
 7 **REGISTRATIONS** accepted between the ~~thirtieth~~ **TENTH** day preceding

1 **BEFORE** an election and the day of the election, unless the
 2 ~~thirtieth~~-**TENTH** day falls on a Saturday, Sunday, or legal holiday,
 3 in which event **VOTER** registration ~~shall~~-**MUST** be accepted during the
 4 following day, are not valid for the election but are valid for **A**
 5 subsequent regular, primary, school, or special ~~elections that are~~
 6 ~~held so that not less than 30 days intervene between~~-**ELECTION THAT**
 7 **IS HELD MORE THAN 10 DAYS AFTER** the date the person registered and
 8 ~~the date of the election~~-**TO VOTE**.

9 (2) Except as otherwise provided in sections ~~499a to 499e,~~
 10 ~~500a to 500j , and 504,~~ an application for registration shall ~~509V,~~
 11 **A VOTER REGISTRATION APPLICATION MUST** not be executed at a place
 12 other than the office of the county, township, city, or village
 13 clerk or a public place or places designated by the clerk ~~or deputy~~
 14 ~~registrar for receiving registrations, but the~~-**VOTER REGISTRATION**
 15 **APPLICATIONS. HOWEVER, A** clerk or ~~deputy registrar~~-**ASSISTANT CLERK**
 16 may receive an ~~A VOTER REGISTRATION~~ application wherever he or she
 17 may be. If a county, township, city, or village clerk does not
 18 regularly keep his or her office open daily during certain hours,
 19 the clerk ~~shall~~-**IS** not ~~be~~-required to be at his or her office for
 20 the purpose of receiving **VOTER REGISTRATION** applications ~~for~~
 21 ~~registration~~ on a particular day nor during specific hours of a
 22 day, except as provided in section 498. ~~Registrations~~-**A VOTER**
 23 **REGISTRATION** taken after the time of closing registrations before
 24 an election need not be processed until the date immediately
 25 following that election . ~~A registration shall~~-**AND MUST** not be
 26 placed in a precinct registration file until the date immediately
 27 following that election. If a person registers **TO VOTE** at a time

1 that registrations are closed for an election, the person ~~shall~~
2 **MUST** be given a notice, signed by the clerk, on a form developed by
3 the secretary of state, informing him or her that he or she is not
4 eligible to vote in the election and indicating the first date on
5 which he or she is eligible to vote. Except as provided in sections
6 500a to 500j, the provisions of this section relating to
7 registration shall apply.

8 Sec. 498. (1) The governing body of a township, city, or
9 village may provide by resolution that in that township, city, or
10 village the clerk shall be at the clerk's office, or in some other
11 convenient place designated by the clerk, during the hours
12 designated by the governing body on the ~~thirtieth~~**TENTH** day
13 preceding an election or primary election in the township, city, or
14 village, unless the ~~thirtieth~~**TENTH** day falls on a Saturday,
15 Sunday, or legal holiday, in which event **VOTER** registration ~~shall~~
16 **MUST** be accepted during the same hours on the following day.

17 (2) In a township, city, or village in which the clerk does
18 not maintain regular daily office hours, the township board or the
19 legislative body of the city or village may require that the clerk
20 of the township, city, or village ~~shall~~ be at the clerk's office or
21 other designated place for the purpose of receiving **VOTER**
22 **REGISTRATION** applications ~~for registration on the days which~~**THAT**
23 the board or legislative body designates, but not more than 5 days
24 before the last day for **VOTER** registration.

25 (3) The clerk of each township, city, and village shall give
26 public notice of the days and hours that the clerk will be at the
27 clerk's office or other designated place for the purpose of

1 receiving **VOTER** registrations before an election or primary
2 election by publication of the notice, except as provided in
3 subsection (4) and section 497(2), in a newspaper published or of
4 general circulation in the township, city, or village and, if
5 considered advisable by the township, city, or village clerk, by
6 posting written or printed notices in at least 2 of the most
7 conspicuous places in each election precinct. Except as provided in
8 subsection (4), the publication or posting ~~shall~~**MUST** be made not
9 less than 7 days before the last day for receiving **VOTER**
10 registrations. The notice of **VOTER** registration ~~shall~~**MUST** include
11 the offices to be filled that will appear on the ballot. If the
12 notice of **VOTER** registration is for an election that includes a
13 ballot proposal, a caption or brief description of the ballot
14 proposal along with the location where an elector can obtain the
15 full text of the ballot proposal ~~shall~~**MUST** be stated in the
16 notice.

17 (4) Notice of **VOTER** registration for a school millage election
18 that will be held pursuant to section 36 of the general property
19 tax act, 1893 PA 206, MCL 211.36, ~~shall be~~**IS** required to be
20 published once and ~~shall~~**MUST** be made not less than 5 days before
21 the last day for receiving **VOTER** registrations. ~~as provided in~~
22 ~~section 497a.~~

23 (5) A county clerk may enter into an agreement with the clerk
24 of 1 or more townships or cities in the county or the clerks of 1
25 or more cities or townships in a county may enter into an agreement
26 to jointly publish the notice required in subsection (3). The
27 notice ~~shall~~**MUST** be published in a newspaper of general

1 circulation in the cities and townships listed in the notice.

2 Sec. 500a. (1) The secretary of state or the secretary of
3 state's agent shall ~~afford~~**ALLOW** a person who appears in a
4 department of state branch office or a person who applies for
5 renewal of an operator's or chauffeur's license under section 307
6 of the Michigan vehicle code, ~~Act No. 300 of the Public Acts of~~
7 ~~1949, being section 257.307 of the Michigan Compiled Laws, an~~
8 ~~opportunity~~**1949 PA 300, MCL 257.307**, to complete ~~an application to~~
9 ~~register to vote~~**A VOTER REGISTRATION APPLICATION** or to change the
10 person's voting registration name or address, if the applicant
11 possesses the qualifications of an elector on the date of
12 application or will possess the qualifications at the next
13 election. This subsection does not require a registered elector to
14 periodically reregister or to renew his or her registration. The
15 ~~application for registration~~**VOTER REGISTRATION APPLICATION** made
16 under this section shall ~~shall~~**MUST** contain all of the following:

17 (a) The name of the applicant.

18 (b) The residence address of the applicant, including the
19 street and number or rural route and box number and apartment
20 number, if any.

21 (c) The city or township and county of residence of the
22 applicant, and the school district of the applicant, if known.

23 (d) The date of birth of the applicant.

24 (e) The birthplace of the applicant.

25 (f) The ~~driver's~~**DRIVER** license or state personal
26 identification card number of the applicant, if available.

27 (g) A statement that the applicant has the qualifications of

1 an elector as of the date of applying for registration, or will
2 have the qualifications of an elector at the next election.

3 (h) A statement that the registration is not effective until
4 processed by the clerk of the city or township in which the
5 applicant resides.

6 (i) A statement that the applicant, if qualified, may vote at
7 an election occurring not less than ~~30~~**10** days after the date of
8 completing the application.

9 (j) A space to indicate the applicant's last place of
10 registration, if any.

11 (k) A statement authorizing the cancellation of registration
12 at the applicant's last place of registration.

13 (l) A space for the applicant to sign and certify to the truth
14 of the statements on the application.

15 (2) The applicant shall sign the **VOTER REGISTRATION**
16 application. Upon ~~receipt of~~**RECEIVING** the application, the agent
17 shall sign the application, stamp the application with a validation
18 stamp, and provide the applicant with a receipt verifying the **VOTER**
19 registration application. The agent shall promptly forward the
20 application to the county clerk of the applicant's residence or to
21 a city or township clerk designated by the secretary of state.

22 Sec. 500d. A person who has properly completed ~~an application~~
23 ~~for registration~~**A VOTER REGISTRATION APPLICATION** at an office of
24 the secretary of state or his **OR HER** agent ~~shall be permitted to~~
25 **MAY** vote in all elections occurring not less than ~~30~~**10** days after
26 making **THE** application if the clerk determines the person is
27 qualified and the **VOTER** identification card is not returned by the

1 post office as provided by section 500c. If the clerk determines
2 the person is not qualified, the clerk immediately shall send a
3 notice to the applicant at the address stated in the application
4 stating the determination and the reasons ~~therefor.~~ **THE PERSON IS**
5 **NOT QUALIFIED.** A person ~~shall be permitted to~~ **MAY** vote if he **OR SHE**
6 presents at the polls a validated voter registration application
7 receipt and the clerk determines the person is qualified.

8 Enacting section 1. Section 497a of the Michigan election law,
9 1954 PA 116, MCL 168.497a, is repealed.

10 Enacting section 2. This amendatory act takes effect 90 days
11 after the date it is enacted into law.