SUBSTITUTE FOR

HOUSE BILL NO. 4878

A bill to amend 1954 PA 116, entitled

"Michigan election law,"

by amending section 509o (MCL 168.509o), as added by 1994 PA 441,

and by adding section 645a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 509o. (1) The secretary of state shall direct and

2 supervise the establishment and maintenance of a statewide

3 qualified voter file. The secretary of state shall establish the

4 technology to implement the qualified voter file on or before

5 January 1, 1997. The qualified voter file shall be the official

6 file for the conduct of all elections held in this state on or

7 after January 1, 1998. The secretary of state may direct that all

8 or any part of the city ~~,~~ **OR** township ~~, or village~~ registration

1 files shall be used in conjunction with the qualified voter file at

2 the first state primary and election held after the creation of the

3 qualified voter file.

4 (2) Notwithstanding any other provision of law to the

5 contrary, beginning January 1, 1998, a person who appears to vote

6 in an election and whose name appears in the qualified voter file

7 for that city , **OR** township , village, or school district is

8 considered a registered voter of that city , **OR** township , village,

9 or school district under this act.

10 (3) The secretary of state, a designated voter registration

11 agency, or a county, city , **OR** township , or village clerk shall

12 not place a name of an individual into the qualified voter file

13 unless that person signs an application as prescribed in section

14 509r(3). The secretary of state or a designated voter registration

15 agency shall not allow a person to indicate a different address

16 than the address in either the secretary of state's or designated

17 voter registration agency's files to be placed in the qualified

18 voter file.

19 **(4) BEGINNING JANUARY 1, 2014, THE BUREAU OF ELECTIONS OR A**

20 **COUNTY CLERK MAY ENTER INTO A WRITTEN AGREEMENT WITH THE CLERK OF**

21 **ANY CITY OR TOWNSHIP TO ALLOW THE BUREAU OF ELECTIONS OR A COUNTY**

22 **CLERK TO HANDLE THE QUALIFIED VOTER FILE LIST MAINTENANCE AS**

23 **OUTLINED IN SECTION 509AA FOR THAT CITY OR TOWNSHIP. A WRITTEN**

24 **AGREEMENT ENTERED INTO UNDER THIS SUBSECTION IS NOT EFFECTIVE**

25 **UNLESS APPROVED BY RESOLUTION OF THE GOVERNING BODY OF THE**

26 **PARTICIPATING CITY OR TOWNSHIP.**

27 **SEC. 645A. (1) NOTWITHSTANDING ANY PROVISION OF LAW TO THE**

1 CONTRARY, THE CLERK OF A CITY OR TOWNSHIP MAY ENTER INTO A WRITTEN

2 AGREEMENT WITH THE CLERK OF THE COUNTY IN WHICH THAT CITY OR

3 TOWNSHIP IS LOCATED FOR THE COUNTY CLERK TO CONDUCT CERTAIN

4 ELECTION ADMINISTRATION DUTIES FOR THE CITY OR TOWNSHIP, INCLUDING,

5 BUT NOT LIMITED TO, ANY OF THE FOLLOWING:

6   (A) DISTRIBUTING, RECEIVING, AND PROCESSING ABSENT VOTER

7 BALLOT APPLICATIONS AND ABSENT VOTER BALLOTS.

8   (B) PROCESSING VOTER REGISTRATIONS IN THE QUALIFIED VOTER

9 FILE.

10   (C) CONDUCTING REGULAR LIST MAINTENANCE OF THE QUALIFIED VOTER

11 FILE, INCLUDING, BUT NOT LIMITED TO, MAINTAINING THE STREET INDEX.

12   (2) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, THE

13 CLERK OF A CITY OR TOWNSHIP MAY ENTER INTO A WRITTEN AGREEMENT WITH

14 ANOTHER CLERK OF A CITY OR TOWNSHIP TO CONDUCT CERTAIN ELECTION

15 ADMINISTRATION DUTIES FOR THE CITY OR TOWNSHIP, INCLUDING, BUT NOT

16 LIMITED TO, ANY OF THE FOLLOWING:

17   (A) DISTRIBUTING, RECEIVING, AND PROCESSING ABSENT VOTER

18 BALLOT APPLICATIONS AND ABSENT VOTER BALLOTS.

19   (B) PROCESSING VOTER REGISTRATIONS IN THE QUALIFIED VOTER

20 FILE.

21   (C) CONDUCTING REGULAR LIST MAINTENANCE OF THE QUALIFIED VOTER

22 FILE, INCLUDING, BUT NOT LIMITED TO, MAINTAINING THE STREET INDEX.

23   (D) PREPARING FOR AND CONDUCTING ELECTION DAY OPERATIONS.

24   (3) A WRITTEN AGREEMENT ENTERED INTO UNDER SUBSECTION (1) OR

25 (2) IS NOT EFFECTIVE UNLESS APPROVED BY RESOLUTION OF THE GOVERNING

26 BODY OF EACH PARTICIPATING COUNTY, CITY, OR TOWNSHIP.

27   (4) IF THE OFFICE OF COUNTY, CITY, OR TOWNSHIP CLERK BECOMES

1 VACANT IN CLOSE PROXIMITY TO AN ELECTION, THE BUREAU OF ELECTIONS

2 OR A COUNTY, CITY, OR TOWNSHIP CLERK MAY, WITH THE APPROVAL OF THE

3 GOVERNING BODY OF THE COUNTY, CITY, OR TOWNSHIP WHERE THE VACANCY

4 OCCURS, SUPERVISE OR ADMINISTER THE UPCOMING ELECTION.

5   (5) THE BUREAU OF ELECTIONS SHALL DEVELOP MODEL LANGUAGE TO BE

6 USED BY A COUNTY, CITY, OR TOWNSHIP FOR WRITTEN AGREEMENTS ENTERED

7 INTO UNDER THIS SECTION.

8   (6) A WRITTEN AGREEMENT ENTERED INTO UNDER THIS SECTION SHALL

9 CONTAIN A PROVISION THAT EITHER PARTICIPATING PARTY SUBJECT TO THE

10 WRITTEN AGREEMENT MAY TERMINATE THAT WRITTEN AGREEMENT WITH 60

11 DAYS' WRITTEN NOTICE TO THE OTHER PARTICIPATING PARTY.

12   (7) A WRITTEN AGREEMENT ENTERED INTO UNDER THIS SECTION SHALL

13 BE FILED WITH THE BUREAU OF ELECTIONS AND WITH THE CLERK OF EACH

14 COUNTY WHERE A PARTICIPATING PARTY IS LOCATED. IN ADDITION, THE

15 WRITTEN NOTICE TO TERMINATE A WRITTEN AGREEMENT ENTERED INTO UNDER

16 THIS SECTION SHALL BE FILED WITH THE BUREAU OF ELECTIONS AND WITH

17 THE CLERK OF EACH COUNTY WHERE A PARTICIPATING PARTY IS LOCATED.