

**SUBSTITUTE FOR
HOUSE BILL NO. 5031**

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
6 election. Except as otherwise provided in this section, school
7 buildings, fire stations, police stations, and other publicly owned
8 or controlled buildings ~~shall~~**must** be used as polling places. If it
9 is not possible or convenient to use a publicly owned or controlled



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

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



1 (3) ~~The~~ **If a suitable polling place as described in subsection**
2 **(1) is not reasonably available for use and unless prohibited under**
3 **subsection (1), the** legislative body of a city, ~~village,~~ or
4 township may establish a polling place at a for profit or nonprofit
5 residence or facility in which 150 ~~persons~~ **individuals** or more aged
6 62 or older reside, ~~or at~~ an apartment building or complex in which
7 150 ~~persons~~ **individuals** or more reside, **or any privately owned**
8 **clubhouse or conference center located within an apartment or**
9 **condominium complex, hotel or motel conference center, or**
10 **recreation clubhouse that includes, but is not limited to, a golf**
11 **course clubhouse or park complex clubhouse.** A township board may
12 provide polling places located within the limits of a city that has
13 been incorporated from territory formerly a part of the township,
14 and the electors of the township may cast their ballots at those
15 polling places. If 2 contiguous townships utilize a combined
16 township hall or other publicly owned or controlled building within
17 1 of the township's boundaries and outside of the other township's
18 boundaries, and there is not another publicly owned or controlled
19 building or a building owned or controlled by an organization that
20 is exempt from federal income tax, as provided by section 501(c),
21 other than 501(c) (4), (5), or (6), of the internal revenue code of
22 1986, **26 USC 501**, available or suitable for a polling place within
23 the other township, then each township board may provide a polling
24 place in that publicly owned building for 1 or more election
25 precinct.

26 (4) The legislative body of a city, ~~village,~~ or township
27 shall not establish, move, or abolish a polling place less than 60
28 days before an election unless necessary because a polling place
29 has been damaged, destroyed, or rendered inaccessible or unusable



1 as a polling place.

2 (5) The legislative body of a city ~~, village,~~ or township
3 shall ensure that a polling place established under this section is
4 accessible and complies with the voting accessibility for the
5 elderly and handicapped act and the help America vote act of 2002.

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

