

**SUBSTITUTE FOR
HOUSE BILL NO. 5032**

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 658, 659, and 661 (MCL 168.658, 168.659, and
168.661), sections 658 and 661 as amended by 2012 PA 270 , and
section 659 as amended by 2014 PA 94, and by adding section 759e.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 658. ~~When~~**If** a city, ward, township, or village is
2 divided into 2 or more election precincts, pursuant to law, and it
3 appears from an examination of the precinct registration records
4 that there are not more than ~~2,999~~**5,000** active registered electors
5 in the city, ward, township, or village, ~~using voting machines,~~ the
6 election commission, or other officials charged with the
7 performance of the duty by the charter of a city or village, by



1 resolution, may abolish the division or divisions and after that
 2 time the city, ward, township, or village ~~shall constitute~~
 3 **constitutes** a single election precinct as if a division had not
 4 been made. A consolidation ~~shall must~~ not be made later than the
 5 120 days before a primary or election.

6 Sec. 659. (1) If a county, city, ward, township, village,
 7 metropolitan district, or school district is divided into 2 or more
 8 election precincts, the county, city, ward, township, or village
 9 election commissioners may, by resolution, consolidate the election
 10 precincts for a particular election that is not a general November
 11 election. ~~, primary election immediately before a general November~~
 12 ~~election, or other statewide or federal election.~~ In making the
 13 determination to consolidate election precincts for a particular
 14 election, the election commission shall take into consideration the
 15 number of choices the ~~voter~~**elector** must make, the percentage of
 16 registered ~~voters~~**electors** who voted at the last similar election
 17 in the jurisdiction, and the intensity of the interest of the
 18 electors in the jurisdiction concerning the candidates and
 19 proposals to be voted upon. Consolidated precincts ~~shall must~~ not
 20 exceed 5,000 active registered electors.

21 (2) A consolidation under this section ~~shall must~~ be made not
 22 less than 60 days before a primary, general, or special election.

23 (3) ~~Unless the polling places for the election precincts to be~~
 24 ~~consolidated are located in the same building, when a county, city,~~
 25 ~~ward, township, or village consolidates election precincts for a~~
 26 ~~particular election under subsection (1), the election~~
 27 ~~commissioners or other designated election officials shall do both~~
 28 ~~of the following:~~

29 (a) ~~Provide notice to the registered electors of the affected~~



1 ~~election precincts of the consolidation of election precincts for~~
 2 ~~the particular election and the location of the polling place for~~
 3 ~~the election precinct or precincts for that election. Notice may be~~
 4 ~~provided by mail or other method designed to provide actual notice~~
 5 ~~to the registered electors.~~

6 ~~(b) Post a written notice at each election precinct polling~~
 7 ~~place stating the location of the consolidated election precinct~~
 8 ~~polling place.~~ **A consolidation under this section must not occur if**
 9 **the consolidation changes the polling place for an election**
 10 **precinct.**

11 (4) If a county, city, ward, township, or village consolidates
 12 election precincts under this section, each affected election
 13 precinct ~~shall~~**must** be treated as a whole unit and ~~shall~~**must** not
 14 be divided during the consolidation.

15 Sec. 661. (1) ~~When~~**If** the voter registration in a precinct
 16 using voting machines is 1,000 or less, there ~~shall~~**must** be not
 17 less than 1 voting machine for each 500 active registered electors
 18 at the general November election and at the primary immediately
 19 preceding that election. ~~When~~**If** the voter registration in a
 20 precinct using voting machines is more than 1,000 and less than
 21 ~~3,000, 5,001~~, there ~~shall~~**must** be at least 1 voting machine for
 22 each 600 active registered electors at the general November
 23 election and at the primary immediately preceding that election. At
 24 other primaries and elections, the number of voting machines ~~shall~~
 25 ~~be~~**is** at the discretion of the local election commission. In making
 26 this determination, the local election commission shall take into
 27 consideration the number of choices the ~~voter~~**elector** must make,
 28 the percentage of registered ~~voters~~**electors** who voted at the last
 29 similar election in the jurisdiction, and the intensity of the



1 interest of the electors in the jurisdiction concerning the
 2 candidates and proposals to be voted upon. ~~When~~**If** the voter
 3 registration in a precinct ~~using voting machines~~ exceeds ~~2,999,~~
 4 **5,000**, the precinct ~~shall~~**must** be divided or rearranged.

5 (2) Except as provided in subsection (3), city and township
 6 election commissions shall divide precincts according to law, not
 7 later than 210 days before the primary next preceding the general
 8 November election, and shall immediately notify the county clerk of
 9 the number of registered ~~voters~~**electors** in each precinct in the
 10 city or township. The county clerk shall notify the secretary of
 11 state not later than 200 days before the primary of a precinct in
 12 the clerk's county ~~which~~**that** has not been divided according to
 13 law, and the secretary of state shall proceed to make divisions as
 14 are necessary at the expense of the city or township involved, not
 15 later than 180 days before the primary next preceding the general
 16 November election. ~~If the election commission of a city, village,~~
 17 ~~or township using voting machines decides to use paper ballots for~~
 18 ~~a primary or election, the preceding limitations shall continue for~~
 19 ~~that election.~~ A division of precincts ~~shall~~**must** be made effective
 20 not later than 180 days before the primary election next preceding
 21 the general November election.

22 (3) In the second year following each federal **decennial**
 23 census, precincts ~~shall~~**must** be divided pursuant to this
 24 subsection. City and township election commissions shall divide
 25 precincts ~~—~~not later than 120 days before the primary election
 26 next preceding the general November election in order that a
 27 precinct, as far as is practical, is not split between districts
 28 and does not exceed ~~2,999~~**5,000** registered ~~voters,~~**electors**, and
 29 shall immediately notify the county clerk of the number of



1 registered ~~voters~~**electors** in each precinct in each city or
 2 township. The county clerk shall notify the secretary of state not
 3 later than 110 days before the primary of any precincts in the
 4 county ~~which~~**that** have not been divided, and the secretary of state
 5 shall proceed to make the divisions as are necessary, at the
 6 expense of the city or township involved, not later than 90 days
 7 before the primary election next preceding the general November
 8 election. The division of precincts ~~shall~~**must** be made effective
 9 not later than 90 days before the primary election. The secretary
 10 of state may authorize, upon written request by a city or township
 11 election commission, a later division of a precinct ~~which~~**that**
 12 contains portions of more than 1 elective district. All precinct
 13 divisions ~~shall~~**must** be completed not later than 90 days before the
 14 primary election next preceding the general November election. In
 15 determining the number of registered ~~voters~~**electors** for a precinct
 16 under this subsection, a city or township election commission or
 17 the secretary of state, as applicable, may use either of the
 18 following:

19 (a) Only the active registered ~~voters~~**electors** for that city
 20 or township.

21 (b) Both the active registered ~~voters~~**electors** for that city
 22 or township and the ~~voters~~**electors** in the inactive voter file for
 23 that city or township.

24 **Sec. 759e. (1) Each city or township clerk shall maintain a**
 25 **permanent absent voter application list.**

26 (2) **A qualified and registered elector may submit a written**
 27 **request to be placed on the permanent absent voter application list**
 28 **of the city or township in which the elector is registered to vote.**
 29 **A written request by an elector under this subsection must be made**



1 to the city or township clerk in person, by facsimile
2 communication, by electronic mail, or by first-class mail, must be
3 on a form as prescribed by the city or township clerk, and must
4 include the elector's registered address.

5 (3) The request of each registered and qualified elector to be
6 placed on the permanent absent voter application list must be
7 entered in the qualified voter file in the same manner as data are
8 entered for a new elector.

9 (4) The county, city, or township clerk responsible for
10 issuing absent voter ballots for an election shall send to each
11 elector on the permanent absent voter application list an
12 application for an absent voter ballot for the election.

13 (5) A qualified and registered elector may request to be
14 removed from the permanent absent voter application list of the
15 city or township. A written request by an elector under this
16 subsection must be made to the city or township clerk in person, by
17 facsimile communication, by electronic mail, or by first-class
18 mail, and must include the elector's signature and registered
19 address.

20 (6) If an elector is on a permanent absent voter application
21 list and the elector changes his or her registered address, the
22 elector's request to be on a permanent absent voter application
23 list automatically continues and the elector must be listed on the
24 permanent absent voter application list of the city or township in
25 which the elector is registered to vote.

