

**SUBSTITUTE FOR
HOUSE JOINT RESOLUTION B**

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 1 and 4 of article II, to require the verification of an elector's United States citizenship and to modify voter identification requirements.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to require the verification of an elector's United States citizenship and to modify voter identification requirements, is proposed, agreed to, and submitted to the people of the state:

ARTICLE II

Sec. 1. **(1)** Every citizen of the United States who has attained the age of ~~21~~**18** years, who has resided in this state six months, and who meets the requirements of local residence provided



1 by law, shall be an elector and qualified to vote in any election
2 except as otherwise provided in this constitution. The legislature
3 shall define residence for voting purposes. **An individual who is**
4 **not a citizen of the United States is not qualified to vote in any**
5 **election.**

6 (2) For an individual registering to vote after December 18,
7 2026, to be an elector who is qualified to vote in any election and
8 who has the rights provided in section 4 of this article, the
9 individual's United States citizenship must be verified by either
10 of the following methods:

11 (a) The individual presenting documentary proof of United
12 States citizenship, either at the time the individual registers to
13 vote with the election official or designated voter registration
14 agency authorized by law to receive voter registrations or at a
15 later date, to the secretary of state or to the county, city, or
16 township clerk of the county, city, or township in which the
17 individual resides.

18 (b) The secretary of state verifying that the individual is a
19 United States citizen.

20 (3) For an individual described in subsection (2), the
21 statewide qualified voter file must indicate whether the
22 individual's United States citizenship has been verified under
23 subsection (2). Each voter registration list used in a polling
24 place must be generated from and consistent with the statewide
25 qualified voter file. During each year, except for the 90 days
26 before the date of a federal election, the secretary of state must
27 use an ongoing systematic process to verify that each individual
28 who appears in the statewide qualified voter file is a United
29 States citizen. Under the systematic process, the secretary of



1 state must use all reasonable efforts to obtain information
2 regarding the citizenship status of those individuals listed in the
3 statewide qualified voter file, including, but not limited to,
4 submitting requests to a department or agency of the federal
5 government to verify the citizenship status of individuals to the
6 fullest extent allowed under federal law. If the secretary of state
7 obtains information through the systematic process that an
8 individual who is listed in the statewide qualified voter file is
9 not a United States citizen, the secretary of state must provide
10 written notice to that individual within 7 days after obtaining
11 that information. If the individual does not verify the
12 individual's United States citizenship within 60 days after
13 receiving the written notice from the secretary of state, that
14 individual is no longer registered to vote and must be immediately
15 removed from the statewide qualified voter file. In addition, the
16 secretary of state may, at any time, conduct an individualized
17 review of the citizenship status of an individual who is listed in
18 the statewide qualified voter file. The individualized review must
19 use all of the reasonable efforts required in the systematic
20 process to obtain information regarding the citizenship status of
21 the individual. If the secretary of state obtains information
22 during an individualized review that the individual is not a United
23 States citizen, the secretary of state must follow the same notice
24 and removal provisions provided for under the systematic process.

25 (4) An individual who has been removed from the statewide
26 qualified voter file under subsection (3) is not prohibited from
27 applying to register to vote after being removed from the statewide
28 qualified voter file.

29 (5) Not later than January 31 of each year, the secretary of



1 state shall submit a report to each member of the legislature
2 summarizing the results of the secretary of state's systematic
3 process and any individualized reviews as described in subsection
4 (3). The report must include the number of individuals who appear
5 in the statewide qualified voter file, the number of individuals
6 who were removed from the statewide qualified voter file and the
7 reason for the removal, the number of individuals who the secretary
8 of state automatically registered to vote under section 4(1)(d) of
9 this article, and the number of individuals who the secretary of
10 state did not automatically register to vote under section 4(1)(d)
11 of this article after conducting an individualized review under
12 subsection (3).

13 (6) If the United States citizenship of an individual
14 described in subsection (2) is not verified as provided in
15 subsection (2) before the individual applies to vote a regular
16 ballot or applies to vote an absent voter ballot at an election,
17 the individual is qualified to vote only a provisional ballot at
18 that election until the individual's United States citizenship is
19 verified as provided in subsection (2). The provisional ballot of
20 that individual must be tabulated only if the individual's United
21 States citizenship is verified as provided in subsection (2) on or
22 before the sixth day after the election. If the individual's United
23 States citizenship is not verified as provided in subsection (2) on
24 or before the sixth day after the election, the provisional ballot
25 voted by that individual must not be tabulated.

26 (7) Documentary proof of United States citizenship includes
27 only types of documentation that establish an individual's United
28 States citizenship.

29 (8) This section must be implemented to the maximum extent



1 **that the United States Constitution and federal law permit.**

2 Sec. 4. (1) ~~Every~~**Subject to section 1 of this article, every**
3 citizen of the United States who is an elector qualified to vote in
4 Michigan shall have the following rights:

5 (a) The fundamental right to vote, including, but not limited
6 to, the right, once registered, **and, for an individual described in**
7 **section 1(2) of this article, once United States citizenship is**
8 **verified as provided in section 1(2) of this article,** to vote a
9 secret ballot in all elections. No person shall: (1) enact or use
10 any law, rule, regulation, qualification, prerequisite, standard,
11 practice, or procedure; (2) engage in any harassing, threatening,
12 or intimidating conduct; or (3) use any means, whatsoever, any of
13 which has the intent or effect of denying, abridging, interfering
14 with, or unreasonably burdening the fundamental right to vote.

15 Any Michigan citizen or citizens shall have standing to bring
16 an action for declaratory, injunctive, and/or monetary relief to
17 enforce the rights created by this part (a) of subsection (4)(1) on
18 behalf of themselves. Those actions shall be brought in the circuit
19 court for the county in which a plaintiff resides. If a plaintiff
20 prevails in whole or in part, the court shall award reasonable
21 attorneys' fees, costs, and disbursements.

22 For purposes of this part (a) of subsection (4)(1), "person"
23 means an individual, association, corporation, joint stock company,
24 labor organization, legal representative, mutual company,
25 partnership, unincorporated organization, the state or a political
26 subdivision of the state or an agency of the state, or any other
27 legal entity, and includes an agent of a person.

28 (b) The right, if serving in the military or living overseas,
29 to have an absent voter ballot sent to them at least forty-five



1 (45) days before an election upon application and to have their
2 absent voter ballot deemed timely received if postmarked on or
3 before election day and received by the appropriate election
4 official within six (6) days after such election. For purposes of
5 this part (b) of subsection (4)(1), a postmark shall include any
6 type of mark applied by the United States Postal Service or any
7 delivery service to the return envelope, including, but not limited
8 to, a bar code or any tracking marks, which indicates when a ballot
9 was mailed.

10 (c) The right, once registered, **and, for an individual**
11 **described in section 1(2) of this article, once United States**
12 **citizenship is verified as provided in section 1(2) of this**
13 **article**, to a "straight party" vote option on partisan general
14 election ballots. In partisan elections, the ballot shall include a
15 position at the top of the ballot by which the voter may, by a
16 single selection, record a straight party ticket vote for all the
17 candidates of one (1) party. The voter may vote a split or mixed
18 ticket.

19 (d) ~~The~~ **Except as otherwise provided in this subdivision, the**
20 right to be automatically registered to vote as a result of
21 conducting business with the secretary of state regarding a
22 driver's license or personal identification card, unless the person
23 declines such registration. **Before the secretary of state**
24 **automatically registers an individual to vote under this**
25 **subdivision, the secretary of state shall conduct an individualized**
26 **review of that individual's citizenship status as provided under**
27 **section 1(3) of this article. The secretary of state shall not**
28 **automatically register an individual to vote under this subdivision**
29 **if the secretary of state obtains information during the**



1 **individualized review that the individual is not a United States**
2 **citizen.**

3 (e) ~~The~~ **Subject to this subdivision, the** right to register to
4 vote for an election by mailing a completed voter registration
5 application on or before the fifteenth (15th) day before that
6 election to an election official authorized to receive voter
7 registration applications. **For an individual described in section**
8 **1(2) of this article, the individual's United States citizenship**
9 **must be verified as provided in section 1(2) of this article before**
10 **the individual may vote a regular ballot or an absent voter ballot**
11 **that is not treated as a provisional ballot at an election.**

12 (f) The right to register to vote for an election by (1)
13 appearing in person and submitting a completed voter registration
14 application on or before the fifteenth (15th) day before that
15 election to an election official authorized to receive voter
16 registration applications, or, (2) beginning on the fourteenth
17 (14th) day before that election and continuing through the day of
18 that election, appearing in person, submitting a completed voter
19 registration application, and providing proof of residency to an
20 election official responsible for maintaining custody of the
21 registration file where the person resides, or their deputies.
22 Persons registered in accordance with subsection (1)(f), **and an**
23 **individual described in section 1(2) of this article whose United**
24 **States citizenship has been verified as provided in section 1(2) of**
25 **this article,** shall be immediately eligible to receive a regular or
26 absent voter ballot.

27 (g) The right, once registered, **and, for an individual**
28 **described in section 1(2) of this article, once United States**
29 **citizenship is verified as provided in section 1(2) of this**



article, to prove their identity when voting in person or applying for an absent voter ballot in person by (1) presenting their photo identification, including photo identification issued by a federal, state, local, or tribal government or an educational institution, or, (2) if they do not have photo identification or do not have it with them, executing an affidavit verifying their identity. A voter shall ~~not be required to vote a provisional ballot solely because~~ **if** they executed an affidavit to prove their identity. **The provisional ballot must be tabulated only if the individual presents photo identification, including photo identification issued by a federal, state, local, or tribal government or an educational institution, on or before the sixth day after the election.**

(h) The right, once registered, **and, for an individual described in section 1(2) of this article, once United States citizenship is verified as provided in section 1(2) of this article**, to vote an absent voter ballot without giving a reason, during the forty (40) days before an election, and the right to choose whether the absent voter ballot is applied for, received, and submitted in person or by mail. During that time, election officials authorized to issue absent voter ballots shall be available in at least one (1) location to issue and receive absent voter ballots during the election officials' regularly scheduled business hours and for at least eight (8) hours during the Saturday and/or Sunday immediately prior to the election. Those election officials shall have the authority to make absent voter ballots available for voting in person at additional times and places beyond what is required herein. Voters shall ~~have the right to~~ prove their identity when applying for ~~or~~ **and** voting an absent

1 voter ballot other than in person by providing their signature,
2 **along with providing an original or a copy of an identification for**
3 **election purposes, or providing the individual's driver license**
4 **number, official state personal identification card number, or the**
5 **last four digits of the individual's Social Security number,** to the
6 election official authorized to issue absent voter ballots. Those
7 election officials shall: (1) verify the identity of a voter who
8 applies for an absent voter ballot other than in person by
9 comparing the voter's signature on the absent voter ballot
10 application to the voter's signature in their registration record;
11 and (2) verify the identity of a voter who votes an absent voter
12 ballot other than in person by comparing the signature on the
13 absent voter ballot envelope to the signature on the voter's absent
14 voter ballot application or the signature in the voter's
15 registration record. **In addition, the election officials shall**
16 **verify the elector's identification for election purposes, or the**
17 **elector's driver license number, official state personal**
18 **identification card number, or the last four digits of the**
19 **elector's Social Security number, provided by the elector who**
20 **applies for or votes an absent voter ballot other than in person.**
21 If those election officials determine from either of the
22 comparisons in (1) or (2) of this part (h) of subsection (4)(1)
23 that the signatures do not sufficiently agree, or if the voter's
24 signature on the absent voter ballot application or absent voter
25 ballot envelope is missing, the voter has a right to be notified
26 immediately and afforded due process, including an equitable
27 opportunity to correct the issue with the signature.

28 (i) The right to: (1) state-funded prepaid postage to return
29 an absent voter ballot application provided to them by a Michigan



1 election official; (2) state-funded prepaid postage to return a
2 voted absent voter ballot; ~~and~~ (3) a state-funded system to track
3 submitted absent voter ballot applications and absent voter
4 ballots. The system shall permit voters to elect to receive
5 electronic notifications regarding the status of the voter's
6 submitted absent voter ballot application and absent voter ballot,
7 inform voters of any deficiency with the voter's submitted absent
8 voter ballot application or absent voter ballot, and provide
9 instructions for addressing any such deficiency; **and (4) in the**
10 **case of hardship, obtain documentary proof of United States**
11 **citizenship for voter registration purposes or identification for**
12 **election purposes at no cost. The legislature shall by law create a**
13 **process for an individual to claim a hardship in paying a fee for**
14 **obtaining documentary proof of United States citizenship for voter**
15 **registration purposes or identification for election purposes, and**
16 **that individual must be given the ability to obtain such**
17 **documentation at no cost. The legislature shall define**
18 **identification for election purposes, and that definition must**
19 **include only types of identification issued by a federal, state,**
20 **local, or tribal government or an educational institution.**

21 (j) The right to at least one (1) state-funded secure drop-box
22 for every municipality, and, for municipalities with more than
23 fifteen thousand (15,000) registered voters at least one (1) drop-
24 box for every fifteen thousand (15,000) registered voters, for the
25 return of completed absent voter ballot applications and voted
26 absent voter ballots. Secure drop-boxes shall be distributed
27 equitably throughout the municipality and shall be accessible
28 twenty-four (24) hours per day during the forty (40) days prior to
29 any election and until eight (8) pm on election day.



1 (k) The right, once registered, **and, for an individual**
2 **described in section 1(2) of this article, once United States**
3 **citizenship is verified as provided in section 1(2) of this**
4 **article**, to have an absent voter ballot sent to the voter before
5 each election by submitting a single signed absent voter ballot
6 application covering all future elections. An election official
7 responsible for issuing absent voter ballots shall issue an absent
8 voter ballot for each election to every voter in the jurisdiction
9 who has exercised the right in this part (k) of subsection (4)(1)
10 and shall not require such voter to submit a separate application
11 for an absent voter ballot for any election. A voter's exercise of
12 this right shall be rescinded only if: (1) the voter submits a
13 signed request to rescind; (2) the voter is no longer qualified to
14 vote; (3) the secretary of state or the election official
15 responsible for issuing the voter an absent voter ballot receives
16 reliable information that the voter has moved to another state, or
17 has moved within this state without updating their voter
18 registration address; or (4) the voter does not vote for six (6)
19 consecutive years. The exercise of the right in this part (k) of
20 subsection (4)(1) shall remain in effect without the need for a new
21 absent voter ballot application when the voter changes their
22 residence in this state and updates their voter registration
23 address.

24 (l) The right to have the results of statewide elections
25 audited, in such a manner as prescribed by law, to ensure the
26 accuracy and integrity of elections. The secretary of state shall
27 conduct election audits, and shall supervise and direct county
28 election officials in the conduct of such audits. ~~No~~ **Except for a**
29 **county or local elections official, no** officer or member of the



1 governing body of a national, state, or local political party, and
2 no political party precinct delegate, shall have any role in the
3 direction, supervision, or conduct of an election audit. Public
4 election officials shall maintain the security and custody of all
5 ballots and election materials during an election audit. Election
6 audits shall be conducted in public based on methods finalized and
7 made public prior to the election to be audited. All funding of
8 election audits shall be publicly disclosed.

9 (m) The right, once registered, **and, for an individual**
10 **described in section 1(2) of this article, once United States**
11 **citizenship is verified as provided in section 1(2) of this**
12 **article**, to vote in each statewide and federal election in person
13 at an early voting site prior to election day. Voters at early
14 voting sites shall have the same rights and be subject to the same
15 requirements as voters at polling places on election day. An early
16 voting site is a polling place and shall be subject to the same
17 requirements as an election day polling place, except that an early
18 voting site may serve voters from more than six (6) precincts and
19 may serve voters from more than one (1) municipality within a
20 county. An early voting site shall also be subject to the same
21 requirements as an election day precinct, except that any statutory
22 limit on the number of voters assigned to a precinct shall not
23 apply to an early voting site. Each early voting site shall be open
24 for at least nine (9) consecutive days beginning on the second
25 Saturday before the election and ending on the Sunday before the
26 election, for at least eight (8) hours each day, and may be open
27 for additional days and hours beyond what is required herein at the
28 discretion of the election official authorized to issue ballots in
29 the jurisdiction conducting the election. Jurisdictions conducting



1 elections within a county may enter into agreements to share early
2 voting sites. A jurisdiction conducting an election may enter into
3 an agreement with the clerk of the county in which it is located
4 authorizing the county clerk to conduct early voting for the
5 jurisdiction. Jurisdictions conducting non-statewide elections may
6 offer early voting for such elections in accordance with the
7 provisions of this part (m) of subsection (4)(1). No early voting
8 results shall be generated or reported until after eight (8) pm on
9 election day.

10 All rights set forth in this subsection shall be self-
11 executing. This subsection shall be liberally construed in favor of
12 voters' rights in order to effectuate its purposes. Nothing
13 contained in this subsection shall prevent the legislature from
14 expanding voters' rights beyond what is provided herein. This
15 subsection and any portion hereof shall be severable. If any
16 portion of this subsection is held invalid or unenforceable as to
17 any person or circumstance, that invalidity or unenforceability
18 shall not affect the validity, enforceability, or application of
19 any other portion of this subsection.

20 (2) Except as otherwise provided in this constitution or in
21 the constitution or laws of the United States, the legislature
22 shall enact laws to regulate the time, place, and manner of all
23 nominations and elections, to preserve the purity of elections, to
24 preserve the secrecy of the ballot, to guard against abuses of the
25 elective franchise, and to provide for a system of voter
26 registration and absentee voting. No law shall be enacted which
27 permits a candidate in any partisan primary or partisan election to
28 have a ballot designation except when required for identification
29 of candidates for the same office who have the same or similar



1 surnames.

2 (3) A county, city, or township conducting an election may
3 accept and use publicly-disclosed charitable donations and in-kind
4 contributions to conduct and administer elections. The county,
5 city, or township shall retain discretion over whether to accept or
6 use any such donations or contributions. Charitable donations and
7 in-kind contributions of foreign funds or from foreign sources are
8 prohibited.

9 Resolved further, That the foregoing amendment shall be
10 submitted to the people of the state at the next general election
11 in the manner provided by law.