HOUSE BILL No. 5530

February 21, 1990, Introduced by Reps. Berman, Pitoniak and
DeMars and referred to the Committee on Elections.

A bill to amend sections 492, 495, 499c, and 500a of Act

No. 116 of the Public Acts of 1954, entitled

"Michigan election law,"

section 492 as amended and section 499c as added by Act No. 142

of the Public Acts of 1989 and sections 495 and 500a as amended

by Act No. 275 of the Public Acts of 1988, being sections

168.492, 168.495, 168.499c, and 168.500a of the Michigan Compiled

Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1   Section 1. Sections 492, 495, 499c, and 500a of Act No. 116

2 of the Public Acts of 1954, section 492 as amended and

3 section 499c as added by Act No. 142 of the Public Acts of 1989

4 and sections 495 and 500a as amended by Act No. 275 of the Public

5 Acts of 1988, being sections 168.492, 168.495, 168.499c, and

1 168.500a of the Michigan Compiled Laws, are amended to read as

2 follows:

3   Sec. 492. (1) ~~Every~~ A person who has the ~~following~~

4 qualifications of an elector AS PROVIDED IN THIS SUBSECTION, or

5 who will have those qualifications at the next election, ~~or pri-~~

6 ~~mary election,~~ shall be entitled to be registered as an elector

7 in the township, city, or village in which he or she resides.

8 The person shall ~~be~~ MEET ALL OF THE FOLLOWING REQUIREMENTS:

9   (A) BE a citizen of the United States. ~~, not less than~~

10   (B) BE 18 years of age ~~,~~ OR OLDER.

11   (C) BE a resident of ~~the~~ THIS state for ~~not less than~~ 30

12 days ~~, and~~ OR MORE.

13   (D) BE a resident of the township, city, or village on or

14 before the thirtieth day before the next ~~regular or special~~

15 ~~election or primary~~ election.

16   (2) A PERSON WHO IS HOMELESS SHALL BE CONSIDERED TO BE A

17 RESIDENT OF A TOWNSHIP, CITY, OR VILLAGE AS REQUIRED UNDER

18 SUBSECTION (1) BY DECLARING ON A REGISTRATION AFFIDAVIT UNDER

19 SECTION 495 OR AN APPLICATION FOR REGISTRATION UNDER SECTION 499C

20 OR 500A THE ADDRESS OF A SHELTER IN THAT TOWNSHIP, CITY, OR VIL-

21 LAGE WITH WHICH THE HOMELESS PERSON HAS AN ESTABLISHED RELATION-

22 SHIP AND WHICH ACCEPTS FIRST CLASS NONFORWARDABLE MAIL FOR THE

23 HOMELESS PERSON. AS USED IN THIS SUBSECTION, "SHELTER" MEANS

24 ONLY A NONPROFIT SHELTER THAT OPERATES RESIDENTIAL PROGRAMS FOR

25 HOMELESS PEOPLE, THAT ALLOWS HOMELESS PEOPLE TO ESTABLISH A RELA-

26 TIONSHIP WITH THAT SHELTER THAT MAKES THAT SHELTER THE PRIMARY

03619'89

1 RESIDENTIAL ADDRESS FOR THOSE HOMELESS PEOPLE, AND THAT ACCEPTS

2 FIRST CLASS NONFORWARDABLE MAIL FOR THOSE HOMELESS PEOPLE.

3   Sec. 495.   (1) The registration affidavit required under

4 section 493 shall contain all of the following:

5   (a) The name of the elector.

6   (b) The residence address OF THE ELECTOR, INCLUDING THE

7 street and number or rural route and box number AND THE APARTMENT

8 NUMBER, if any, ~~of the elector~~ OR THE ADDRESS OF A SHELTER

9 DEFINED IN SECTION 492(2).

10   (c) The birthplace and birth date of the elector.

11   (d) The driver's license or state personal identification

12 card number of the elector, if available.

13   (e) A statement that the elector is a citizen of the United

14 States.

15   (f) A statement that the elector is at the time of complet-

16 ing the affidavit, or will be on the date of the next election,

17 not less than 18 years of age.

18   (g) A statement that the elector has or will have lived in

19 this state not less than 30 days before the next election.

20   (h) A statement that the elector has or will have estab-

21 lished his or her residence in the township, city, or village in

22 which the elector is applying for registration FOR not less than

23 30 days before the next election.

24   (i) A statement that the elector is or will be a qualified

25 elector of the township, city, or village on the date of the next

26 election.

1   (j) A space in which the elector shall state the place of
2 the elector's last registration.

3   (k) For the purpose of voting in a presidential primary
4 election, a space for the elector to declare a party preference
5 or that the elector has no party preference.

6   (2) Until February 15, 1992, the secretary of state or the
7 secretary of state's agent shall print a notice that shall be
8 provided to each person applying for registration. The notice
9 shall contain all of the following information:

10   (a) That, for the purpose of voting in a presidential pri-
11 mary election, the elector must declare a party preference.

12   (b) That, if the elector prefers to register with no party
13 preference, the elector is not eligible to vote in a presidential
14 primary election unless the elector declares a party preference
15 at least 30 days before the presidential primary election.

16   (c) That, even if currently registered to vote, the elector
17 is not eligible to vote in a presidential primary election unless
18 the elector declares in writing to the city or township clerk a
19 party preference at least 30 days before the presidential primary
20 election.

21   (d) That, if the elector declares a party preference or
22 declares that the elector has no party preference, that declara-
23 tion of preference remains as that elector's preference until the
24 elector changes his or her party preference or declares that he
25 or she has no party preference on a form prescribed by the secre-
26 tary of state or in writing to the city or township clerk.

1   (3) Until February 15, 1992, the city or township clerk

2 shall provide each elector who votes in an election in that city

3 or township the notice required under subsection (2) on a form

4 prescribed by the secretary of state on which an elector may

5 declare his or her party preference or that the elector has no

6 party preference for the purpose of voting in a presidential pri-

7 mary election.

8   (4) The secretary of state shall provide to each county

9 clerk for distribution to the city and township clerks in the

10 county a sufficient number of the notices required for distribu-

11 tion to electors under subsections (2) and (3).

12   Sec. 499c. (1) A county, township, or city clerk may accept

13 a registration application under this section from any person who

14 possesses the qualifications of an elector and shall forward the

15 application to the appropriate township or city clerk. Except as

16 provided in subsection (6), a deputy registrar shall not accept a

17 registration application from an elector who resides outside of

18 the county, township, or city for which he or she was appointed

19 deputy registrar.

20   (2) A person may complete an application to register to vote

21 or to change the person's voter registration name or address, if

22 the applicant possesses the qualifications of an elector on the

23 date of application or will possess the qualifications at the

24 next election. This subsection —shall— DOES not require a regis-

25 tered elector to periodically reregister or to renew his or her

26 registration. The application for registration made under this

27 section shall contain all of the following:

1   (a) The name of the applicant.

2   (b) The residence address of the applicant, including the

3 street and number or rural route and box number and the apartment

4 number, if any, OR THE ADDRESS OF A SHELTER DEFINED IN

5 SECTION 492(2).

6   (c) The city or township and county of residence of the

7 applicant, and the school district of the applicant, if known.

8   (d) The birthplace and birth date of the applicant.

9   (e) The driver's license or state personal identification

10 card number of the applicant, if available.

11   (f) A statement that the applicant has the qualifications of

12 an elector as of the date of applying for registration or will

13 have the qualifications of an elector at the next election.

14   (g) A statement that the applicant, if qualified, may vote

15 at an election occurring not less than 30 days after the date of

16 completing the application.

17   (h) A space to indicate the applicant's last place of regis-

18 tration, if known, or the last place of residence.

19   (i) A statement authorizing the cancellation of registration

20 at the applicant's last place of registration.

21   (j) A space for the applicant to sign and certify to the

22 truth of the statements on the application.

23   (k) A space to record a serial number assigned to the

24 applicant.

25   (*l*) For the purpose of voting in a presidential primary

26 election, a space for the elector to declare a party preference

1 or that the elector has no party preference and the notice

2 required by section 495(2).

3   (3) A county, township, or city clerk or deputy registrar

4 receiving a completed application shall require the applicant to

5 certify to the truth of the statements contained in the

6 application. The clerk or deputy shall validate the application

7 with his or her signature and printed name and provide the appli-

8 cant with a receipt verifying the registration application.

9   (4) A deputy registrar shall return a completed voter regis-

10 tration application to his or her appointing clerk within the

11 time prescribed by the appointing clerk, but not later than 4

12 p.m. on the first business day after the last day to register for

13 an election.

14   (5) A county clerk shall forward a completed application to

15 the appropriate local clerk as soon as possible, but not later

16 than 4 p.m. on the second business day after the last day to reg-

17 ister for an election.

18   (6) A township or city clerk may enter into a written agree-

19 ment with another township or city clerk to permit a deputy reg-

20 istrar appointed in the township or city of 1 clerk to take voter

21 registration applications in the other clerk's jurisdiction. An

22 application received by a township or city clerk under an agree-

23 ment described in this subsection shall be promptly forwarded to

24 the appropriate township or city clerk.

25   (7) After ~~the effective date of the amendatory act that~~

26 ~~added this section~~ AUGUST 29, 1989, a person who registers to

27 vote in a township shall be considered registered to vote in a

03619'89

1 village within that township in which the person resides. The

2 clerk of the township shall transmit to the village clerk all

3 information necessary to complete the village registration. A

4 person who registers to vote in a village shall be considered

5 registered to vote in the township in which the person resides.

6 The clerk of the village shall transmit to the township clerk all

7 information necessary to complete the township registration if

8 the person is not already registered in the township.

9   (8) The secretary of state shall develop, print, and dis-

10 tribute to county, township, and city clerks a uniform registra-

11 tion application form for use in registering voters under this

12 section. A county, township, or city clerk shall not impose

13 unreasonable limits on the number of registration application

14 forms provided to a deputy registrar but may maintain a record of

15 the forms provided to each deputy registrar.

16   Sec. 500a. (1) The secretary of state or ~~the secretary of~~

17 ~~state's~~ AN agent shall afford a person who appears in a depart-

18 ment of state branch office or ~~, beginning March 1, 1989, a~~

19 ~~person~~ who applies for renewal of an operator's or chauffeur's

20 license under section 307 of the Michigan vehicle code, Act

21 No. 300 of the Public Acts of 1949, being section 257.307 of the

22 Michigan Compiled Laws, an opportunity to complete an application

23 to register to vote or to change the person's voting registration

24 name, address, or, for the purpose of voting in a presidential

25 primary election, party preference, if the applicant possesses

26 the qualifications of an elector on the date of application or

27 will possess the qualifications at the next election. This

1 subsection ~~shall~~ DOES not ~~be construed~~ to require a

2 registered elector to periodically reregister or to renew his or

3 her registration. The application for registration made under

4 this section shall contain all of the following:

5   (a) The name of the applicant.

6   (b) The residence address of the applicant, including THE

7 street and number or rural route and box number AND THE APARTMENT

8 NUMBER, if any, OR THE ADDRESS OF A SHELTER DEFINED IN

9 SECTION 492(2).

10   (c) The city or township and county of residence of the

11 applicant, and the school district of the applicant, if known.

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

13   (e) The birthplace of the applicant.

14   (f) The driver's license or state personal identification

15 card number of the applicant, if available.

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

17 an elector as of the date of applying for registration ~,~ or

18 will have the qualifications of an elector at the next election.

19   (h) A space for the applicant to declare, for the purpose of

20 voting in a presidential primary election, a party preference or

21 that the applicant has no party preference.

22   (i) A statement that the registration is not effective until

23 processed by the clerk of the city or township in which the

24 applicant resides.

25   (j) A statement that the applicant, if qualified, may vote

26 at an election occurring not less than 30 days after the date of

27 completing the application.

1   , (k) A space to indicate the applicant's last place of

2 registration.

3   (*l*) A statement authorizing the cancellation of registration

4 at the applicant's last place of registration.

5   (m) A space for the applicant to sign and certify to the

6 truth of the statements on the application.

7   (2) The applicant shall COMPLETE AND sign the application.

8 Upon receipt of the application, the agent shall sign the appli-

9 cation, stamp the application with a validation stamp, and pro-

10 vide the applicant with a receipt verifying the registration

11 application. The agent shall promptly forward the application to

12 the county clerk of the applicant's residence or to a city or

13 township clerk designated by the secretary of state.

14   (3) Until February 15, 1992, the secretary of state or ~~the~~

15 ~~secretary of state's~~ AN agent shall provide along with the

16 application to register to vote or to change a registration under

17 subsection (1) a notice that contains all of the following

18 information:

19   (a) That, for the purpose of voting in a presidential pri-

20 mary election, an elector must declare a party preference.

21   (b) That, if the elector prefers to register with no party

22 preference, the elector is not eligible to vote in a presidential

23 primary election unless the elector declares a party preference

24 at least 30 days before the presidential primary election.

25   (c) That, even if the elector is currently registered to

26 vote, the elector is not eligible to vote in a presidential

27 primary election unless the elector declares in writing to the

1 city or township clerk a party preference at least 30 days before

2 the presidential primary election.

3 　　(d) That, if the elector declares a party preference or

4 declares that the elector has no party preference, that declara-

5 tion of preference remains as that elector's preference until the

6 elector changes his or her party preference or declares that he

7 or she has no party preference on a form prescribed by the secre-

8 tary of state or in writing to the city or township clerk.