

HOUSE BILL No. 4369

February 26, 1991, Introduced by Reps. Berman, Clack, Jondahl, Gubow, Ciaramitaro, DeMars, Leland and Gire 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 PLACE WHERE HE OR SHE RESIDES IN THAT TOWNSHIP, CITY,
21 OR VILLAGE AND THE ADDRESS OF A SHELTER WITH WHICH THE HOMELESS
22 PERSON HAS AN ESTABLISHED RELATIONSHIP AND WHICH ACCEPTS FIRST
23 CLASS NONFORWARDABLE MAIL FOR THE HOMELESS PERSON. AS USED IN
24 THIS SUBSECTION, "SHELTER" MEANS ONLY A NONPROFIT SHELTER THAT
25 OPERATES RESIDENTIAL PROGRAMS FOR HOMELESS PEOPLE, THAT ALLOWS
26 HOMELESS PEOPLE TO ESTABLISH A RELATIONSHIP WITH THAT SHELTER
27 THAT MAKES THAT SHELTER THE PRIMARY RESIDENTIAL ADDRESS FOR THOSE

1 HOMELESS PEOPLE, AND THAT ACCEPTS FIRST CLASS NONFORWARDABLE MAIL
2 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, IF THE ELECTOR IS HOMELESS,
9 THE PLACE WHERE THE ELECTOR RESIDES AND THE ADDRESS OF A SHELTER
10 AS DEFINED IN SECTION 492.

11 (c) The birthplace and ~~birth~~ date OF BIRTH of the
12 elector.

13 (d) The driver's license or state personal identification
14 card number of the elector, if available.

15 (e) A statement that the elector is a citizen of the United
16 States.

17 (f) A statement that the elector is at the time of complet-
18 ing the affidavit, or will be on the date of the next election,
19 not less than 18 years of age.

20 (g) A statement that the elector has or will have lived in
21 this state not less than 30 days before the next election.

22 (h) A statement that the elector has or will have estab-
23 lished his or her residence in the township, city, or village in
24 which the elector is applying for registration FOR not less than
25 30 days before the next election.

1 (i) A statement that the elector is or will be a qualified
2 elector of the township, city, or village on the date of the next
3 election.

4 (j) A space in which the elector shall state the place of
5 the elector's last registration, IF ANY.

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

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

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

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

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

24 (d) That, if the elector declares a party preference or
25 declares that the elector has no party preference, that declara-
26 tion of preference remains as that elector's preference until the
27 elector changes his or her party preference or declares that he

1 or she has no party preference on a form prescribed by the
2 secretary of state or in writing to the city or township clerk.

3 (3) Until February 15, 1992, the city or township clerk
4 shall provide each elector who votes in an election in that city
5 or township the notice required under subsection (2) on a form
6 prescribed by the secretary of state on which an elector may
7 declare his or her party preference or that the elector has no
8 party preference for the purpose of voting in a presidential pri-
9 mary election.

10 (4) The secretary of state shall provide to each county
11 clerk for distribution to the city and township clerks in the
12 county a sufficient number of the notices required for distribu-
13 tion to electors under subsections (2) and (3).

14 Sec. 499c. (1) A county, township, or city clerk may accept
15 a registration application under this section from any person who
16 possesses the qualifications of an elector and shall forward the
17 application to the appropriate township or city clerk. Except as
18 provided in subsection (6), a deputy registrar shall not accept a
19 registration application from an elector who resides outside of
20 the county, township, or city for which he or she was appointed
21 deputy registrar.

22 (2) A person may complete an application to register to vote
23 or to change the person's voter registration name or address, if
24 the applicant possesses the qualifications of an elector on the
25 date of application or will possess the qualifications at the
26 next election. This subsection ~~shall~~ DOES not require a
27 registered elector to periodically reregister or to renew his or

1 her registration. The application for registration made under
2 this section shall contain all of the following:

3 (a) The name of the applicant.

4 (b) The residence address of the applicant, including the
5 street and number or rural route and box number and the apartment
6 number, if any, OR, IF THE APPLICANT IS HOMELESS, THE PLACE WHERE
7 THE APPLICANT RESIDES AND THE ADDRESS OF A SHELTER AS DEFINED IN
8 SECTION 492.

9 (c) The city or township and county of residence of the
10 applicant, and the school district of the applicant, if known.

11 (d) The birthplace and ~~birth~~ date OF BIRTH of the
12 applicant.

13 (e) The driver's license or state personal identification
14 card number of the applicant, if available.

15 (f) A statement that the applicant has the qualifications of
16 an elector as of the date of applying for registration or will
17 have the qualifications of an elector at the next election.

18 (g) A statement that the applicant, if qualified, may vote
19 at an election occurring not less than 30 days after the date of
20 completing the application.

21 (h) A space to indicate the applicant's last place of regis-
22 tration, if known, or the last place of residence.

23 (i) A statement authorizing the cancellation of registration
24 at the applicant's last place of registration.

25 (j) A space for the applicant to sign and certify to the
26 truth of the statements on the application.

1 (k) A space to record a serial number assigned to the
2 applicant.

3 (l) 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 and the notice
6 required by section 495(2).

7 (3) A county, township, or city clerk or deputy registrar
8 receiving a completed application shall require the applicant to
9 certify to the truth of the statements contained in the
10 application. The clerk or deputy shall validate the application
11 with his or her signature and printed name and provide the appli-
12 cant with a receipt verifying the registration application.

13 (4) A deputy registrar shall return a completed voter regis-
14 tration application to his or her appointing clerk within the
15 time prescribed by the appointing clerk, but not later than 4
16 p.m. on the first business day after the last day to register for
17 an election.

18 (5) A county clerk shall forward a completed application to
19 the appropriate local clerk as soon as possible, but not later
20 than 4 p.m. on the second business day after the last day to reg-
21 ister for an election.

22 (6) A township or city clerk may enter into a written agree-
23 ment with another township or city clerk to permit a deputy reg-
24 istrar appointed in the township or city of 1 clerk to take voter
25 registration applications in the other clerk's jurisdiction. An
26 application received by a township or city clerk under an

1 agreement described in this subsection shall be promptly
2 forwarded to the appropriate township or city clerk.

3 (7) After ~~the effective date of the amendatory act that~~
4 ~~added this section~~ AUGUST 29, 1989, a person who registers to
5 vote in a township shall be considered registered to vote in a
6 village within that township in which the person resides. The
7 clerk of the township shall transmit to the village clerk all
8 information necessary to complete the village registration. A
9 person who registers to vote in a village shall be considered
10 registered to vote in the township in which the person resides.
11 The clerk of the village shall transmit to the township clerk all
12 information necessary to complete the township registration if
13 the person is not already registered in the township.

14 (8) The secretary of state shall develop, print, and dis-
15 tribute to county, township, and city clerks a uniform registra-
16 tion application form for use in registering voters under this
17 section. A county, township, or city clerk shall not impose
18 unreasonable limits on the number of registration application
19 forms provided to a deputy registrar but may maintain a record of
20 the forms provided to each deputy registrar.

21 Sec. 500a. (1) The secretary of state or ~~the secretary of~~
22 ~~state's~~ AN agent shall afford a person who appears in a depart-
23 ment of state branch office or ~~, beginning March 1, 1989, a~~
24 ~~person~~ who applies for renewal of an operator's or chauffeur's
25 license under section 307 of the Michigan vehicle code, Act
26 No. 300 of the Public Acts of 1949, being section 257.307 of the
27 Michigan Compiled Laws, an opportunity to complete an application

1 to register to vote or to change the person's voting registration
2 name, address, or, for the purpose of voting in a presidential
3 primary election, party preference, if the applicant possesses
4 the qualifications of an elector on the date of application or
5 will possess the qualifications at the next election. This sub-
6 section ~~shall~~ DOES not ~~be construed to~~ require a registered
7 elector to periodically reregister or to renew his or her
8 registration. The application for registration made under this
9 section shall contain all of the following:

10 (a) The name of the applicant.

11 (b) The residence address of the applicant, including THE
12 street and number or rural route and box number AND THE APARTMENT
13 NUMBER, if any, OR, IF THE APPLICANT IS HOMELESS, THE PLACE WHERE
14 THE APPLICANT RESIDES AND THE ADDRESS OF A SHELTER AS DEFINED IN
15 SECTION 492.

16 (c) The city or township and county of residence of the
17 applicant, and the school district of the applicant, if known.

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

19 (e) The birthplace of the applicant.

20 (f) The driver's license or state personal identification
21 card number of the applicant, if available.

22 (g) A statement that the applicant has the qualifications of
23 an elector as of the date of applying for registration ~~—~~ or
24 will have the qualifications of an elector at the next election.

25 (h) A space for the applicant to declare, for the purpose of
26 voting in a presidential primary election, a party preference or
27 that the applicant has no party preference.

1 (i) A statement that the registration is not effective until
2 processed by the clerk of the city or township in which the
3 applicant resides.

4 (j) A statement that the applicant, if qualified, may vote
5 at an election occurring not less than 30 days after the date of
6 completing the application.

7 (k) A space to indicate the applicant's last place of
8 registration, IF ANY.

9 (l) A statement authorizing the cancellation of registration
10 at the applicant's last place of registration.

11 (m) A space for the applicant to sign and certify to the
12 truth of the statements on the application.

13 (2) The applicant shall COMPLETE AND sign the application.
14 Upon receipt of the application, the agent shall sign the appli-
15 cation, stamp the application with a validation stamp, and pro-
16 vide the applicant with a receipt verifying the registration
17 application. The agent shall promptly forward the application to
18 the county clerk of the applicant's residence or to a city or
19 township clerk designated by the secretary of state.

20 (3) Until February 15, 1992, the secretary of state or ~~the~~
21 ~~secretary of state's~~ AN agent shall provide along with the
22 application to register to vote or to change a registration under
23 subsection (1) a notice that contains all of the following
24 information:

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

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

5 (c) That, even if the elector is currently registered to
6 vote, the elector is not eligible to vote in a presidential pri-
7 mary election unless the elector declares in writing to the city
8 or township clerk a party preference at least 30 days before the
9 presidential primary election.

10 (d) That, if the elector declares a party preference or
11 declares that the elector has no party preference, that declara-
12 tion of preference remains as that elector's preference until the
13 elector changes his or her party preference or declares that he
14 or she has no party preference on a form prescribed by the secre-
15 tary of state or in writing to the city or township clerk.