



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 5096 (Substitute H-1)
Sponsor: Representative Robert Brackenridge
House Committee: Local Government
Senate Committee: Government Operations

Date Completed: 10-31-95

SUMMARY OF HOUSE BILL 5096 (Substitute H-1) as passed by the House:

The bill would amend the Michigan Election Law to allow a clerk or authorized assistant to the clerk to remove from an elector's precinct registration file and master registration file, and from the precinct registration list, the elector's declaration of party preference or no party preference, as previously required under the Election Law for purposes of voting in a statewide presidential primary; and forbid a clerk from releasing a voter registration record that contained a declaration of party preference or no party preference.

Public Act 87 of 1995 amended the Election Law to remove provisions that required a voter to declare a party preference before being allowed to vote in a presidential primary, and that required the voter registration application, the registration, the local voter registration list, and the voter poll list to contain a space indicating a voter's declaration of party preference or no party preference. Public Act 87 did not, however, amend two sections of the Election Law that refer to an elector's declaration of party preference.

Section 495a of the Election Law provides that if an elector declares a party preference or no party preference, the preference must be placed on and remain on the precinct registration file and the master registration file of the elector. If a registration list, instead of the registration file, is used in a precinct for a presidential primary election, the registration list must include the party preference declaration or no party preference of the elector. Section 499 requires a clerk to prepare and send a corrected voter identification card to an elector who changes or adds a declaration of party preference or no party preference for the purpose of voting in a presidential primary, and requires that the identification card contain a reference to any declared party preference. The bill would delete all of these provisions. The bill provides that, unless otherwise required by the Law, a clerk would not be required to prepare and send a corrected voter identification card to an elector who made a declaration of party preference or no party preference.

The bill specifies that a person who filed a request under the Freedom of Information Act would not be entitled to receive a copy of a portion of a voter registration record that contained a declaration of party preference or no party preference of an elector. Further, a clerk or any other person would be prohibited from releasing a copy of a portion of a voter registration record that contained a declaration.

MCL 168.495a & 168.499

Legislative Analyst: G. Towne

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: B. Bowerman

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.