

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 29, 504, 509t, and 795 (MCL 168.29, 168.504,
168.509t, and 168.795), sections 29 and 504 as amended by 1989 PA
142, section 509t as added by 1994 PA 441, and section 795 as
amended by 1992 PA 8.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 29. (1) The clerk of each county, township, city, and
2 village may appoint a number of assistants as may be necessary to
3 carry out the general provisions of the election law. The clerk
4 of a county, township, city, or village shall consider an appli-
5 cation for the appointment of an assistant without regard to age,
6 socioeconomic status, sex, race, national origin, religion,
7 political affiliation, or any ~~handicap~~ DISABILITY the applicant
8 may have.

1 (2) Assistants appointed under this section shall possess
2 only the authority conferred upon them by the county, township,
3 city, or village clerk appointing them, and shall perform only
4 those duties that are assigned to them by the clerk. Before an
5 assistant enters upon the discharge of his or her duties, the
6 assistant shall take and subscribe to the oath of office as pro-
7 vided in section 1 of article XI of the state constitution of
8 1963, which shall be filed in the office of the county, township,
9 city, or village clerk who appointed the assistant and shall be
10 properly instructed by the county, township, city, or village
11 clerk in the duties the assistant is assigned to perform. An
12 assistant may receive compensation as may be fixed by a township
13 board or the legislative body of a county, city, or village.

14 Sec. 504. (1) An elector who is unable to apply for regis-
15 tration in person because of physical disability or absence from
16 the township, city, or village in which his or her legal resi-
17 dence is located may be registered before the close of registra-
18 tion before any election or primary election by securing dupli-
19 cate registration cards from the clerk of the township, city, or
20 village in which his or her legal residence is located, executing
21 in duplicate the registration affidavit before a notary public or
22 other officer legally authorized to administer oaths, and return-
23 ing the registration cards to the clerk of the township, city, or
24 village before the close of office hours on the last day of reg-
25 istration before any election or primary election. The notary
26 public or other officer administering the oath shall sign his or

1 her name on the line for the signature of the registration
2 officer and designate his or her title.

3 (2) The notarization requirements of this section do not
4 apply to an elector who lives or is stationed in a foreign coun-
5 try or who has a ~~handicap~~ DISABILITY as defined in section 103
6 of the ~~Michigan handicappers'~~ PERSONS WITH DISABILITIES civil
7 rights act, ~~Act No. 220 of the Public Acts of 1976, being sec-~~
8 ~~tion 37.1103 of the Michigan Compiled Laws~~ 1976 PA 220, MCL
9 37.1103.

10 Sec. 509t. (1) Notwithstanding any other provision of law
11 to the contrary, a person who is a qualified elector in this
12 state and who registers to vote in a manner consistent with the
13 national voter registration act of 1993, is considered a regis-
14 tered voter under this act.

15 (2) A person who registers to vote in a jurisdiction in this
16 state by mail shall vote in person if that person has not previ-
17 ously voted in person in that jurisdiction. This subsection does
18 not apply to any of the following registered voters:

19 (a) A person entitled to vote by absentee ballot under the
20 uniformed and overseas citizens absentee voting act, Public Law
21 99-410, 100 Stat. 924.

22 (b) A person who has a ~~handicap~~ DISABILITY as defined in
23 section 103 of the ~~Michigan handicappers'~~ PERSONS WITH
24 DISABILITIES civil rights act, ~~Act No. 220 of the Public Acts of~~
25 ~~1976, being section 37.1103 of the Michigan Compiled Laws~~ 1976
26 PA 220, MCL 37.1103, or who is 60 years of age or older.

1 (c) A person who is entitled to vote other than in person
2 under any other federal law.

3 (3) This section does not preclude this state from prosecut-
4 ing a violation of this act that is also a violation of any fed-
5 eral election or voting rights law.

6 Sec. 795. (1) An electronic voting system acquired or used
7 pursuant to sections 794 to 799a shall meet all of the following
8 requirements:

9 (a) Provide for voting in secrecy, except in the case of
10 voters who receive assistance as provided by this act.

11 (b) Permit each elector to vote at an election for all per-
12 sons and offices for whom and for which the elector is lawfully
13 entitled to vote; to vote for as many persons for an office as
14 the elector is entitled to vote for; and to vote for or against
15 any question upon which the elector is entitled to vote. Except
16 as otherwise provided in this subdivision, the electronic tabu-
17 lating equipment shall reject all choices recorded on the
18 elector's ballot for an office or a question if the number of
19 choices exceeds the number that the elector is entitled to vote
20 for on that office or question. Electronic tabulating equipment
21 that can detect and inform an elector voting in person that the
22 choices recorded on the elector's ballot for an office or a ques-
23 tion exceeds the number that the elector is entitled to vote for
24 on that office or question shall offer the elector an opportunity
25 to correct the error before rejecting the choices recorded on the
26 elector's ballot.

1 (c) Permit an elector, at a presidential election, by a
2 single selection to vote for the candidates of a party for
3 president, vice-president, and presidential electors.

4 (d) Permit an elector at other than a primary election to
5 vote for all of the candidates of a political party by a single
6 selection or to vote a split or mixed ticket.

7 (e) Permit an elector in a primary election to vote for the
8 candidates in the party primary of the elector's choice. Except
9 as otherwise provided in this subdivision, the electronic tabu-
10 lating equipment shall reject each ballot on which votes are cast
11 for candidates of more than 1 political party. Electronic tabu-
12 lating equipment that can detect and inform an elector voting in
13 person that the elector has voted for candidates of more than 1
14 political party shall offer the elector an opportunity to correct
15 the error before rejecting the elector's ballot.

16 (f) Prevent an elector from voting for the same person more
17 than once for the same office.

18 (g) Be suitably designed for the purpose used; be durably
19 constructed; and be designed to provide for safety, accuracy, and
20 efficiency.

21 (h) Beginning June 18, 1990, be designed to accommodate the
22 needs of an elderly ~~or handicapped~~ voter OR A PERSON WITH 1 OR
23 MORE DISABILITIES.

24 (i) Record correctly and count accurately each vote properly
25 cast.

26 (j) Provide an audit trail.

1 (k) Provide an acceptable method for an elector to vote for
2 a person whose name does not appear on the ballot.

3 (2) Electronic tabulating equipment that counts votes at the
4 precinct before the close of the polls shall provide a method for
5 rendering the equipment inoperable if vote totals are revealed
6 before the close of the polls.

7 Enacting section 1. This amendatory act does not take
8 effect unless Senate Bill No. _____ or House Bill No. _____
9 (request no. 01838'97) of the 89th Legislature is enacted into
10 law.