

Legislative Analysis



LOCAL CLERK AUTHORITY TO CANCEL OR CONFIRM VOTER REGISTRATIONS

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House Bill 5659

Sponsor: Rep. George Cushingberry

Committee: House Oversight, Elections, and Ethics

Complete to 2-28-06

A SUMMARY OF HOUSE BILL 5659 AS INTRODUCED 2-8-06

House Bill 5659 would amend the Michigan Election Law to expand the authority of local clerks to confirm and cancel voter registrations.

Currently under the law, a clerk cannot cancel (or cause the cancellation of) a voter's registration based solely upon the voter's failure to vote. Under House Bill 5659, the governing body of a city, township, or village could adopt a resolution authorizing a city, township, or village clerk to cancel a voter's registration, if the voter failed to vote in more than five successive elections that included at least two general elections.

Currently under the law, at least monthly, a county clerk is required to forward to each city or township clerk, a list of the last known address and birth date of all people over 18 years of age who have died within the county. House Bill 5659 would retain this provision and require the list also be forwarded to each village clerk. In addition, House Bill 5659 would allow a city, township, or village clerk to search a national database containing death records, in order to obtain information concerning the last known address and birth date of all people over 18 years of age who have died. Then the clerks could compare the information obtained from the national database with the voter registration records of their jurisdiction, and cancel the voter registration of all deceased people.

House Bill 5659 also requires that before the 2006 August primary election in a city with a population greater than 500,000 (i.e., Detroit) the city clerk compare the voter registration address of each elector in the city with the address of each building located in the city that has been demolished. If the voter registration address of an elector matched that of a demolished building, the city clerk would be required to immediately cancel the voter registration of the elector. Before the 2008 general November election, this requirement would apply to all clerks of each city, township or village in the state. House Bill 5659 specifies that the governing body of a city, township, or village could apply for, accept, and disburse grants from the federal government to defray any additional costs incurred to comply with this requirement.

Finally under the bill, the clerk of each city, township or village would be required to canvass the street address of each absent voter who delivered an absent voter ballot return envelope to the clerk or assistant clerk, in order to confirm that the absent voter was a

resident of the city, township, or village. A clerk could appoint a sufficient number of people to assist with this task, and the people appointed could include (but would not be limited to) election inspectors appointed to an election precinct located in the city, township, or village. Again, the bill specifies that the governing body of a city, township, or village could apply for, accept, and disburse grants from the federal government to defray any additional costs incurred to comply with this requirement.

MCL 168.509bb et al

FISCAL IMPACT:

A fiscal analysis is in process.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.