

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 654

A bill to amend 1972 PA 222, entitled

"An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes,"

by amending sections 1, 1a, and 2 (MCL 28.291, 28.291a, and 28.292), sections 1 and 2 as amended by 2005 PA 143 and section 1a as added by 1997 PA 99.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) A person who is a resident of this state may apply
2 to the department of state for an official state personal
3 identification card. Upon application, the applicant shall supply **A**
4 **PHOTOGRAPHIC IDENTITY DOCUMENT**, a birth certificate ~~attesting to~~
5 ~~his or her age or~~ **OTHER NONPHOTOGRAPHIC IDENTITY DOCUMENT, AND**

1 other sufficient documents ~~or identification~~ as the secretary of
2 state may require **TO VERIFY THE IDENTITY AND CITIZENSHIP OF THE**
3 **APPLICANT. IF AN APPLICANT FOR AN OFFICIAL STATE PERSONAL**
4 **IDENTIFICATION CARD IS NOT A CITIZEN OF THE UNITED STATES, THE**
5 **APPLICANT SHALL SUPPLY A PHOTOGRAPHIC IDENTITY DOCUMENT AND OTHER**
6 **SUFFICIENT DOCUMENTS TO VERIFY THE IDENTITY OF THE APPLICANT AND**
7 **THE APPLICANT'S LEGAL PRESENCE IN THE UNITED STATES UNDER**
8 **SUBSECTION (3). THE DOCUMENTS REQUIRED UNDER THIS SUBSECTION SHALL**
9 **INCLUDE THE APPLICANT'S FULL LEGAL NAME, DATE OF BIRTH, AND ADDRESS**
10 **AND RESIDENCY AND DEMONSTRATE THAT THE APPLICANT IS A CITIZEN OF**
11 **THE UNITED STATES OR IS LEGALLY PRESENT IN THE UNITED STATES. IF**
12 **THE APPLICANT'S FULL LEGAL NAME DIFFERS FROM THE NAME OF THE**
13 **APPLICANT THAT APPEARS ON A DOCUMENT PRESENTED UNDER THIS**
14 **SUBSECTION, THE APPLICANT SHALL PRESENT DOCUMENTS TO VERIFY HIS OR**
15 **HER CURRENT FULL LEGAL NAME.** An application for a state personal
16 identification card shall be made in a manner prescribed by the
17 secretary of state and shall contain the applicant's full **LEGAL**
18 name, date of birth, residence address, height, sex, eye color,
19 signature, ~~and, beginning January 1, 2007,~~ intent to be an organ
20 donor, ~~and~~ other information required or permitted on the official
21 state personal identification card **AND, ONLY TO THE EXTENT TO**
22 **COMPLY WITH FEDERAL LAW, THE APPLICANT'S SOCIAL SECURITY NUMBER.**
23 The applicant may provide a mailing address if the applicant
24 receives mail at an address different from his or her residence
25 address.

26 (2) The secretary of state shall not issue an official state
27 personal identification card to a person who holds an operator's or

1 chauffeur's license issued under the Michigan vehicle code, 1949 PA
2 300, MCL 257.1 to 257.923, unless the license has been suspended,
3 revoked, or restricted.

4 (3) IF THE APPLICANT IS NOT A CITIZEN OF THE UNITED STATES,
5 THE APPLICANT SHALL PROVIDE DOCUMENTS DEMONSTRATING HIS OR HER
6 LEGAL PRESENCE IN THE UNITED STATES. A PERSON LEGALLY PRESENT IN
7 THE UNITED STATES INCLUDES, BUT IS NOT LIMITED TO, A PERSON
8 AUTHORIZED BY THE UNITED STATES GOVERNMENT FOR EMPLOYMENT IN THE
9 UNITED STATES, A PERSON WITH NONIMMIGRANT STATUS AUTHORIZED UNDER
10 FEDERAL LAW, AND A PERSON WHO IS THE BENEFICIARY OF AN APPROVED
11 IMMIGRANT VISA PETITION OR AN APPROVED LABOR CERTIFICATION. THE
12 SECRETARY OF STATE SHALL ADOPT RULES UNDER THE ADMINISTRATIVE
13 PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO 24.328, AS ARE
14 NECESSARY FOR THE ADMINISTRATION OF THIS SUBSECTION. A
15 DETERMINATION BY THE SECRETARY OF STATE THAT AN APPLICANT IS NOT
16 LEGALLY PRESENT IN THE UNITED STATES MAY BE APPEALED UNDER SECTION
17 631 OF THE REVISED JUDICATURE ACT OF 1961, 1961 PA 236, MCL
18 600.631.

19 (4) THE SECRETARY OF STATE SHALL NOT DISCLOSE A SOCIAL
20 SECURITY NUMBER OBTAINED UNDER SUBSECTION (1) TO ANOTHER PERSON
21 EXCEPT FOR USE FOR 1 OR MORE OF THE FOLLOWING PURPOSES:

22 (A) COMPLIANCE WITH 49 USC 31301 TO 31317 AND REGULATIONS AND
23 RULES RELATED TO THIS ACT.

24 (B) TO CARRY OUT THE PURPOSES OF SECTION 466(A) OF THE SOCIAL
25 SECURITY ACT, 42 USC 666, IN CONNECTION WITH MATTERS RELATING TO
26 PATERNITY, CHILD SUPPORT, OR OVERDUE CHILD SUPPORT.

27 (C) WITH THE DEPARTMENT OF COMMUNITY HEALTH, FOR COMPARISON

1 WITH VITAL RECORDS MAINTAINED BY THE DEPARTMENT OF COMMUNITY HEALTH
2 UNDER PART 28 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.2801
3 TO 333.2899.

4 (D) AS OTHERWISE REQUIRED BY LAW.

5 (5) THE SECRETARY OF STATE SHALL NOT DISPLAY A PERSON'S SOCIAL
6 SECURITY NUMBER ON THE PERSON'S OFFICIAL STATE PERSONAL
7 IDENTIFICATION CARD.

8 (6) A REQUIREMENT UNDER THIS SECTION TO INCLUDE A SOCIAL
9 SECURITY NUMBER ON AN APPLICATION DOES NOT APPLY TO AN APPLICANT
10 WHO DEMONSTRATES HE OR SHE IS EXEMPT UNDER LAW FROM OBTAINING A
11 SOCIAL SECURITY NUMBER.

12 (7) THE SECRETARY OF STATE, WITH THE APPROVAL OF THE STATE
13 ADMINISTRATIVE BOARD CREATED UNDER 1921 PA 2, MCL 17.1 TO 17.3, MAY
14 ENTER INTO AGREEMENTS WITH THE UNITED STATES GOVERNMENT TO VERIFY
15 WHETHER AN APPLICANT FOR AN OFFICIAL STATE PERSONAL IDENTIFICATION
16 CARD UNDER THIS SECTION WHO IS NOT A CITIZEN OF THE UNITED STATES
17 IS AUTHORIZED UNDER FEDERAL LAW TO BE PRESENT IN THE UNITED STATES.

18 (8) THE SECRETARY OF STATE SHALL NOT ISSUE AN OFFICIAL STATE
19 PERSONAL IDENTIFICATION CARD TO A PERSON HOLDING AN OFFICIAL STATE
20 PERSONAL IDENTIFICATION CARD ISSUED BY ANOTHER STATE WITHOUT
21 CONFIRMATION THAT THE PERSON IS TERMINATING OR HAS TERMINATED THE
22 OFFICIAL STATE PERSONAL IDENTIFICATION CARD ISSUED BY THE OTHER
23 STATE.

24 (9) THE SECRETARY OF STATE SHALL DO ALL OF THE FOLLOWING:

25 (A) ENSURE THE PHYSICAL SECURITY OF LOCATIONS WHERE OFFICIAL
26 STATE PERSONAL IDENTIFICATION CARDS ARE PRODUCED AND THE SECURITY
27 OF DOCUMENT MATERIALS AND PAPERS FROM WHICH OFFICIAL STATE PERSONAL

1 IDENTIFICATION CARDS ARE PRODUCED.

2 (B) SUBJECT ALL PERSONS AUTHORIZED TO MANUFACTURE OR PRODUCE
3 OFFICIAL STATE PERSONAL IDENTIFICATION CARDS AND ALL PERSONS WHO
4 HAVE THE ABILITY TO AFFECT THE IDENTITY INFORMATION THAT APPEARS ON
5 OFFICIAL STATE PERSONAL IDENTIFICATION CARDS TO APPROPRIATE
6 SECURITY CLEARANCE REQUIREMENTS. THE SECURITY REQUIREMENTS OF THIS
7 SUBDIVISION AND SUBDIVISION (A) MAY REQUIRE THAT OFFICIAL STATE
8 PERSONAL IDENTIFICATION CARDS BE MANUFACTURED OR PRODUCED IN THIS
9 STATE.

10 (C) PROVIDE FRAUDULENT DOCUMENT RECOGNITION PROGRAMS TO
11 DEPARTMENT OF STATE EMPLOYEES ENGAGED IN THE ISSUANCE OF OFFICIAL
12 STATE PERSONAL IDENTIFICATION CARDS.

13 Sec. 1a. As used in this act:

14 (a) "Highly restricted personal information" includes an
15 individual's photograph or image, social security number, digitized
16 signature, and medical and disability information **AND SOURCE**
17 **DOCUMENTS PRESENTED BY AN APPLICANT TO OBTAIN A PERSONAL**
18 **IDENTIFICATION CARD UNDER SECTION 1.**

19 (b) "Personal information" means information that identifies
20 an individual, including the individual's photograph or image,
21 name, address (but not the 5-digit zip code), driver license
22 number, social security number, telephone number, digitized
23 signature, and medical and disability information.

24 (C) "RESIDENCE ADDRESS" MEANS THE PLACE THAT IS THE SETTLED
25 HOME OR DOMICILE AT WHICH A PERSON LEGALLY RESIDES, WHICH MEETS THE
26 DEFINITION OF RESIDENCE AS DEFINED IN SECTION 11 OF THE MICHIGAN
27 ELECTION LAW, 1954 PA 116, MCL 168.11.

1 (D) "RESIDENT" MEANS EVERY PERSON WHO RESIDES IN THIS STATE
2 AND ESTABLISHES THAT HE OR SHE IS LEGALLY PRESENT IN THE UNITED
3 STATES. THIS DEFINITION APPLIES TO THE PROVISIONS OF THIS ACT ONLY.

4 Sec. 2. (1) The official state personal identification card
5 shall contain the following:

6 (a) An identification number permanently assigned to the
7 person.

8 (b) The full **LEGAL** name, date of birth, sex, ~~residential~~
9 **RESIDENCE** address, height, weight, eye color, **DIGITAL PHOTOGRAPHIC**
10 image, ~~and signature of the person to whom the identification card~~
11 ~~is issued~~ **APPLICANT, AND EXPIRATION DATE OF THE OFFICIAL STATE**
12 **PERSONAL IDENTIFICATION CARD.**

13 (c) An indication that the identification card contains 1 or
14 more of the following:

15 (i) The blood type of the person.

16 (ii) Immunization data of the person.

17 (iii) Medication data of the person.

18 (iv) A statement that the person is deaf.

19 ~~— (v) Until January 1, 2007, a statement that the person is an~~
20 ~~organ and tissue donor under part 101 of the public health code,~~
21 ~~1978 PA 368, MCL 333.10101 to 333.10109. If the identification card~~
22 ~~contains such a statement, the statement shall include the~~
23 ~~signature of the person, along with the signature of at least 1~~
24 ~~witness.~~

25 ~~— (vi) Emergency contact information of the person.~~

26 ~~— (vii) A sticker or decal as specified by the secretary of state~~
27 ~~to indicate that the holder of the official state personal~~

~~identification card has designated 1 or more patient advocates in accordance with section 5506 of the estates and protected individuals code, 1998 PA 386, MCL 700.5506, or a statement that he or she carries an emergency medical information card, as described in subsection (5).~~

~~—— (d) In the case of a person who is less than 18 years of age at the time of issuance of the identification card, the dates on which the person will become 18 years of age and 21 years of age.~~

~~—— (e) In the case of a person who is not less than 18 years of age but less than 21 years of age at the time of issuance of the identification card, the date on which the person will become 21 years of age.~~

(D) ~~(f) Beginning January 1, 2007, in~~ IN the case of a holder of an official state personal identification card who has indicated his or her wish to participate in the organ and tissue donor registry under part 101 of the public health code, 1978 PA 368, MCL 333.10101 to 333.10109, a heart insignia on the front of the official state personal identification card.

(E) PHYSICAL SECURITY FEATURES DESIGNED TO PREVENT TAMPERING, COUNTERFEITING, OR DUPLICATION OF THE OFFICIAL STATE PERSONAL IDENTIFICATION CARD FOR FRAUDULENT PURPOSES.

(2) In conjunction with the application for or, until January 1, 2007, the issuance of an official state personal identification card, the secretary of state shall do all of the following:

(a) Provide the applicant with all of the following:

(i) Information explaining the applicant's right to make an anatomical gift in the event of death under part 101 of the public

1 health code, 1978 PA 368, MCL 333.10101 to 333.10109, and in
2 accordance with this section.

3 (ii) Information describing the organ, tissue, and eye donor
4 registry program maintained by Michigan's federally designated
5 organ procurement organization or its successor organization. The
6 information required under this subparagraph includes the address
7 and telephone number of Michigan's federally designated organ
8 procurement organization or its successor organization.

9 (iii) Information giving the applicant the opportunity to have
10 his or her name placed on the registry described in subparagraph
11 (ii) .

12 (b) Provide the applicant with the opportunity to specify on
13 his or her official state personal identification card that he or
14 she is willing to make an anatomical gift in the event of death
15 pursuant to part 101 of the public health code, 1978 PA 368, MCL
16 333.10101 to 333.10109, and in accordance with this section.

17 (c) Inform the applicant that, if he or she indicates to the
18 secretary of state under this section a willingness to have his or
19 her name placed on the registry described in subdivision (a) (ii) ,
20 the secretary of state will mark the applicant's record for the
21 registry.

22 (3) The secretary of state may fulfill the requirements of
23 subsection (2) by 1 or more of the following methods:

24 (a) Providing printed material enclosed with a mailed notice
25 for the issuance or renewal of an official state personal
26 identification card.

27 (b) Providing printed material to an applicant who personally

1 appears at a secretary of state branch office.

2 (c) Through electronic information transmittals for
3 applications processed by electronic means.

4 (4) Until January 1, 2007, if an applicant indicates a
5 willingness under this section to have his or her name placed on
6 the registry described in subsection (2)(a)(ii), the secretary of
7 state shall within 10 days forward the applicant's name, address,
8 and date of birth to the organ donor registry maintained by
9 Michigan's federally designated organ procurement organization or
10 its successor organization. The secretary of state may forward
11 information under this subsection by mail or by electronic means.
12 The secretary of state shall not maintain a record of the name or
13 address of an individual who indicates a willingness to have his or
14 her name placed on the organ donor registry after forwarding that
15 information to the organ donor registry under this subsection.
16 Information about an applicant's indication of a willingness to
17 have his or her name placed on the organ donor registry obtained by
18 the secretary of state under subsection (2) and forwarded under
19 this subsection is exempt from disclosure under section 13(1)(d) of
20 the freedom of information act, 1976 PA 442, MCL 15.243.

21 (5) The secretary of state shall prescribe the form of the
22 identification card. The secretary of state shall designate on the
23 identification card a space where the applicant may place a sticker
24 or decal of the uniform size as the secretary may specify to
25 indicate that the cardholder carries a separate emergency medical
26 information card. The sticker or decal may be provided by any
27 person, hospital, school, medical group, or association interested

1 in assisting in implementing the emergency medical information
2 card, but shall meet the specifications of the secretary of state.
3 The sticker or decal also may be used to indicate that the
4 cardholder has designated 1 or more patient advocates in accordance
5 with section 5506 of the estates and protected individuals code,
6 1998 PA 386, MCL 700.5506. The emergency medical information card,
7 carried separately by the cardholder, may contain the information
8 described in subsection (2)(c), information concerning the
9 cardholder's patient advocate designation, other emergency medical
10 information, or an indication as to where the cardholder has stored
11 or registered emergency medical information. An original
12 identification card or the renewal of an existing identification
13 card issued to a person less than 21 years of age shall be portrait
14 or vertical in form and an identification card issued to a person
15 21 years of age or over shall be landscape or horizontal in form.
16 Except as otherwise required in this act, other information
17 required on the identification card under this act may appear on
18 the identification card in a form prescribed by the secretary of
19 state.

20 (6) The identification card shall not contain a fingerprint or
21 finger image of the applicant.

22 (7) Except as provided in this subsection, the secretary of
23 state ~~may~~ **SHALL** retain and use a person's **DIGITAL PHOTOGRAPHIC**
24 image and signature described in subsection (1)(b) only for
25 programs administered by the secretary of state **AS SPECIFICALLY**
26 **AUTHORIZED BY LAW.** ~~Except as provided in this subsection, the~~
27 ~~secretary of state shall not use a person's image unless written~~

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~~permission for that purpose is granted by the person to the
secretary of state or specific enabling legislation permitting the
use is enacted into law. A law enforcement agency of this state
shall have access to any information retained by the secretary of
state under this subsection. The information may be utilized for
any law enforcement purpose unless otherwise prohibited by law. The
department of state police shall provide to the secretary of state
updated lists of persons required under section 5a of the sex
offenders registration act, 1994 PA 295, MCL 28.725a, to maintain a
valid operator's or chauffeur's license or an official state
personal identification card and the secretary of state shall make
images of those persons available to the department of state police
as provided in the sex offenders registration act, 1994 PA 295, MCL
28.721 to 28.732. A PERSON'S DIGITAL PHOTOGRAPHIC IMAGE OR
SIGNATURE SHALL ONLY BE USED AS FOLLOWS:~~

(A) BY A FEDERAL, STATE, OR LOCAL GOVERNMENTAL AGENCY FOR A
LAW ENFORCEMENT PURPOSE [] AUTHORIZED BY LAW.

(B) BY THE SECRETARY OF STATE FOR A [USE] SPECIFICALLY
AUTHORIZED BY LAW.

(C) THE SECRETARY OF STATE SHALL FORWARD TO THE DEPARTMENT OF
STATE POLICE THE IMAGES OF PERSONS REQUIRED TO BE REGISTERED UNDER
THE SEX OFFENDERS REGISTRATION ACT, 1994 PA 295, MCL 28.721 TO
28.736, UPON THE DEPARTMENT OF STATE POLICE PROVIDING THE SECRETARY
OF STATE AN UPDATED LIST OF THOSE PERSONS.

(D) AS NECESSARY TO COMPLY WITH A LAW OF THIS STATE OR THE
UNITED STATES.

(8) If a person presents evidence of statutory blindness as

1 provided in 1978 PA 260, MCL 393.351 to 393.368, and is issued or
2 is the holder of an official state personal identification card,
3 the secretary of state shall mark the person's identification card
4 in a manner that clearly indicates that the cardholder is legally
5 blind.

6 (9) ~~Beginning January 1, 2007, the~~ **THE** secretary of state
7 shall maintain a record of an individual who indicates a
8 willingness to have his or her name placed on the registry
9 described in subsection (2)(a)(ii). Information about a person's
10 indication of a willingness to have his or her name placed on the
11 registry that is obtained by the secretary of state and forwarded
12 under this section is exempt from disclosure under section 13(1)(d)
13 of the freedom of information act, 1976 PA 442, MCL 15.243. The
14 secretary of state shall establish and maintain the organ, tissue,
15 and eye donor registry in a manner that provides electronic access,
16 including, but not limited to, the transfer of data to this state's
17 federally designated organ procurement organizations, their
18 successor organizations, and tissue and eye banks with limitations
19 on the use of and access to the donor registry as determined by the
20 secretary of state.

21 (10) An official state personal identification card may
22 contain an identifier for voter registration purposes.

23 (11) An official state personal identification card ~~may~~ **SHALL**
24 contain information appearing in electronic or machine readable
25 codes needed to conduct a transaction with the secretary of state.
26 The information shall be limited to the person's identification
27 card number, birth date, expiration date, **FULL LEGAL NAME, DATE OF**

1 **TRANSACTION, GENDER, ADDRESS, STATE OF ISSUANCE,** and other
2 information necessary for use with electronic devices, machine
3 readers, or automatic teller machines and shall not contain the
4 person's ~~name, address, driving record~~ or other personal
5 identifier. The identification card shall identify the encoded
6 information.

7 (12) ~~(11)~~—An official state personal identification card shall
8 be issued only upon authorization of the secretary of state, and
9 shall be manufactured in a manner to prohibit as nearly as possible
10 the ability to reproduce, alter, counterfeit, forge, or duplicate
11 the identification card without ready detection.

12 (13) ~~(12)~~—Except as otherwise provided in this act, an
13 applicant shall pay a fee of \$10.00 to the secretary of state for
14 each original or renewal identification card issued. The department
15 of treasury shall deposit the fees received and collected under
16 this section in the state treasury to the credit of the general
17 fund. The legislature shall appropriate the fees credited to the
18 general fund under this act to the secretary of state for the
19 administration of this act. Appropriations from the Michigan
20 transportation fund created under section 10 of 1951 PA 51, MCL
21 247.660, shall not be used to compensate the secretary of state for
22 costs incurred and services performed under this section.

23 (14) ~~(13)~~—An original or renewal official state personal
24 identification card expires on the birthday of the person to whom
25 it is issued in the fourth year following the date of issuance **OR**
26 **ON THE DATE THE PERSON IS NO LONGER CONSIDERED TO BE LEGALLY**
27 **PRESENT IN THE UNITED STATES UNDER SECTION 1, WHICHEVER IS EARLIER.**

1 The secretary of state shall not issue an official state personal
2 identification card under this act for a period greater than 4
3 years. Except as provided in this subsection, a person may apply
4 for a renewal of an official state personal identification card by
5 mail or by other methods prescribed by the secretary of state. The
6 secretary of state shall require renewal in person by a person
7 required under section 5a of the sex offenders registration act,
8 1994 PA 295, MCL 28.725a, to maintain a valid operator's or
9 chauffeur's license or official state personal identification card.

10 (15) ~~(14)~~ The secretary of state shall waive the fee under
11 this section if the applicant is any of the following:

12 (a) A person 65 years of age or older.

13 (b) A person who has had his or her operator's or chauffeur's
14 license suspended, revoked, or denied under the Michigan vehicle
15 code, 1949 PA 300, MCL 257.1 to 257.923, because of a mental or
16 physical infirmity or disability.

17 (c) A person who presents evidence of statutory blindness as
18 provided in 1978 PA 260, MCL 393.351 to 393.368.

19 (d) A person who presents other good cause for a fee waiver.

20 (e) ~~Beginning January 1, 2007, a~~ A person who wishes to add or
21 remove a heart insignia described in subsection (1)(f).

22 (16) ~~(15)~~ A person who has been issued an official state
23 personal identification card shall apply for a renewal official
24 state personal identification card if the person changes his or her
25 name.

26 (17) ~~(16)~~ A person who has been issued an official state
27 personal identification card shall apply for a corrected

1 identification card if he or she changes his or her residential
2 address. The secretary of state may correct the address on an
3 identification card by a method prescribed by the secretary of
4 state. A fee shall not be charged for a change of residential
5 address.

6 (18) ~~(17)~~—Except as otherwise provided in subsections ~~(15)~~
7 (16) and ~~(16)~~—(17), a person who has been issued an official state
8 personal identification card may apply for a renewal official state
9 personal identification card for 1 or more of the following
10 reasons:

11 (a) The person wants to change any information on the
12 identification card.

13 (b) An identification card issued under this act is lost,
14 destroyed, or mutilated, or becomes illegible.

15 (19) ~~(18)~~—A person may indicate on an official state personal
16 identification card in a place designated by the secretary of state
17 his or her blood type, emergency contact information, immunization
18 data, medication data, a statement that the person is deaf, or,
19 until January 1, 2007, a statement that the person has made an
20 anatomical gift under part 101 of the public health code, 1978 PA
21 368, MCL 333.10101 to 333.10109.

22 (20) ~~(19)~~—If an applicant provides proof to the secretary of
23 state that he or she is a minor who has been emancipated under 1968
24 PA 293, MCL 722.1 to 722.6, the official state personal
25 identification card shall bear the designation of the individual's
26 emancipated status in a manner prescribed by the secretary of
27 state.

1 (21) ~~(20) Beginning January 1, 2007, the~~ **THE** secretary of
2 state shall inquire of each person who applies for or who holds an
3 official state personal identification card, in person or by mail,
4 whether he or she agrees to participate in the organ, tissue, and
5 eye donor registry under part 101 of the public health code, 1978
6 PA 368, MCL 333.10101 to 333.10109. A person who has agreed to
7 participate in that registry shall not be considered to have
8 revoked that agreement solely because the person's official state
9 personal identification card has expired. Enrollment in the organ,
10 tissue, and eye donor registry constitutes a legal agreement that
11 remains binding and in effect after the donor's death regardless of
12 the expressed desires of the deceased donor's next of kin who may
13 oppose the donor's organ, tissue, or eye donation.

14 (22) ~~(21)~~ A valid official state personal identification card
15 presented by the person to whom the card is issued shall be
16 considered the same as a valid state of Michigan driver license
17 when identification is requested except as otherwise specifically
18 provided by law.

19 Enacting section 1. This amendatory act does not take effect
20 unless House Bill No. 4505 of the 94th Legislature is enacted into
21 law.