

Legislative Analysis



VOTER REGISTRATION & ID VERIFICATION AT ANY LOCAL CLERK'S OFFICE

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House Bill 4383

Sponsor: Rep. Tom Pearce

House Bill 4993

Sponsor: Rep. Tim Melton

Committee: Ethics and Elections

Complete to 6-16-09

A SUMMARY OF HOUSE BILL 4383 AS INTRODUCED 2-19-09 AND HOUSE BILL 4993 AS INTRODUCED 5-26-09

The bills would allow an individual in Michigan to register to vote in any county, city, or township clerk's office, and would specify that a person who registers to vote by mail can satisfy the identification requirement, and the requirement to vote in person if a first-time voter, by presenting a valid form of identification to any county, city, or township clerk. The bills are tie-barred to each other so that neither could go into effect unless the others also were enacted into law.

House Bill 4383 would amend the Michigan Election Law (MCL 168.509t) to specify that a person who registers to vote by mail could satisfy the identification requirement of the Help America Vote Act of 2002, and the requirement that he or she vote in person if a first-time voter, by presenting a valid form of identification to any county, city, or township clerk in Michigan. (See below for valid forms of identification.)

A clerk who receives the identification and who is not the clerk where the elector is registered to vote would have to transmit to the clerk where the elector (voter) was registered a notice that the elector had satisfied the requirement. The notice would have to be transmitted in a manner prescribed by the Secretary of State. The clerk where the elector was registered would, upon receipt of the notice, be required to update the information in the qualified voter file.

[Under the federal Help America Vote Act of 2002, Section 303(b) 42 USC 15483, identification requirements can be met when a voter: (1) presents to the appropriate state or local election official a current and valid photo identification; or (2) presents to the appropriate state or local election official a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter. (Under the fail-safe voting provision, an individual who does not meet the requirements may cast a provisional ballot which is counted when the voter's identification is verified.)]

House Bill 4993 would amend the Michigan Election Law (MCL 168.509v & 168.509w) to allow an individual to apply to register to vote at any county, city, or township clerk's office in the state.

Currently, the statute allows an individual to apply to register "at the office of a clerk of a county or the office of the clerk of the city or township in which the applicant resides." (Emphasis added.)

(Applications to register can also be made at an office of the Secretary of State or at "a designated voter registration agency," such as offices of the Department of Human Services, Department of Community Health, and the Michigan Jobs Commission.)

The law requires the Department of State office, the designated voter registration agency, or the county clerk to transmit the application, not later than seven days after receipt, to the clerk of the county, city, or township where the applicant resides. House Bill 4993 would retain this requirement, and extend it to city and township clerks' offices, if the applicant does not live in that city or township.

Finally, current law requires that if an application is made within seven days before the close of registration for a federal election, then the Department of State office, the designated voter registration agency, or the county clerk transmit the application, not later than one business day, to the clerk of the county, city, or township where the applicant resides. House Bill 4993 would extend this provision also to the county, city, and township clerks' offices.

FISCAL IMPACT:

House Bill 4383 would have an indeterminate fiscal impact on local units of government. Any impact would be related to increased administrative costs from the bill's requirement that local clerks who have valid identification presented to them must transmit a notice to the clerk where the elector is registered that the voter has satisfied the identification requirement. Local units of government may also have increased administrative costs related to the requirement that local clerks update the qualified voter file information after each notification.

House Bill 4993 would have an indeterminate fiscal impact on the Department of State and local units of government. Any impact would be related to increased administrative costs stemming from the bill's provisions requiring that the office that receives the registration application transmit the application to the clerk of the county, city, or township where the applicant resides.

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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.