

MICHIGAN ELECTION LAW REVISIONS

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Senate Bill 754 (S-2)

Sponsor: Sen. Mark C. Jansen

Senate Bill 803 (S-1)

Sponsor: Sen. Darwin L. Booher

House Committee: Redistricting and Elections

Senate Committee: Local Government and Elections

Complete to 4-16-12

A SUMMARY OF SENATE BILLS 754 & 803 AS PASSED BY THE SENATE 2-14-12

Senate Bill 754 (S-2 as amended) would amend the Michigan Election Law to do the following:

- Require a person who applies in person to register to vote to present a generally recognized picture ID.
- Require the application of a person who does not present a picture ID to be considered a "mail registration" application.
- However, if a person registers to vote at a SOS office while getting a driver's license, or an official state ID card, and the person presents a birth certificate and at least one other approved ID document, then that person's voter registration application would not be considered a mail registration application.
- Allow a voter registration applicant to submit a mail registration application to a "third-party voter registration organization."
- Require a third-party voter registration organization to register with the Department of State before engaging in any voter registration activities, and require the department to maintain a database of registered organizations.
- Require the SOS to develop a training program for third-party voter registration organizations, and require an organization to participate in the program before its agents could engage in voter registration activities.
- Allow a county clerk to provide the third-party registration organization training, as an alternative to the SOS.
- Require a third-party voter registration organization to designate one individual to participate in the training, with that individual to provide training to the organization's registration agents before they conduct voter registration activities in the state.
- Require a third-party voter registration organization to deliver a registration application promptly to the applicable clerk (within 15 days after receiving it), and make the organization serve as a fiduciary to the registration applicant. If an application was received within seven days before the close of registration for

a federal election, the organization would have to transmit it to the appropriate clerk within one business day.

- Define a third-party voter registration agency as "an organization that distributes and collects voter registration applications by two or more individuals for delivery to the clerk of the county, city, or township where the applicant resides."

Senate Bill 803 (S-1, as amended) would amend the Michigan Election Law to do the following:

- Require an application to vote to include an affirmative statement by the elector that he or she is a citizen of the United States.
- Require an elector who does not affirmatively state that he or she is a U.S. citizen to be challenged, and prohibit issuing a ballot to an elector who does not make the statement under oath.
- Require an application for an absent voter ballot to ask whether the applicant is a U.S. citizen.
- Prohibit a clerk from issuing an absent voter ballot to individuals who indicate that they are not U.S. citizens.
- Require a clerk to issue an absent voter ballot to a person who does not answer the citizenship question, and include a prominent notice that the ballot would not be counted unless the question is answered before the polls close on election day.
- Allow an absent voter ballot to be counted, if a court determines that a voter was a citizen on election day.

Both bills would be effective June 1, 2012.

FISCAL IMPACT:

Senate Bill 754 would impose certain minimal costs on the Department of State. The department has indicated that any costs associated with this bill would be absorbed by current appropriations levels. The department is currently reviewing training staff levels to determine whether current staff could handle the increased training requirements under the bill.

Senate Bill 803 would have no fiscal impact on the Department of State. Any costs incurred under the provisions of the legislation would be absorbed by current appropriation levels.

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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.