

ABSENT VOTER PHOTO ID; PROHIBIT BALLOT COACHING; BALLOT TRACKER PROGRAM

Mary Ann Cleary, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5061

Sponsor: Rep. Bradford C. Jacobsen

Committee: Redistricting and Elections

Complete to 1-23-12

A SUMMARY OF HOUSE BILL 5061 AS INTRODUCED 10-12-11

House Bill 5061 would amend the Michigan Election Law (MCL 168.761 et al) to require (1) a photograph identification when obtaining an absent voter ballot; (2) the use of the ballot tracker program by local governments, if they have access to the program; and (3) that the secretary of state develop information displays indicating that ballot coaching in residential care facilities is prohibited. A more detailed description of the bill follows.

Ballot Coaching

House Bill 5061 requires that the secretary of state provide to each residential care facility in Michigan at least one information display indicating that ballot coaching in the facility is prohibited. The facility owner, operator, or facility would be required to post the information in a conspicuous place in the facility, and then provide written acknowledgement to the secretary of state that the information display had been posted. The bill defines "residential care facility" to include, but not be limited to, homes for the aged, and nursing homes. [Note: Under the bill, "home for the aged" means that term as defined in the Public Health Code at MCL 333.20106, and "nursing home" means that term as defined in the Public Health Code at MCL 333.20109.]

Photo ID for Absentee Ballot

The bill specifies that if an elector obtains an absent voter ballot in person from the clerk of a city, township, or village in which the voter is registered, then the clerk could not provide the ballot until the elector presented an official state identification card, a Michigan operator's or chauffeur's license, or another generally recognized picture identification card. An elector who did not have an official state ID card, driver's license, or picture ID could sign an affidavit to that effect before being allowed to obtain the absent voter ballot. However, if an elector obtained a ballot without providing the identification required, then that elector's ballot would be counted as a challenged ballot, as provided in Section 727 of the Michigan Election Law.

Ballot Tracker Program

The bill specifies that if a city, township, or village had access to the ballot tracker program provided by the state, then the clerk of that jurisdiction must use the ballot tracker program, and allow voters to track their absent voter ballots.

FISCAL IMPACT:

The requirement of House Bill 5061 that the Secretary of State (SOS) develop and provide each residential care facility with at least one informational display indicating that ballot coaching was prohibited would increase SOS administrative costs by an unknown amount. The cost of developing and distributing the informational display would be dependent on the number of residential care facilities in the state of Michigan.

The bill also requires an elector, prior to obtaining an absent voter ballot in person, to provide the clerk with an authorized photo identification card. If there is no identification provided, the ballot shall be prepared as a challenged ballot. This requirement would increase administrative costs to local election officials by an indeterminate, albeit negligent, amount. Previous voter ID law implementation measures required SOS training of local election officials. Any training would be conducted by the state Bureau of Elections.

Finally, the bill would require a local clerk to use the ballot tracker program provided by the SOS and allow voters to use it to track their absentee ballots. This requirement could increase administrative costs of local election clerks that do not currently use the system by a small amount.

Legislative Analyst: J. Hunault
Fiscal Analyst: Ben Gielczyk

■ 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.