

# HOUSE BILL No. 4816

August 18, 2015, Introduced by Rep. Wittenberg and referred to the Committee on Elections.

A bill to amend 1954 PA 116, entitled  
"Michigan election law,"  
by amending sections 497, 498, 500a, and 500d (MCL 168.497,  
168.498, 168.500a, and 168.500d), section 497 as amended by 1989 PA  
142, section 498 as amended by 2005 PA 71, and section 500a as  
amended by 1995 PA 87; and to repeal acts and parts of acts.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 497. (1) A person who is not registered **TO VOTE** but  
2 possesses the qualifications of an elector as ~~set forth~~ **PROVIDED** in  
3 section 492 ~~may~~ apply for registration to the clerk of the  
4 county, township, city, or village in which he or she resides on a  
5 day other than Saturday, Sunday, a legal holiday, or the day of a  
6 regular, primary, school, or special election. ~~Registrations~~ **VOTER**

1 **REGISTRATIONS** accepted between the ~~thirtieth~~**TENTH** day preceding  
 2 **BEFORE** an election and the day of the election, unless the  
 3 ~~thirtieth~~**TENTH** day falls on a Saturday, Sunday, or legal holiday,  
 4 in which event **VOTER** registration shall be accepted during the  
 5 following day, are not valid for the election but are valid for **A**  
 6 subsequent regular, primary, school, or special elections ~~that are~~  
 7 ~~held so that not less than 30 days intervene between~~ **ELECTION THAT**  
 8 **IS HELD MORE THAN 10 DAYS AFTER** the date the person registered ~~and~~  
 9 ~~the date of the election.~~**TO VOTE.**

10 (2) Except as otherwise provided in sections ~~499a to 499e,~~  
 11 ~~500a to 500j , and 504, an application for registration~~ **509V, A**  
 12 **VOTER REGISTRATION APPLICATION** shall not be executed at a place  
 13 other than the office of the county, township, city, or village  
 14 clerk or a public place or places designated by the clerk ~~or deputy~~  
 15 ~~registrar for receiving registrations, but the~~ **VOTER REGISTRATION**  
 16 **APPLICATIONS. HOWEVER, A** clerk or ~~deputy registrar~~ **ASSISTANT CLERK**  
 17 may receive ~~an~~ **A VOTER REGISTRATION** application wherever he or she  
 18 may be. If a county, township, city, or village clerk does not  
 19 regularly keep his or her office open daily during certain hours,  
 20 the clerk ~~shall~~ **IS** not ~~be~~ required to be at his or her office for  
 21 the purpose of receiving **VOTER REGISTRATION** applications ~~for~~  
 22 ~~registration on a particular day nor during specific hours of a~~  
 23 day, except as provided in section 498. ~~Registrations~~ **A VOTER**  
 24 **REGISTRATION** taken after the time of closing registrations before  
 25 an election need not be processed until the date immediately  
 26 following that election. ~~A registration~~ **AND** shall not be placed in  
 27 a precinct registration file until the date immediately following

1 that election. If a person registers **TO VOTE** at a time that  
2 registrations are closed for an election, the person shall be given  
3 a notice, signed by the clerk, on a form developed by the secretary  
4 of state, informing him or her that he or she is not eligible to  
5 vote in the election and indicating the first date on which he or  
6 she is eligible to vote. Except as provided in sections 500a to  
7 500j, the provisions of this section relating to registration shall  
8 apply.

9       Sec. 498. (1) The governing body of a township, city, or  
10 village may provide by resolution that in that township, city, or  
11 village the clerk shall be at the clerk's office, or in some other  
12 convenient place designated by the clerk, during the hours  
13 designated by the governing body on the ~~thirtieth~~-**TENTH** day  
14 preceding an election or primary election in the township, city, or  
15 village, unless the ~~thirtieth~~-**TENTH** day falls on a Saturday,  
16 Sunday, or legal holiday, in which event **VOTER** registration shall  
17 be accepted during the same hours on the following day.

18       (2) In a township, city, or village in which the clerk does  
19 not maintain regular daily office hours, the township board or the  
20 legislative body of the city or village may require that the clerk  
21 of the township, city, or village shall be at the clerk's office or  
22 other designated place for the purpose of receiving **VOTER**  
23 **REGISTRATION** applications ~~for registration on the days which~~-**THAT**  
24 the board or legislative body designates, but not more than 5 days  
25 before the last day for **VOTER** registration.

26       (3) The clerk of each township, city, and village shall give  
27 public notice of the days and hours that the clerk will be at the

1 clerk's office or other designated place for the purpose of  
2 receiving **VOTER** registrations before an election or primary  
3 election by publication of the notice, except as provided in  
4 subsection (4) and section 497(2), in a newspaper published or of  
5 general circulation in the township, city, or village and, if  
6 considered advisable by the township, city, or village clerk, by  
7 posting written or printed notices in at least 2 of the most  
8 conspicuous places in each election precinct. Except as provided in  
9 subsection (4), the publication or posting shall be made not less  
10 than 7 days before the last day for receiving **VOTER** registrations.  
11 The notice of **VOTER** registration shall include the offices to be  
12 filled that will appear on the ballot. If the notice of **VOTER**  
13 registration is for an election that includes a ballot proposal, a  
14 caption or brief description of the ballot proposal along with the  
15 location where an elector can obtain the full text of the ballot  
16 proposal shall be stated in the notice.

17 (4) Notice of **VOTER** registration for a school millage election  
18 that will be held pursuant to section 36 of the general property  
19 tax act, 1893 PA 206, MCL 211.36, ~~shall be~~ **IS** required to be  
20 published once and shall be made not less than 5 days before the  
21 last day for receiving **VOTER** registrations. ~~as provided in section~~  
22 ~~497a-~~

23 (5) A county clerk may enter into an agreement with the clerk  
24 of 1 or more townships or cities in the county or the clerks of 1  
25 or more cities or townships in a county may enter into an agreement  
26 to jointly publish the notice required in subsection (3). The  
27 notice shall be published in a newspaper of general circulation in

1 the cities and townships listed in the notice.

2 Sec. 500a. (1) The secretary of state or the secretary of  
3 state's agent shall afford a person who appears in a department of  
4 state branch office or a person who applies for renewal of an  
5 operator's or chauffeur's license under section 307 of the Michigan  
6 vehicle code, ~~Act No. 300 of the Public Acts of 1949, being section~~  
7 ~~257.307 of the Michigan Compiled Laws, 1949 PA 300, MCL 257.307,~~ an  
8 opportunity to complete ~~an application to register to vote~~ **A VOTER**  
9 **REGISTRATION APPLICATION** or to change the person's voting  
10 registration name or address, if the applicant possesses the  
11 qualifications of an elector on the date of application or will  
12 possess the qualifications at the next election. This subsection  
13 does not require a registered elector to periodically reregister or  
14 to renew his or her registration. The ~~application for registration~~  
15 **VOTER REGISTRATION APPLICATION** made under this section shall  
16 contain all of the following:

17 (a) The name of the applicant.

18 (b) The residence address of the applicant, including the  
19 street and number or rural route and box number and apartment  
20 number, if any.

21 (c) The city or township and county of residence of the  
22 applicant, and the school district of the applicant, if known.

23 (d) The date of birth of the applicant.

24 (e) The birthplace of the applicant.

25 (f) The driver's license or state personal identification card  
26 number of the applicant, if available.

27 (g) A statement that the applicant has the qualifications of

1 an elector as of the date of applying for registration, or will  
2 have the qualifications of an elector at the next election.

3 (h) A statement that the registration is not effective until  
4 processed by the clerk of the city or township in which the  
5 applicant resides.

6 (i) A statement that the applicant, if qualified, may vote at  
7 an election occurring not less than ~~30~~10 days after the date of  
8 completing the application.

9 (j) A space to indicate the applicant's last place of  
10 registration, if any.

11 (k) A statement authorizing the cancellation of registration  
12 at the applicant's last place of registration.

13 (l) A space for the applicant to sign and certify to the truth  
14 of the statements on the application.

15 (2) The applicant shall sign the **VOTER REGISTRATION**  
16 application. Upon ~~receipt of~~ **RECEIVING** the application, the agent  
17 shall sign the application, stamp the application with a validation  
18 stamp, and provide the applicant with a receipt verifying the **VOTER**  
19 registration application. The agent shall promptly forward the  
20 application to the county clerk of the applicant's residence or to  
21 a city or township clerk designated by the secretary of state.

22 Sec. 500d. A person who has properly completed ~~an application~~  
23 ~~for registration~~ **A VOTER REGISTRATION APPLICATION** at an office of  
24 the secretary of state or his **OR HER** agent shall be permitted to  
25 vote in all elections occurring not less than ~~30~~10 days after  
26 making **THE** application if the clerk determines the person is  
27 qualified and the **VOTER** identification card is not returned by the

1 post office as provided by section 500c. If the clerk determines  
2 the person is not qualified, the clerk immediately shall send a  
3 notice to the applicant at the address stated in the application  
4 stating the determination and the reasons ~~therefor.~~ **THE PERSON IS**  
5 **NOT QUALIFIED.** A person shall be permitted to vote if he **OR SHE**  
6 presents at the polls a validated voter registration application  
7 receipt and the clerk determines the person is qualified.

8 Enacting section 1. Section 497a of the Michigan election law,  
9 1954 PA 116, MCL 168.497a, is repealed.

10 Enacting section 2. This amendatory act takes effect 90 days  
11 after the date it is enacted into law.