

SUBSTITUTE FOR
HOUSE BILL NO. 4671

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 509o (MCL 168.509o), as added by 1994 PA 441,
and by adding section 645a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 509o. (1) The secretary of state shall direct and
2 supervise the establishment and maintenance of a statewide
3 qualified voter file. The secretary of state shall establish the
4 technology to implement the qualified voter file on or before
5 January 1, 1997. The qualified voter file shall be the official
6 file for the conduct of all elections held in this state on or
7 after January 1, 1998. The secretary of state may direct that all
8 or any part of the city ~~, OR~~ township ~~, or village~~ registration
9 files ~~shall~~ **MUST** be used in conjunction with the qualified voter

1 file at the first state primary and election held after the
2 creation of the qualified voter file.

3 (2) Notwithstanding any other provision of law to the
4 contrary, beginning January 1, 1998, a person who appears to vote
5 in an election and whose name appears in the qualified voter file
6 for that city ~~, OR township, village, or school district~~ is
7 considered a registered voter of that city ~~, OR township, village,~~
8 ~~or school district~~ under this act.

9 (3) The secretary of state, a designated voter registration
10 agency, or a county, city ~~, OR township, or village~~ clerk shall
11 not place a name of an individual into the qualified voter file
12 unless that person signs an application as prescribed in section
13 509r(3). The secretary of state or a designated voter registration
14 agency shall not allow a person to indicate a different address
15 than the address in either the secretary of state's or designated
16 voter registration agency's files to be placed in the qualified
17 voter file.

18 (4) BEGINNING JANUARY 1, 2018, THE BUREAU OF ELECTIONS OR A
19 COUNTY CLERK MAY ENTER INTO A WRITTEN AGREEMENT WITH THE CLERK OF
20 ANY CITY OR TOWNSHIP TO ALLOW THE BUREAU OF ELECTIONS OR A COUNTY
21 CLERK TO HANDLE THE QUALIFIED VOTER FILE LIST MAINTENANCE AS
22 OUTLINED IN SECTION 509AA FOR THAT CITY OR TOWNSHIP. A WRITTEN
23 AGREEMENT ENTERED INTO UNDER THIS SUBSECTION IS NOT EFFECTIVE
24 UNLESS AGREED TO BY THE ELECTED CLERK OR CLERKS AND APPROVED BY
25 RESOLUTION OF THE GOVERNING BODY OF THE PARTICIPATING CITY OR
26 TOWNSHIP.

27 SEC. 645A. (1) NOTWITHSTANDING ANY PROVISION OF LAW TO THE

1 CONTRARY, THE CLERK OF A CITY OR TOWNSHIP MAY ENTER INTO A WRITTEN
2 AGREEMENT WITH THE CLERK OF THE COUNTY IN WHICH THAT CITY OR
3 TOWNSHIP IS LOCATED FOR THE COUNTY CLERK TO CONDUCT CERTAIN
4 ELECTION ADMINISTRATION DUTIES FOR THE CITY OR TOWNSHIP, INCLUDING,
5 BUT NOT LIMITED TO, ANY OF THE FOLLOWING:

6 (A) DISTRIBUTING, RECEIVING, AND PROCESSING ABSENT VOTER
7 BALLOT APPLICATIONS AND ABSENT VOTER BALLOTS.

8 (B) PROCESSING VOTER REGISTRATIONS IN THE QUALIFIED VOTER
9 FILE.

10 (C) CONDUCTING REGULAR LIST MAINTENANCE OF THE QUALIFIED VOTER
11 FILE, INCLUDING, BUT NOT LIMITED TO, MAINTAINING THE STREET INDEX.

12 (D) RECEIVING AFFIDAVITS OF IDENTITY AND NOMINATING PETITIONS
13 OR FILING FEES FROM CANDIDATES FOR PUBLIC OFFICE.

14 (2) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, THE
15 CLERK OF A CITY OR TOWNSHIP MAY ENTER INTO A WRITTEN AGREEMENT WITH
16 ANOTHER CLERK OF A CITY OR TOWNSHIP TO CONDUCT CERTAIN ELECTION
17 ADMINISTRATION DUTIES FOR THE CITY OR TOWNSHIP, INCLUDING, BUT NOT
18 LIMITED TO, ANY OF THE FOLLOWING:

19 (A) DISTRIBUTING, RECEIVING, AND PROCESSING ABSENT VOTER
20 BALLOT APPLICATIONS AND ABSENT VOTER BALLOTS.

21 (B) PROCESSING VOTER REGISTRATIONS IN THE QUALIFIED VOTER
22 FILE.

23 (C) CONDUCTING REGULAR LIST MAINTENANCE OF THE QUALIFIED VOTER
24 FILE, INCLUDING, BUT NOT LIMITED TO, MAINTAINING THE STREET INDEX.

25 (D) PREPARING FOR AND CONDUCTING ELECTION DAY OPERATIONS.

26 (E) RECEIVING AFFIDAVITS OF IDENTITY AND NOMINATING PETITIONS
27 OR FILING FEES FROM CANDIDATES FOR PUBLIC OFFICE.

1 (3) A WRITTEN AGREEMENT ENTERED INTO UNDER SUBSECTION (1) OR
2 (2) IS NOT EFFECTIVE UNLESS AGREED TO BY THE ELECTED CLERKS AND
3 APPROVED BY RESOLUTION OF THE GOVERNING BODY OF EACH PARTICIPATING
4 COUNTY, CITY, OR TOWNSHIP.

5 (4) IF THE OFFICE OF COUNTY, CITY, OR TOWNSHIP CLERK BECOMES
6 VACANT IN CLOSE PROXIMITY TO AN ELECTION, A COUNTY, CITY, OR
7 TOWNSHIP CLERK MAY, WITH THE APPROVAL OF THE GOVERNING BODY OF THE
8 COUNTY, CITY, OR TOWNSHIP WHERE THE VACANCY OCCURS, SUPERVISE OR
9 ADMINISTER THE UPCOMING ELECTION.

10 (5) THE BUREAU OF ELECTIONS SHALL DEVELOP MODEL LANGUAGE TO BE
11 USED BY A COUNTY, CITY, OR TOWNSHIP FOR WRITTEN AGREEMENTS ENTERED
12 INTO UNDER THIS SECTION.

13 (6) A WRITTEN AGREEMENT ENTERED INTO UNDER THIS SECTION MUST
14 CONTAIN A PROVISION THAT EITHER PARTICIPATING PARTY SUBJECT TO THE
15 WRITTEN AGREEMENT MAY TERMINATE THAT WRITTEN AGREEMENT WITH 60
16 DAYS' WRITTEN NOTICE TO THE OTHER PARTICIPATING PARTY.

17 (7) A WRITTEN AGREEMENT ENTERED INTO UNDER THIS SECTION MUST
18 BE FILED WITH THE BUREAU OF ELECTIONS AND WITH THE CLERK OF EACH
19 COUNTY WHERE A PARTICIPATING PARTY IS LOCATED. IN ADDITION, THE
20 WRITTEN NOTICE TO TERMINATE A WRITTEN AGREEMENT ENTERED INTO UNDER
21 THIS SECTION MUST BE FILED WITH THE BUREAU OF ELECTIONS AND WITH
22 THE CLERK OF EACH COUNTY WHERE A PARTICIPATING PARTY IS LOCATED.

23 Enacting section 1. This amendatory act takes effect 90 days
24 after it is enacted into law.