

SUBSTITUTE FOR  
HOUSE BILL NO. 6071

A bill to amend 1954 PA 116, entitled  
"Michigan election law,"  
by amending section 662 (MCL 168.662), as amended by 2004 PA 92.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 662. (1) The legislative body in each city ~~, village,~~ and  
2       township shall designate and prescribe the place or places of  
3       holding an election for a city, village, or township election, and  
4       shall provide a suitable polling place in or for each precinct  
5       located in the city ~~, village,~~ or township for use at each  
6       election. Except as otherwise provided in this section, school  
7       buildings, fire stations, police stations, and other publicly owned  
8       or controlled buildings ~~shall~~**must** be used as polling places. ~~If~~  
9       **(2) Subject to this subsection, if** it is not possible or

1 convenient to use a publicly owned or controlled building as a  
 2 polling place **as described in subsection (1)**, the legislative body  
 3 of the city ~~, or township, or village~~ may use as a polling place a  
 4 building owned or controlled by an organization that is exempt from  
 5 federal income tax as provided by section 501(c), other than  
 6 501(c)(4), (5), or (6), of the internal revenue code of 1986, ~~or~~  
 7 ~~any successor statute.~~ **26 USC 501.** The legislative body of a city ~~, or~~  
 8 ~~or township, or village~~ shall not designate as a polling place a  
 9 building **as described in this subsection** that is owned by a person  
 10 ~~who~~ **that** is a sponsor of a political committee or independent  
 11 committee **or that is owned by an individual who is a candidate.** A  
 12 city, township, or village shall not use as a polling place a  
 13 building that does not meet the requirements of this section. As  
 14 used in this subsection, "sponsor of a political committee or  
 15 independent committee" means a person who is described as being a  
 16 sponsor under section 24(3) of the Michigan campaign finance act,  
 17 1976 PA 388, MCL 169.224, and includes a subsidiary of a  
 18 corporation or a local of a labor organization, if the corporation  
 19 or labor organization is considered a sponsor under section 24(3)  
 20 of the Michigan campaign finance act, 1976 PA 388, MCL 169.224.  
 21 (2) The legislative body in each city, village, and township  
 22 shall make arrangements for the rental or erection of suitable  
 23 buildings for use as polling places if publicly owned or controlled  
 24 buildings are not available, and shall have the polling places  
 25 equipped with the necessary facilities for lighting and with  
 26 adequate facilities for heat and ventilation. The legislative body  
 27 may establish a central polling place or places for 6 precincts or  
 28 less if it is possible and convenient for the electors to vote at  
 29 the central polling place. The legislative body may abolish other

1 ~~polling places not required as a result of the establishment of a~~  
2 ~~central polling place.~~

3 (3) The legislative body of a city ~~, village,~~ or township may  
4 establish a polling place at a for profit or nonprofit residence or  
5 facility in which 150 ~~persons~~**individuals** or more aged 62 or older  
6 reside or at an apartment building or complex in which 150 ~~persons~~  
7 **individuals** or more reside.

8 (4) Subject to this subsection, if a suitable polling place as  
9 described in subsections (1), (2), and (3) is not reasonably  
10 available for use or convenient to use, the legislative body of a  
11 city or township may establish a polling place at any privately  
12 owned banquet or conference center or recreation clubhouse. The  
13 legislative body of a city or township shall not designate as a  
14 polling place a building described in this subsection that is owned  
15 by a person that is a sponsor of a political committee or  
16 independent committee or that is owned by an individual who is a  
17 candidate. Before a building that is not publicly owned or  
18 controlled as described in this subsection is designated as a  
19 polling place by a city or township, the clerk of the city or  
20 township in which that building is located must obtain a signed  
21 affidavit from the owner or manager of the building that certifies  
22 that the owner of the building is not a person that is a sponsor of  
23 a political committee or independent committee or is not an  
24 individual who is a candidate.

25 (5) The legislative body in each city or township may  
26 establish a central polling place or places for 6 precincts or less  
27 if it is possible and convenient for the electors to vote at the  
28 central polling place. The legislative body in each city or  
29 township may abolish other polling places not required as a result

1 **of the establishment of a central polling place.**

2       **(6)** A township board may provide polling places located within  
 3 the limits of a city that has been incorporated from territory  
 4 formerly a part of the township, and the electors of the township  
 5 may cast their ballots at those polling places. If 2 contiguous  
 6 townships utilize a combined township hall or other publicly owned  
 7 or controlled building within 1 of the township's boundaries and  
 8 outside of the other township's boundaries, and there is not  
 9 another publicly owned or controlled building or a building owned  
 10 or controlled by an organization that is exempt from federal income  
 11 tax, as provided by section 501(c), other than 501(c)(4), (5), or  
 12 (6), of the internal revenue code of 1986, **26 USC 501**, available or  
 13 suitable for a polling place within the other township, then each  
 14 township board may provide a polling place in that publicly owned  
 15 building for 1 or more election precinct.

16       **(7) A city or township shall not use as a polling place a**  
 17 **building that does not meet the requirements of this section.**

18       **(8)** ~~(4)~~ The legislative body of a city ~~, village,~~ or township  
 19 shall not establish, move, or abolish a polling place less than 60  
 20 days before an election unless necessary because a polling place  
 21 has been damaged, destroyed, or rendered inaccessible or unusable  
 22 as a polling place.

23       **(9)** ~~(5)~~ The legislative body of a city ~~, village,~~ or township  
 24 shall ensure that a polling place established under this section is  
 25 accessible and complies with the voting accessibility for the  
 26 elderly and handicapped act and the help America vote act of 2002.

27       **(10)** ~~(6)~~ As used in this section: ~~, "accessible"~~

28       **(a) "Accessible"** means the removal or modification of  
 29 policies, practices, and procedures that deny an individual with a

1 disability the opportunity to vote, including the removal of  
2 physical barriers as identified in section 261(b) of the help  
3 America vote act of 2002, ~~42 USC 15421~~, **52 USC 21021**, so as to  
4 ensure individuals with disabilities the opportunity to participate  
5 in elections in this state.

6 (b) "Candidate" means that term as defined in section 3 of the  
7 Michigan campaign finance act, 1976 PA 388, MCL 169.203.

8 (c) "Sponsor of a political committee or independent  
9 committee" means a person that is described as being a sponsor  
10 under section 24(3) of the Michigan campaign finance act, 1976 PA  
11 388, MCL 169.224, and includes a subsidiary of a corporation or a  
12 local of a labor organization, if the corporation or labor  
13 organization is considered a sponsor under section 24(3) of the  
14 Michigan campaign finance act, 1976 PA 388, MCL 169.224.