

HOUSE BILL NO. 6071

May 05, 2022, Introduced by Reps. Bollin and Koleszar and referred to the Committee on Elections and Ethics.

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

or controlled buildings ~~shall~~**must** be used as polling places. ~~If~~

(2) Subject to this subsection, if it is not possible or convenient to use a publicly owned or controlled building as a polling place **as described in subsection (1)**, the legislative body of the city ~~, or township, or village~~ may use as a polling place a building owned or controlled by an organization that is exempt from federal income tax as provided by section 501(c), other than 501(c)(4), (5), or (6), of the internal revenue code of 1986, ~~or~~

~~any successor statute.~~ **26 USC 501.** The legislative body of a city ~~, or township, or village~~ shall not designate as a polling place a building **as described in this subsection** that is owned by a person ~~who~~**that** is a sponsor of a political committee or independent committee **or that is owned by an individual who is a candidate.** A city, township, or village shall not use as a polling place a building that does not meet the requirements of this section. As used in this subsection, "sponsor of a political committee or independent committee" means a person who is described as being a sponsor under section 24(3) of the Michigan campaign finance act, 1976 PA 388, MCL 169.224, and includes a subsidiary of a corporation or a local of a labor organization, if the corporation or labor organization is considered a sponsor under section 24(3) of the Michigan campaign finance act, 1976 PA 388, MCL 169.224.

~~(2) The legislative body in each city, village, and township shall make arrangements for the rental or erection of suitable buildings for use as polling places if publicly owned or controlled buildings are not available, and shall have the polling places equipped with the necessary facilities for lighting and with adequate facilities for heat and ventilation. The legislative body may establish a central polling place or places for 6 precincts or~~

1 ~~less if it is possible and convenient for the electors to vote at~~
2 ~~the central polling place. The legislative body may abolish other~~
3 ~~polling places not required as a result of the establishment of a~~
4 ~~central polling place.~~

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

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

27 (5) Subject to this subsection, if a suitable polling place as
28 described in subsections (1), (2), (3), and (4) is not reasonably
29 available for use or convenient to use, the legislative body of a

1 city or township may establish a polling place at any adequate
2 building that is open to the public. The legislative body of a city
3 or township shall not designate as a polling place a building
4 described in this subsection that is owned by a person that is a
5 sponsor of a political committee or independent committee or that
6 is owned by an individual who is a candidate. Before a building
7 that is not publicly owned or controlled as described in this
8 subsection is designated as a polling place by a city or township,
9 the clerk of the city or township in which that building is located
10 must obtain a signed affidavit from the owner or manager of the
11 building that certifies that the owner of the building is not a
12 person that is a sponsor of a political committee or independent
13 committee or is not an individual who is a candidate.

14 (6) The legislative body in each city or township may
15 establish a central polling place or places for 6 precincts or less
16 if it is possible and convenient for the electors to vote at the
17 central polling place. The legislative body in each city or
18 township may abolish other polling places not required as a result
19 of the establishment of a central polling place.

20 (7) A township board may provide polling places located within
21 the limits of a city that has been incorporated from territory
22 formerly a part of the township, and the electors of the township
23 may cast their ballots at those polling places. If 2 contiguous
24 townships utilize a combined township hall or other publicly owned
25 or controlled building within 1 of the township's boundaries and
26 outside of the other township's boundaries, and there is not
27 another publicly owned or controlled building or a building owned
28 or controlled by an organization that is exempt from federal income
29 tax, as provided by section 501(c), other than 501(c)(4), (5), or

(6), of the internal revenue code of 1986, **26 USC 501**, available or suitable for a polling place within the other township, then each township board may provide a polling place in that publicly owned building for 1 or more election precinct.

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

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

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

(11) ~~(6)~~—As used in this section: ~~,"accessible"~~

(a) "Accessible" means the removal or modification of policies, practices, and procedures that deny an individual with a disability the opportunity to vote, including the removal of physical barriers as identified in section 261(b) of the help America vote act of 2002, ~~42 USC 15421,~~ **52 USC 21021**, so as to ensure individuals with disabilities the opportunity to participate in elections in this state.

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

(c) "Sponsor of a political committee or independent committee" means a person that is described as being a sponsor under section 24(3) of the Michigan campaign finance act, 1976 PA 388, MCL 169.224, and includes a subsidiary of a corporation or a

1 local of a labor organization, if the corporation or labor
2 organization is considered a sponsor under section 24(3) of the
3 Michigan campaign finance act, 1976 PA 388, MCL 169.224.