

MICHIGAN ELECTION LAW (EXCERPT)
Act 116 of 1954

168.493b Automatic voter registration agencies; transmission of voter registration information; procedure and schedule; Medicaid application; submission requests by tribal nations; memorandum of understanding; release from incarceration; procedures for processing electronic records.

Sec. 493b. (1) If the secretary of state verifies that a state agency in the regular course of business collects sufficient information, including through documents or database verification, to confirm the eligibility for voter registration or the updating of information for an existing voter registration, the secretary of state may designate that state agency as an automatic voter registration agency. Once a state agency is designated as an automatic voter registration agency, that state agency must not be removed as an automatic voter registration agency unless it is shown that the state agency no longer collects sufficient information to confirm the eligibility for voter registration or the updating of information for an existing voter registration.

(2) If a state agency is designated as an automatic voter registration agency under subsection (1), that state agency and the secretary of state shall jointly establish a procedure and schedule for automatically and electronically transmitting voter registration information from the state agency to the secretary of state for those individuals who are eligible to register to vote or preregister to vote, or to update information in the qualified voter file for those individuals who are already registered to vote or preregistered to vote. Subject to any instructions issued and determined necessary by the secretary of state to conform with a designated state agency transaction, each designated state agency under subsection (1), the secretary of state, and the clerk of each city and township must comply with the procedures under section 493a for automatically registering and preregistering individuals to vote.

(3) If information is received under subsection (2) for an individual who is already registered to vote or preregistered to vote, the secretary of state shall use the most recent information for the residence address or name of the individual received from the state agency to update the individual's information in the qualified voter file. The secretary of state shall send to the individual's new residence address, by forwardable mail, notice of the change and a postage prepaid and preaddressed return form by which the individual may verify or correct the information. If the individual returns the notice and indicates that the change to the individual's record was in error, the secretary of state must immediately revert the individual's updated information in the qualified voter file to the information as it existed before the update.

(4) Subject to compliance with all applicable federal laws and regulations, as part of an application for Medicaid coverage to the department of health and human services, the department of health and human services shall automatically and electronically transmit the information required under section 509q(1)(a), either the information required under section 509q(1)(b) or the last 4 digits of the individual's Social Security number, and the individual's digitized signature, if available, to the secretary of state for each individual who is of sufficient age to register to vote or preregister to vote and who is verified as a United States citizen. Subject to any instructions issued and determined necessary by the secretary of state to conform with the structure of a department of health and human services application, in processing the information received from the department of health and human services under this subsection, the secretary of state and each city or township clerk shall comply with the requirements established under section 493a(2) to (5) and (7) for automatically registering and preregistering individuals to vote, and the requirements established under subsection (3) for updating information for individuals who are already registered to vote or preregistered to vote.

(5) Subject to compliance with all applicable federal laws and regulations, an Indian nation or tribe located in this state may, at its discretion, submit a request to the secretary of state for approval to allow the governing body of the Indian nation or tribe, or an election board, election official, or other designated representative of the Indian nation or tribe, to electronically submit the information required under section 509q(1)(a), either the information required under section 509q(1)(b) or the last 4 digits of the individual's Social Security number, and the individual's digitized signature, if available, for any tribal member to the secretary of state for the purpose of registering and preregistering tribal members to vote or for updating the registration or preregistration information of tribal members. If an Indian nation or tribe submits a request under this subsection and the Indian nation's or tribe's governing body, election board, election official, or other designated representative collects sufficient information, including through documents or database verification, to confirm the eligibility for registration or for updating the information for an existing voter registration, the secretary of state shall enter into a memorandum of understanding with the Indian nation or tribe regarding transmission and processing of information for purposes of voter registration. Subject to any instructions issued and determined necessary by the secretary of state to conform with Indian nation or tribal

procedures, in processing information received under this subsection, the secretary of state and each city or township clerk shall comply with the requirements established under section 493a(2) to (5) and (7) for automatically registering and preregistering individuals to vote, and the requirements established under subsection (3) for updating information for individuals who are already registered to vote or preregistered to vote.

(6) The secretary of state and the department of corrections shall coordinate to ensure that eligible individuals are automatically registered to vote, with the opportunity to decline the voter registration, on release from incarceration imposed as a sentence for a crime. Subject to this subsection, for individuals scheduled to be released on parole, or discharged on completion of the individual's maximum sentence, and who will be issued an operator's or chauffeur's license under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, an official state personal identification card under 1972 PA 222, MCL 28.291 to 28.300, or an enhanced driver license or enhanced official state personal identification card under the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.301 to 28.308, the secretary of state and the department of corrections shall use the procedures under section 493a(2) to (7) to comply with this subsection. However, an individual must not be registered to vote until the individual's release on parole or discharge on completion of the individual's maximum sentence. The procedures under section 493a(2) to (5) must be used for each individual who submits an application for an operator's or chauffeur's license under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, an official state personal identification card under 1972 PA 222, MCL 28.291 to 28.300, or an enhanced driver license or enhanced official state personal identification card under the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.301 to 28.308, who provides or has provided documentation demonstrating United States citizenship, and who is of sufficient age to register to vote. The notice and procedures required under section 493a(2) to (5) must be modified to reflect that the individual is not registered to vote until released on parole or discharged on completion of the individual's maximum sentence. Subject to this subsection, the procedures under section 493a(6) must be used for each individual who submits an application for an operator's or chauffeur's license under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or an official state personal identification card under 1972 PA 222, MCL 28.291 to 28.300, and who has not provided documentation demonstrating United States citizenship but is of sufficient age to register to vote. However, the secretary of state shall not provide an opportunity to register to vote or automatically register to vote any individual who, at the time of submitting an application for an operator's or chauffeur's license under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or an official state personal identification card under 1972 PA 222, MCL 28.291 to 28.300, provides documentation demonstrating that the individual is not a United States citizen. The secretary of state and the department of corrections shall jointly ensure that an individual is not registered to vote under this subsection until the individual has been released on parole or discharged on completion of the individual's maximum sentence. For any individual who is released from incarceration imposed as a sentence for a crime and who is not otherwise subject to this subsection, the department of corrections and the secretary of state shall, as provided under subsection (2), jointly establish a procedure and schedule for automatically and electronically transmitting voter registration information from the department of corrections to the secretary of state for those individuals who are eligible to register or preregister to vote.

(7) The secretary of state shall develop procedures for processing electronic records received from a state agency designated as an automatic voter registration agency, or from an Indian nation or tribe under this section, that do not include a digitized image of the applicant's signature.

History: Add. 2023, Act 268, Eff. June 30, 2025.

Popular name: Election Code