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BILL ANALYSIS

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Senate Bill 754 (as introduced 10-12-11)
Sponsor: Senator Mark C. Jansen
Committee: Local Government and Elections

Date Completed: 11-2-11

CONTENT

The bill would amend the Michigan Election Law to do the following:

- **Require a person who applied in person to register to vote to present a picture ID.**
- **Require the application of a person who did not present a picture ID to be considered a mail registration application.**
- **Allow a voter registration applicant to submit a mail registration application to a "third-party voter registration organization".**
- **Require a third-party voter registration organization to register with the Department of State, and require the Department to maintain a database of registered organizations.**
- **Require the Secretary of State (SOS) to develop a training program for third-party voter registration organizations, and require an organization to participate in the program before its agents could engage in voter registration activities.**
- **Require a third-party voter registration organization to transmit to the applicable clerk within one business day a registration the organization received within seven days before the close of registration for a Federal election.**

Voter Registration: Picture ID

Beginning on the bill's effective date, a person who applied in person to register to vote at a Department of State office, a designated voter registration agency, the office of a county clerk, or the office of the clerk of the city or township in which the applicant resided, would have to identify himself or herself by presenting an official State ID card, driver license, or other generally recognized picture ID card. If the person did not present any of those forms of identification, his or her voter registration application would have to be considered a mail registration application.

(A designated voter registration agency is an executive department, State agency, or other office designated by the Governor to perform voter registration activities in Michigan.)

Third-Party Voter Registration Organization

Under the Law, a person who is not registered to vote at the address where he or she resides may apply to register to vote by submitting an application in person at any of the

following locations: the office of the clerk of a county, city, or township in which the applicant resides; a Department of State office; or a designated voter registration agency.

A person also may apply by submitting a completed mail registration application to any of the following:

- The Secretary of State (SOS).
- The clerk of the county, city, or township in which he or she resides.
- A designated voter registration agency.

Under the bill, an applicant also could submit a mail registration application to a third-party voter registration organization. ("Third-party voter registration organization" would mean a person, entity, or organization that solicits a person to return a voter registration application to the organization, or that collects voter registration applications from applicants. The term would not include the SOS; a county, city, township, or village clerk or assistant clerk; a designated voter registration agency; or a person who registers voters or who collects applications as an employee or agent of any of those entities.)

Before engaging in any voter registration activities, a third-party organization would have to register with the Department of State, on a form prescribed by the Department, and give the Department all of the following information:

- The organization's name and permanent address.
- The name of each officer of the organization.
- The name and address of the organization's registered agent in Michigan.

If any of this information changed, the organization promptly would have to give the Department of State updated information. The Department would have to maintain a database containing the name and address of each registered third-party voter registration organization.

The SOS would have to develop a voter registration training program for third-party voter registration organizations that taught the proper procedure for taking a voter registration application. The SOS would have to provide training to organizations that was consistent with the program.

Each organization would have to designate one person to participate in the training program. That person would have to provide training to the organization's registration agents before they conducted voter registration activities in Michigan.

Each registration agent employed by or volunteering for a third-party registration organization would have to sign a statement, as prescribed by the Department of State, that certified that the agent would comply with all State laws and rules concerning the registration of electors. The statement would have to include a provision indicating that the registration agent had received voter registration training, as well as a notice of applicable penalties for false registration of electors under the Law.

A third-party voter registration organization would have to keep the signed statements on file for at least two years. The statements would have to be made available to the Department of State upon request.

The bill provides that an organization would serve as a fiduciary to the voter registration applicant, ensuring that the person's application would be delivered promptly to the clerk of the county, city, or township where he or she lived.

If a third-party voter registration organization received an application within seven days before the close of registration for a Federal election, the organization would have to transmit it to the clerk of the county, city, or township where the applicant resided within one business day.

If an organization wanted to withdraw as a registered third-party voter registration organization, it would have to submit to the Department of State a withdrawal form, as prescribed by the Department.

MCL 168.509v et al.

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

There would be a minimal cost to the Department of State to maintain a database of registered third-party voter registration organizations. The number of these organizations is unknown; however, these costs should be absorbed by the Department's annual appropriations. Additionally, there would be some staffing costs associated with the requirement for the Secretary of State to develop a training program for third-party voter registration organizations. That cost estimate is currently unknown and is being determined by the Department of State.

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.