

SENATE BILL No. 28

January 16, 2013, Introduced by Senators BIEDA, ANDERSON, WARREN, WHITMER, YOUNG, GREGORY, HOOD, JOHNSON and HOPGOOD and referred to the Committee on Local Government and Elections.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 509v, 509w, and 509x (MCL 168.509v, 168.509w, and 168.509x), as added by 1994 PA 441.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 509v. (1) A person who is not registered to vote at the
2 address where he or she resides may apply to register to vote by
3 submitting an application at any of the following locations:

4 (a) The office of the clerk of a county or the office of the
5 clerk of the city or township in which the applicant resides,
6 during regular office hours of that clerk.

7 (b) A department of state office.

8 (c) A designated voter registration agency when submitting an
9 application, recertification, renewal, or change of address at the
10 voter registration agency.

1 (2) A person who is not registered to vote at the address
2 where he or she resides may apply for registration by submitting a
3 completed mail registration application. A person may request a
4 mail registration application from and submit the application to
5 any of the following:

6 (a) The secretary of state.

7 (b) The clerk of the county, city, or township in which the
8 applicant resides.

9 (c) A designated voter registration agency.

10 (3) NOT LATER THAN JUNE 30, 2013, THE SECRETARY OF STATE SHALL
11 DEVELOP AND IMPLEMENT A SYSTEM TO ALLOW AN APPLICANT TO SUBMIT A
12 VOTER REGISTRATION APPLICATION ELECTRONICALLY ON THE SECRETARY OF
13 STATE'S WEBSITE.

14 (4) BEGINNING JULY 1, 2013, A PERSON WHO IS NOT REGISTERED TO
15 VOTE AT THE ADDRESS WHERE HE OR SHE RESIDES MAY SUBMIT A VOTER
16 REGISTRATION APPLICATION ELECTRONICALLY ON THE SECRETARY OF STATE'S
17 WEBSITE.

18 (5) A PERSON WHO SUBMITS A VOTER REGISTRATION APPLICATION
19 ELECTRONICALLY PURSUANT TO SUBSECTION (4) SHALL DO ALL OF THE
20 FOLLOWING:

21 (A) ATTEST TO THE TRUTH OF THE INFORMATION PROVIDED ON THE
22 VOTER REGISTRATION APPLICATION BY AFFIRMATIVELY ACCEPTING THE
23 INFORMATION AS TRUE.

24 (B) AFFIRMATIVELY ASSENT TO THE USE OF HIS OR HER MOST RECENT
25 DIGITIZED SIGNATURE IF CAPTURED OR REPRODUCED BY THE SECRETARY OF
26 STATE PURSUANT TO SECTION 307 OF THE MICHIGAN VEHICLE CODE, 1949 PA
27 300, MCL 257.307, OR IF CAPTURED OR REPRODUCED BY THE SECRETARY OF

1 STATE PURSUANT TO 1972 PA 222, MCL 28.291 TO 28.300.

2 (C) SIGN THE VOTER REGISTRATION APPLICATION WITH AN ELECTRONIC
3 SIGNATURE. AS USED IN THIS SUBDIVISION, "ELECTRONIC SIGNATURE"
4 MEANS THAT TERM AS DEFINED IN SECTION 2 OF THE UNIFORM ELECTRONIC
5 TRANSACTIONS ACT, 2000 PA 305, MCL 450.832.

6 (6) IF A PERSON WHO SUBMITS A VOTER REGISTRATION APPLICATION
7 ELECTRONICALLY DOES NOT HAVE AN OFFICIAL STATE IDENTIFICATION CARD
8 ISSUED PURSUANT TO 1972 PA 222, MCL 28.291 TO 28.300, OR AN
9 OPERATOR'S OR CHAUFFEUR'S LICENSE ISSUED PURSUANT TO THE MICHIGAN
10 VEHICLE CODE, 1949 PA 300, MCL 257.1 TO 257.923, THE VOTER
11 REGISTRATION APPLICATION SUBMITTED ELECTRONICALLY BY THAT PERSON
12 SHALL BE CONSIDERED A REGISTRATION BY MAIL AND THAT PERSON SHALL
13 COMPLY WITH THE REQUIREMENTS IN SECTION 509T.

14 (7) THE SECRETARY OF STATE MAY IMPLEMENT ADDITIONAL SECURITY
15 MEASURES TO ENSURE THE ACCURACY AND INTEGRITY OF THE VOTER
16 REGISTRATIONS SUBMITTED ELECTRONICALLY.

17 (8) THE SECRETARY OF STATE SHALL PROMULGATE RULES PURSUANT TO
18 THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201
19 TO 24.328, TO IMPLEMENT THE PROVISIONS OF SUBSECTIONS (3) TO (7).

20 Sec. 509w. (1) The person processing an application submitted
21 in person at a department of state office, a designated voter
22 registration agency, or the office of a county clerk shall do all
23 of the following:

24 (a) Validate the application in the manner prescribed by the
25 secretary of state.

26 (b) Issue a receipt to the applicant verifying the acceptance
27 of the application.

1 (2) THE PERSON PROCESSING AN APPLICATION SUBMITTED
2 ELECTRONICALLY PURSUANT TO SECTION 509V SHALL DO ALL OF THE
3 FOLLOWING:

4 (A) VALIDATE THE APPLICATION IN THE MANNER PRESCRIBED BY THE
5 SECRETARY OF STATE.

6 (B) ISSUE A RECEIPT TO THE APPLICANT IN THE MANNER PRESCRIBED
7 BY THE SECRETARY OF STATE VERIFYING THE ACCEPTANCE OF THE
8 APPLICATION.

9 (3) ~~(2)~~—Except as otherwise provided in subsection ~~(3)~~ **(4)**,
10 the department of state office, the designated voter registration
11 agency, or the county clerk shall transmit the application not
12 later than 7 days after receipt of the application to the clerk of
13 the county, city, or township where the applicant resides.

14 (4) ~~(3)~~—If an application under subsection (1) **OR (2)** is made
15 within 7 days before the close of registration for a federal
16 election, the department of state office, the designated voter
17 registration agency, or the county clerk shall transmit the
18 application not later than 1 business day to the clerk of the
19 county, city, or township where the applicant resides.

20 (5) ~~(4)~~—If a completed application is transmitted by the
21 secretary of state or a designated voter registration agency to a
22 county clerk, the secretary of state, to the extent funds are
23 appropriated, shall compensate the county clerk for the cost of
24 forwarding the application to the proper city or township clerk of
25 the applicant's residence from funds appropriated to the secretary
26 of state for that purpose.

27 Sec. 509x. An application for registration is considered ~~to be~~

1 received on or before the close of registration —if 1 of the
2 following requirements is met:

3 (a) An application is received at a department of state
4 office, a designated voter registration agency, or the office of a
5 county, city, or township clerk on or before the close of
6 registration.

7 (b) An application is received through the mail that is
8 postmarked on or before the close of registration.

9 (c) An application is received through the mail on or before
10 the seventh day immediately following the close of registration, if
11 the postmark is missing or is unclear and the application, on its
12 face, is dated by the applicant on or before the close of
13 registration. The clerk shall consider an application received
14 pursuant to this subdivision as received before the close of
15 registration.

16 (D) AN APPLICATION IS RECEIVED ELECTRONICALLY PURSUANT TO
17 SECTION 509V ON OR BEFORE THE CLOSE OF REGISTRATION.