MICHIGAN ELECTION LAW (EXCERPT)
Act 116 of 1954

CHAPTER XXIII
REGISTRATION OF ELECTORS

168.491 Inspectors of election, primary election, or special election; vote of registered electors.
Sec. 491. The inspectors of election at an election, primary election, or special election in this state shall not receive the vote of an individual whose name is not on the voter registration list generated from the qualified voter file for the precinct in which he or she offers to vote unless the individual meets the requirements of section 523a, or the individual registered to vote in person at the city or township clerk's office in the city or township in which he or she resides during the 14 days before the day of an election or on the day of an election and the individual presents a voter registration receipt to the inspectors of election.


Popular name: Election Code

168.492 Qualifications for registration as elector.
Sec. 492. Each individual who has the following qualifications of an elector is entitled to register as an elector in the township or city in which he or she resides. The individual must be a citizen of the United States; not less than 17-1/2 years of age; a resident of this state; and a resident of the township or city.


Popular name: Election Code

168.492a Registration of persons confined in jail.
Sec. 492a. An individual who is confined in a jail and who is otherwise a qualified elector may, before trial or sentence, register to vote. The individual is considered a resident of the city or township, and address, at which he or she resided before confinement. An individual who is confined in a jail after being convicted and sentenced is not eligible to register to vote.


Popular name: Election Code

Compiler's note: The repealed section pertained to registration cards.

Popular name: Election Code

168.493a Automatic voter registration; qualifications; option to opt-out; information added to qualified voter file; erroneous registration not a violation.
Sec. 493a. (1) Subject to subsections (2) and (3), the secretary of state shall automatically register to vote each individual who meets the qualifications of an elector under section 492 and who submits an application for an operator's or chauffeur's license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, an official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300, or an enhanced driver license or enhanced official state personal identification card issued under the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.301 to 28.308. In addition, subject to subsections (2) and (3), the secretary of state shall automatically register to vote each individual who meets the qualifications of an elector under section 492 and who submits a change of address application for an operator's or chauffeur's license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, an official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300, or an enhanced driver license or enhanced official state personal identification card issued under the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.301 to 28.308.

(2) For purposes of subsection (1), the secretary of state shall only automatically register to vote an individual who indicates on his or her operator's or chauffeur's license application, official state personal identification card application, or change of address application that he or she is a citizen of the United States.

(3) The secretary of state shall not automatically register to vote an individual who indicates on the
operator's or chauffeur's license application, official state personal identification card application, enhanced driver license application, enhanced official state personal identification card application, or change of address application that he or she declines to use the application as a voter registration application. The secretary of state shall not transmit any information to the qualified voter file regarding any individual who declines to use an application described in this section as a voter registration application.

(4) The secretary of state shall add any information required under section 509q to the qualified voter file for each elector registered under subsection (1) and shall forward the name of each elector registered under this section to the clerk of the city or township in which each elector registered resides.

(5) An individual who is not eligible to vote and who, without intending to register to vote, becomes registered to vote through human or mechanical error is not considered to have knowingly intended to register to vote in violation of section 519.


Popular name: Election Code


Compiler's note: The repealed section pertained to registration cards.

Popular name: Election Code

168.495 Registration application; contents.

Sec. 495. The registration application must contain all of the following:

(a) The name of the elector.

(b) The residence address of the elector, including the street and number or rural route and box number and the apartment number, if any.

(c) The city or township and county of residence of the elector.

(d) The date of birth of the elector.

(e) The driver license or state personal identification card number of the elector, if available.

(f) A statement that the elector is a citizen of the United States.

(g) A statement that the elector is at the time of completing the affidavit, or will be on the date of the next election, not less than 18 years of age.

(h) A statement that the elector has or will have lived in this state not less than 30 days before the next election.

(i) A statement that the elector has or will have established his or her residence in the township or city in which the elector is applying for registration not less than 30 days before the next election.

(j) A statement that the elector is or will be a qualified elector of the township or city on the date of the next election.

(k) A space in which the elector shall state the place of the elector's last registration, if any.

(l) A statement that the registration is not effective until processed by the clerk of the city or township in which the applicant resides.

(m) A statement that the applicant, if qualified, may vote at an election occurring on or after the date of completing the application.

(n) A statement authorizing the cancellation of registration at the elector's last place of registration.

(o) A space for the elector to sign and certify to the truth of the statements on the application.


Popular name: Election Code


Compiler's note: The repealed section pertained to removal of party preference from precinct and registration file.

168.496 Registration of electors; duties of secretary of state.

Sec. 496. It shall be the duty of the secretary of state to make the proper forms for use in the registration of electors, in recommending the use of the same to the several clerks of the townships, cities and villages of this state, and in instructing the several township, city and village clerks in this state as to the requirements of this act.


Popular name: Election Code
168.497 Application for registration; in-person or by mail or online; application; proof of residency; identification for election purposes; affidavit; execution; notice; exception.

Sec. 497. (1) An individual who is not registered to vote but possesses the qualifications of an elector as provided in section 492 may apply for registration to the clerk of the county, township, or city in which he or she resides in person, during the clerk's regular business hours, or by mail or online until the fifteenth day before an election.

(2) An individual who is not registered to vote but possesses the qualifications of an elector as provided in section 492 or an individual who is not registered to vote in the city or township in which he or she is registering to vote may apply for registration in person at the city or township clerk's office of the city or township in which he or she resides from the fourteenth day before an election and continuing through the day of the election. An individual who applies to register to vote under this subsection must provide to the city or township clerk proof of residency in the city or township. For purposes of this subsection, "proof of residency" includes, subject to subsection (3), any of the following:

(a) An operator's or chauffeur's license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or an enhanced driver license issued under the enhanced driver license and enhanced official state personal identification act, 2008 PA 23, MCL 28.301 to 28.308.

(b) An official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300, or an enhanced official state personal identification card issued under the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.301 to 28.308.

(3) If an applicant for voter registration under subsection (2) does not have proof of residency as that term is defined in subsection (2), the applicant may provide as his or her proof of residency any other form of identification for election purposes as that term is defined in section 2 and 1 of the following documents that contains the applicant's name and current residence address:

(a) A current utility bill.

(b) A current bank statement.

(c) A current paycheck, government check, or other government document.

(4) If an applicant for voter registration under subsection (2) does not have identification for election purposes, the applicant may register to vote if he or she signs an affidavit indicating that the applicant does not have identification for election purposes and the applicant provides 1 of the following documents that contains the applicant's name and current residence address:

(a) A current utility bill.

(b) A current bank statement.

(c) A current paycheck, government check, or other government document.

(5) Immediately after approving a voter registration application, the city or township clerk shall provide to the individual registering to vote a voter registration receipt that is in a form as approved by the secretary of state. If an individual registers to vote in person 14 days or less before an election or registers to vote on election day, and that applicant registers to vote under subsection (3) or (4), the ballot of that elector must be prepared as a challenged ballot as provided in section 727 and must be counted as any other ballot is counted unless determined otherwise by a court of law under section 747 or 748 or any other applicable law.

(6) Except as otherwise provided in sections 500a to 500e and 509v, an application for registration must not be executed at a place other than the office of the county, township, or city clerk or a public place or places designated by the clerk or deputy registrar for receiving registrations, but the clerk or deputy registrar may receive an application wherever he or she may be. If a county, township, or city clerk does not regularly keep his or her office open daily during certain hours, the clerk is not required to be at his or her office for the purpose of receiving applications for registration on a particular day nor during specific hours of a day, except as provided in section 498. If an individual registers to vote with the secretary of state during the 14 days before the day of an election by mail, online, or by automatic voter registration, as described in section 493a, the individual must be given a notice on a form developed by the secretary of state informing the individual that he or she is not eligible to vote in the next election unless he or she applies in person at his or her city or township clerk's office as provided in subsection (2). Except as provided in sections 500a to 500e, the provisions of this section relating to registration apply.


Popular name: Election Code

Compiler's note: The repealed section pertained to applicability of 30-day limitation to second school millage election.

Popular name: Election Code

168.497c Voter registration; presenting identification for election purposes; affidavit.

Sec. 497c. (1) Subject to subsection (2), a person who applies 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 resides shall identify himself or herself by presenting identification for election purposes.

(2) If a person who applies in person to register to vote as provided in subsection (1) does not possess identification for election purposes, the person may sign an affidavit to that effect and be allowed to register to vote. However, the person remains subject to any applicable federal identification requirements under the help America vote act of 2002 until those identification requirements are satisfied.


Popular name: Election Code

168.498 Clerk of township or city; office hours, days, and place for receiving applications for registration; public notice; agreement to jointly publish public notice.

Sec. 498. (1) In a township or city in which the clerk does not maintain regular daily office hours, the township board or the legislative body of the city may require that the clerk of the township or city shall be at the clerk's office or other designated place for the purpose of receiving applications for registration on the days that the board or legislative body designates.

(2) The clerk of each township or city shall give public notice of the days and hours that the clerk will be at the clerk's office or other designated place for the purpose of receiving registrations before an election or primary election by publication of the notice in a newspaper published or of general circulation in the township or city and, if considered advisable by the township or city clerk, by posting written or printed notices in at least 2 of the most conspicuous places in each election precinct. The publication or posting must be made not less than 30 days before election day. The notice of registration must include the offices to be filled that will appear on the ballot. If the notice of registration is for an election that includes a ballot proposal, a caption or brief description of the ballot proposal along with the location where an elector can obtain the full text of the ballot proposal must be stated in the notice.

(3) A county clerk may enter into an agreement with the clerk of 1 or more townships or cities in the county or the clerks of 1 or more cities or townships in a county may enter into an agreement to jointly publish the notice required in subsection (2). The notice must be published in a newspaper of general circulation in the cities and townships listed in the notice.


Compiler's note: Enacting section 4 of Act 71 of 2005 provides:
"Enacting section 4. If any portion of this amendatory act or the application of this amendatory act to any person or circumstances is found invalid by a court, the invalidity shall not affect the remaining portions or applications of this amendatory act that can be given effect without the invalid portion or application, if the remaining portions are not determined by the court to be inoperable, and to this end this amendatory act is declared to be severable."

Popular name: Election Code

168.499 Registration of elector; registration application; oaths; interpreter; false material statement as misdemeanor; accepting fee as misdemeanor; voter identification card; effect of voter identification card returned to post office.

Sec. 499. (1) An elector entitled to registration in an election precinct may become registered in the precinct by applying in person and signing the registration application before the clerk or assistant clerk of the township, city, or village in which the precinct is located. For the performance of his or her duties under this act, each clerk and assistant clerk has the power to administer oaths and to swear persons as to the truth of statements contained in an application. For a better examination of the applicant, a clerk may employ and swear an interpreter to interpret all questions put to applicants and the answers to those questions. If the applicant, in answer to a question or in the registration application, makes a material statement that is false, the applicant is guilty of a misdemeanor.
(2) A clerk or assistant clerk shall not accept a fee from an elector applying for registration, either for the registering of the elector or for the taking of the acknowledgment on the application. A person who violates this subsection is guilty of a misdemeanor.

(3) The clerk, immediately after receiving the registration or change of address of an elector, shall prepare a voter identification card for the elector. The clerk shall also prepare and send a corrected voter identification card to an elector affected by a change in United States representative, state senatorial, state representative, or county commissioner district or precinct. The clerk shall forward by first-class mail the voter identification card to the elector at the elector’s registration address. The voter identification card shall contain the name and address of the registrant and the United States representative, state senatorial, state representative, or county commissioner district and precinct in which the registrant is an elector. If the original voter identification card is returned to the clerk by the post office as nondeliverable, the clerk shall reject the registration and send the individual a notice of rejection. If a duplicate voter identification card is returned to the clerk by the post office, the clerk shall accept this as information that the elector has moved and the clerk shall proceed in conformity with section 509aa.


Popular name: Election Code


Compiler's note: The repealed sections pertained to appointment, duties, jurisdiction, and training of deputy registrars.

Popular name: Election Code

168.499e Same day voter registration; application approval; receipt.

Sec. 499e. (1) The clerk of a city or township shall be present or have a deputy clerk be present at the clerk’s office at all times a polling place is open on election day to receive and process voter registration applications.

(2) Immediately after approving a voter registration application under this section, the clerk or deputy clerk shall prepare a registration card or an insert to a registration list in a form prescribed by the secretary of state. In addition, the clerk or deputy clerk shall provide to the individual registering to vote a voter registration receipt that is in a form as approved by the secretary of state.

(3) The clerk shall prepare and send a voter identification card in the manner prescribed for corrected voter identification cards in section 499 as soon as practical after the election.


Popular name: Election Code

168.500 Voter registration of applicant; procedure for applicant unable to write or sign name because of physical disability.

Sec. 500. If an applicant for voter registration is unable to write, or sign his or her name on the voter registration application because of a physical disability, then the applicant may execute the registration affidavit either by making his or her mark or by using a signature stamp.


Popular name: Election Code

168.500a Registration or change in registration of person applying for renewal of operator's or chauffeur's license; application; contents; signing application; verification receipt; forwarding application to county clerk or city or township clerk.

Sec. 500a. (1) The secretary of state or the secretary of state's agent shall afford an individual who appears in a department of state branch office or an individual who applies for renewal of an operator's or chauffeur's license under section 307 of the Michigan vehicle code, 1949 PA 300, MCL 257.307, an opportunity to complete an application to register to vote or to change the individual's voting registration name or address, if the applicant possesses the qualifications of an elector on the date of application or will possess the qualifications at the next election. This subsection does not require a registered elector to periodically reregister or to renew his or her registration. The application for registration made under this section must contain all of the information required for a registration application as provided in section 495.

(2) The applicant shall sign the application. Upon receipt of the application, the agent shall sign the application and provide the applicant with a receipt verifying the registration application. The agent shall
promptly forward the application to the county clerk of the applicant's residence or to a city or township clerk designated by the secretary of state.


**Popular name:** Election Code

### 168.500b Forwarding application for registration to clerk of city or township; compensation of county clerks; obtaining additional information; transmitting application to appropriate clerk; electronic transmission of address change.

**Sec. 500b.**

(1) Not more than 5 business days after receipt of an application for registration, the county clerk shall forward the application for registration to the clerk of the city or township in which the applicant resides.

(2) Compensation to be paid county clerks for transmitting applications shall be appropriated by the legislature to the secretary of state for equitable distribution by the secretary of state to the county clerks. The city or township clerk shall obtain needed additional information on an application that is not completed properly or return to the secretary of state's election division an application needing additional information or not completed properly. An application received by the clerk of a city or township in which the applicant does not reside shall be transmitted promptly to the appropriate county clerk of the county in which the applicant resides. If the city or township clerk knows the city or township in which the applicant resides, the clerk shall inform the county clerk of the county in which the applicant resides and forward the application directly to the clerk of the city or township in which the applicant resides.

(3) The secretary of state may electronically transmit to the qualified voter file voter registration change of address information received from a registered elector who is changing the address on his or her operator's or chauffeur's license issued pursuant to the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or official state personal identification card issued pursuant to 1972 PA 222, MCL 28.291 to 28.300. The secretary of state is not required to transmit a paper copy of an elector's voter registration change of address information if the elector's signature is already captured or reproduced under section 307 of the Michigan vehicle code, 1949 PA 300, MCL 257.307, and has been transmitted to the qualified voter file. This subsection applies to address changes made within a city or township and to address changes made from 1 city or township to another city or township.


**Compiler's note:** Enacting section 4 of Act 71 of 2005 provides:

"Enacting section 4. If any portion of this amendatory act or the application of this amendatory act to any person or circumstances is found invalid by a court, the invalidity shall not affect the remaining portions or applications of this amendatory act that can be given effect without the invalid portion or application, if the remaining portions are not determined by the court to be inoperable, and to this end this amendatory act is declared to be severable."

**Popular name:** Election Code


**Compiler's note:** The repealed section pertained to issuance of voter identification card.

**Popular name:** Election Code

### 168.500d Elections in which applicant permitted to vote; determination and notice of nonqualification; presenting validated voter registration application receipt at polls.

**Sec. 500d.** An individual who has properly completed an application for registration at an office of the secretary of state or his or her agent is permitted to vote in all elections after making the application if the clerk determines the individual is qualified. If the clerk determines the individual is not qualified, the clerk immediately shall send a notice to the applicant at the address stated in the application stating the determination and the reasons the individual is not qualified. An individual is permitted to vote if he or she presents at the polls a validated voter registration application receipt and the clerk determines the individual is qualified.


**Popular name:** Election Code

### 168.500e Preparation of registration forms; notice of cancellation.

**Sec. 500e.** The city or township clerk shall prepare the registration forms needed for the city or township
from information contained on properly completed and validated applications for persons meeting the requirements of this act. The clerk of a city or township shall forward a notice of cancellation to the clerk of the place of the applicant's previous residence as indicated on the application.


**Popular name:** Election Code


**Compiler's note:** The repealed section pertained to transmission of registration information to village clerk.

**Popular name:** Election Code


**Compiler's note:** The repealed section pertained to signing registration card.

**Popular name:** Election Code


**Compiler's note:** The repealed section pertained to notifying clerks of changes of address, death notices, and names of drivers issued license in another state.

**Popular name:** Election Code

168.500i "Agent" defined.

**Sec. 500i.** As used in sections 500a to 500e, "agent" means a person appointed by the secretary of state to act as an examining officer for the purpose of examining applicants for operator's and chauffeur's licenses under section 309 of the Michigan vehicle code, 1949 PA 300, MCL 257.309.


**Popular name:** Election Code


**Compiler's note:** The repealed section pertained to authority to promulgate administrative rules.

**Popular name:** Election Code

168.501 Master registration cards; master file.

**Sec. 501.** The master registration cards must be filed alphabetically and must be termed the "master file". The master file must contain the signature of each elector registered in the city or township, unless the clerk of the jurisdiction has access to the qualified voter file and the elector has a digitized signature in the qualified voter file. If an elector is unable to write, or sign his or her name because of a physical disability, the master file must contain the mark or signature stamp used by that elector when a signature is required.


**Compiler's note:** Enacting section 4 of Act 71 of 2005 provides:

"Enacting section 4. If any portion of this amendatory act or the application of this amendatory act to any person or circumstances is found invalid by a court, the invalidity shall not affect the remaining portions or applications of this amendatory act that can be given effect without the invalid portion or application, if the remaining portions are not determined by the court to be inoperable, and to this end this amendatory act is declared to be severable."

**Popular name:** Election Code


**Compiler's note:** The repealed section pertained to creation and arrangement of registration list.

**Popular name:** Election Code

168.502 Custody of master file.

**Sec. 502.** The master file must at all times remain in the custody of the township or city clerk.


**Popular name:** Election Code


**Compiler's note:** The repealed section pertained to examination of voter registration records and to inactive voter file.

**Popular name:** Election Code

168.503 Destruction or mutilation of registration records; request for back-up file from
secretary of state; reregistration.
Sec. 503. If the voter registration records are destroyed or mutilated making them unusable, the clerk of the city or township shall request a back-up file from the secretary of state. The secretary of state shall provide a list of registered electors and their signatures, if available, from the qualified voter file to the city or township clerk. If the secretary of state is unable to provide a back-up file to the city or township clerk, the clerk shall require the electors to reregister as prescribed by the secretary of state.


Popular name: Election Code


Compiler's note: The repealed section pertained to registration of disabled or absent electors.

Popular name: Election Code

168.505 Authorization to cancel previous registration; signature; form; notice of cancellation; effect of previous address in another state; duties of clerk; authorization to cancel or notice received from another state.
Sec. 505. (1) At the time an elector is applying for registration, the registration officer shall ascertain if the elector is already registered as an elector. If the elector is previously registered, the elector shall at the time of applying for registration sign an authorization to cancel a previous registration. The secretary of state shall prescribe forms for this purpose. The form may be a part of the application or a separate form.

(2) An authorization to cancel that indicates a previous address in a state other than this state must be forwarded to the chief election officer of that state. Notice may be made by forwarding the separate cancellation form, by forwarding the portion of an application listing a previous place of registration, or by forwarding a list certified by the clerk containing the names of people authorizing cancellation.

(3) An authorization to cancel a voter registration signed by the elector and received from another state or a notice from an election official of another state that an elector has registered in that state has the same force and effect as the notice of authorization to cancel of this state.


Popular name: Election Code

168.506 Change of residence within township or city; transfer of registration by clerk.
Sec. 506. A registered elector may, upon change of residence within the township or city, update his or her registration address by sending to the clerk a signed request stating his or her present address, the date he or she moved to that address, and the address from which he or she was last registered, or by updating his or her address in person. The clerk shall strike through the last address, ward, and precinct number and record the new address, ward, and precinct number on the master registration card. Transfers must not be made after the thirtieth day next preceding a regular or special election or primary election, unless the thirtieth day falls on a Saturday, Sunday, or legal holiday, in which event registration transfers must be accepted during the following day.


Popular name: Election Code


Compiler's note: The repealed section pertained to declaration or change in party preference, request, failure to identify date of birth, recordation, and voter identification card.

Popular name: Election Code

168.507 Execution of transfer of registration request; comparison of signatures; certification; filing application for transfer; proper name of street or resident house number; notice; eligibility to vote.
Sec. 507. (1) A registered elector who has removed from 1 election precinct of a township, city, or village to another election precinct of the same township, city, or village and has not recorded the removal with the local clerk shall execute a transfer of registration request, listing the new residence address over his or her signature, with the election board in the precinct in which he or she is registered at the next ensuing primary or election.

(2) If an elector's signature contained in the qualified voter file is available in the polling place, the
inspector of election in charge of the registration records shall compare the digitized signature provided by the qualified voter file with the signature and, if the signatures correspond, then the inspector shall certify the fact by affixing his or her initials upon the request. If an elector's signature is not contained in the qualified voter file, the election official shall process the transfer of registration request in the same manner as transfer of registration requests are processed when a voter registration list is used in the polling place. The applicant for transfer, after having signed an application to vote as provided in section 523, shall then be permitted to vote in the precinct for that primary or election only. The application for transfer shall be filed with the township, city, or village clerk who shall transfer the elector's registration pursuant to the application. If the name of a street or resident house number in a township, city, or village is changed, the township, city, or village clerk shall make the change to show the proper name of the street or resident house number in the registration records and notify the county clerk of the change. It is not necessary for the elector to change his or her registration to reflect the change in order to be eligible to vote.


Compiler's note: Enacting section 4 of Act 71 of 2005 provides:
"Enacting section 4. If any portion of this amendatory act or the application of this amendatory act to any person or circumstances is found invalid by a court, the invalidity shall not affect the remaining portions or applications of this amendatory act that can be given effect without the invalid portion or application, if the remaining portions are not determined by the court to be inoperative, and to this end this amendatory act is declared to be severable."

Popular name: Election Code

168.507a Moving to another township or city; voting at place of last registration; affidavit; forms; cancellation of registration; voting in person or by absentee ballot.

Sec. 507a. (1) A registered and qualified elector of this state who has moved from the city or township in which he or she is registered to another city or township within this state after the sixtieth day before an election or primary election is permitted to vote in the election or primary election at the place of last registration upon the signing of a form containing an affidavit stating that the move has taken place.

(2) The form or forms required by this section must be approved by the secretary of state, must state that the move has taken place, and must authorize the clerk of the city or township to cancel the elector's registration. An elector coming under this section is permitted to vote either in person or by absentee ballot.


Popular name: Election Code


Compiler's note: The repealed section pertained to registration of elector who has moved from township or city to another township or city within the same county.

Popular name: Election Code


Compiler's note: The repealed section pertained to transfer of registration and notice to elector.

Popular name: Election Code


Compiler's note: The repealed section pertained to examination of voter registration records.


Compiler's note: The repealed section pertained to members of armed forces on active duty.


Compiler's note: The repealed sections pertained to definitions, statewide voter registration network, duties of secretary of state and clerks, county and state files, registration lists, and voting histories.

Popular name: Election Code

168.509m Purpose of MCL 168.509m to 168.509ii; definitions.

Sec. 509m. (1) The purposes of this section and sections 509n to 509ii are all of the following:
(a) To establish a statewide qualified voter file that consists of all qualified electors who wish to be registered to vote in local, state, and federal elections.
(b) To enhance the uniformity of the administration of elections by creating and maintaining a statewide qualified voter file.
(c) To increase the efficiency and decrease the public cost of maintaining voter registration files and implementing the national voter registration act of 1993.

(d) To increase the integrity of the voting process by creating a single qualified voter file that will permit the name of each citizen of this state to appear only once and that is compiled from other state files that require citizens to verify their identity and residence.

(e) To apply technology and information gathered by principal executive departments, state agencies, and county, city, township, and village clerks in a manner that ensures that accurate and current records of qualified voters are maintained.

(2) As used in sections 509n to 509iii:

(a) "Designated voter registration agency" means an office designated under section 509u to perform voter registration activities in this state.

(b) "Qualified voter file" means the statewide qualified voter file established according to section 509o.


Compiler's note: Enacting section 4 of Act 71 of 2005 provides:

"Enacting section 4. If any portion of this amendatory act or the application of this amendatory act to any person or circumstances is found invalid by a court, the invalidity shall not affect the remaining portions or applications of this amendatory act that can be given effect without the invalid portion or application, if the remaining portions are not determined by the court to be inoperative, and to this end this amendatory act is declared to be severable."

Popular name: Election Code

168.509n Secretary of state; duties.

Sec. 509n. The secretary of state is responsible for the coordination of the requirements imposed under this chapter, the national voter registration act of 1993, and the help America vote act of 2002. The secretary of state shall do all of the following:

(a) Develop a mail registration form and make the form available for distribution through governmental and private entities, with special emphasis on making the form available to voter registration programs established for the purpose of registering citizens of this state to vote.

(b) Instruct designated voter registration agencies and county, city, township, and village clerks about the voter registration procedures and requirements imposed by law.

(c) By June 15 of each odd numbered year, submit to each member of the committees of the senate and house of representatives with primary responsibility for election matters a report on the qualified voter file. The report shall include, but need not be limited to, both of the following:

(i) Information on the efficiency and effectiveness of the qualified voter file as a voter registration system.

(ii) Recommendations of the secretary of state for amendments to this act to increase the efficiency and effectiveness of the qualified voter file as a voter registration system.


Popular name: Election Code

168.509o Qualified voter file; establishment and maintenance; individuals considered registered voters; signed application; development and use of process to update qualified voter file; availability of canceled voter registration information; participation in multistate programs or services; limitations.

Sec. 509o. (1) The secretary of state shall direct and supervise the establishment and maintenance of a statewide qualified voter file. The secretary of state shall establish the technology to implement the qualified voter file. The qualified voter file is the official file for the conduct of all elections held in this state. The secretary of state may direct that all or any part of the city or township registration files must be used in conjunction with the qualified voter file at the first state primary and election held after the creation of the qualified voter file.

(2) Notwithstanding any other provision of law to the contrary, an individual who appears to vote in an election and whose name appears in the qualified voter file for that city, township, or school district is considered a registered voter of that city, township, or school district under this act.

(3) The secretary of state, a designated voter registration agency, or a county, city, or township clerk shall not place a name of an individual into the qualified voter file unless that individual signs an application as prescribed in section 509r(3). The secretary of state or a designated voter registration agency shall not allow an individual to indicate a different address than the address in either the secretary of state's or designated voter registration agency's files to be placed in the qualified voter file.
(4) The secretary of state shall develop and utilize a process by which information obtained through the United States Social Security Administration's death master file that is used to cancel an operator's or chauffeur's license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or an official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300, of a deceased resident of this state is also used at least once a month to update the qualified voter file to cancel the voter registration of any elector determined to be deceased. The secretary of state shall make the canceled voter registration information under this subsection available to the clerk of each city or township to assist with the clerk's obligations under section 510.

(5) Subject to this subsection, the secretary of state shall participate with other states in 1 or more recognized multistate programs or services, if available, to assist in the verification of the current residence and voter registration status of electors. The secretary of state shall not participate in any recognized multistate program or service described in this subsection that requires this state to promote or adopt legislation as a condition of participation in that program or service. In addition, the secretary of state shall not participate in any recognized multistate program or service described in this subsection if the secretary of state determines that data of that program or service are not being adequately secured or protected. The secretary of state shall follow the procedures under section 509aa(5) with regard to any electors affected by information obtained through any multistate program or service.


**Popular name:** Election Code

### 168.509p Qualified voter file; components.

**Sec. 509p.** The qualified voter file must consist of all of the following components:

(a) A computer file that has the capacity to maintain a number of records equal to or greater than the voting age population of this state.

(b) An electronic network that allows participating designated executive departments, state agencies, and county, city, and township clerks to electronically add, change, or delete records contained in the qualified voter file.

(c) An interactive electronic communication system that allows access to records in the file of qualified electors residing in a county, city, or township for the purpose of receiving copies of the county, city, or township file, transmitting data to the county, city, or township file, or reviewing and printing the county, city, or township file. The interactive electronic communication system must be designed to permit counties, cities, or townships that are capable of accessing the interactive electronic communication system to add, change, or delete records regarding qualified electors in the qualified voter file.

(d) A statewide street address index in an electronic medium that will accurately identify the city or township of each record and accurately identify the precinct of each record in the qualified voter file.


**Popular name:** Election Code

### 168.509q Qualified voter file; information to be contained for each voter.

**Sec. 509q.** The qualified voter file shall contain all of the following information for each qualified voter:

(a) The name; residence address including house number and street name or rural route and box number, and the apartment number, if any; city; state; zip code; and date of birth.

(b) The driver's license number or state personal identification card number or similar number issued by a designated voter registration agency.

(c) Jurisdictional information including county and city or township; village, if any; metropolitan district, if any; and school district.

(d) Precinct numbers and ward numbers, if any.

(e) Any other information that the secretary of state determines is necessary to assess the eligibility of qualified electors or to administer voter registration or other aspects of the election process.

(f) Voting history for a 5-year period.

(g) The most recent digitized signature of an elector if captured or reproduced by the secretary of state or a county, city, or township clerk from a voter registration application pursuant to section 509hh, or captured or reproduced by the secretary of state pursuant to section 307 of the Michigan vehicle code, 1949 PA 300, MCL 257.307.


**Compiler's note:** Enacting section 4 of Act 71 of 2005 provides:

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"Enacting section 4. If any portion of this amendatory act or the application of this amendatory act to any person or circumstances is found invalid by a court, the invalidity shall not affect the remaining portions or applications of this amendatory act that can be given effect without the invalid portion or application, if the remaining portions are not determined by the court to be inoperable, and to this end this amendatory act is declared to be severable."

Popular name: Election Code

168.509r Qualified voter file; establishment and maintenance of computer system and programs; access; verification of accuracy; compilation of electors; sources; person whose name does not appear in file; requirements; adding, deleting, or changing information; inactive voter file.

Sec. 509r. (1) The secretary of state shall establish and maintain the computer system and programs necessary to the operation of the qualified voter file. The secretary of state shall allow each county, city, or township access to the qualified voter file. The county, city, and township clerks shall verify the accuracy of the names and addresses of registered electors in the qualified voter file.

(2) Subject to subsection (3), the secretary of state and county, city, and township clerks shall compile the qualified voter file that consists of all qualified electors from the following sources and in the following priority:

(a) A driver license or, if there is no driver license, a state personal identification card, including renewals and changes of address with the department of state.

(b) An application for benefits or services, including renewals and changes of address, taken by a designated voter registration agency.

(c) An application to register to vote taken by a county, city, or township clerk.

(3) An individual whose name does not otherwise appear in the qualified voter file must be placed in the qualified voter file only if the individual signs under penalty of perjury an application that contains an attestation that the applicant meets all of the following requirements:

(a) Is 17-1/2 years of age or older.

(b) Is a citizen of the United States and this state.

(c) Is a resident of the city or township where the individual's street address is located.

(4) A designated voter registration agency or a county, city, township, or village clerk shall not add to, delete from, or change any information contained in the qualified voter file during the period beginning on the seventh day before an election and ending on the day of the election.

(5) The secretary of state shall create an inactive voter file.

(6) If an elector is sent a notice under section 509aa to confirm the elector's residence information or if an elector does not vote for 6 consecutive years, the secretary of state shall place the registration record of that elector in the inactive voter file. The registration record of that elector must remain in the inactive voter file until 1 of the following occurs:

(a) The elector votes at an election.

(b) The elector responds to a notice sent under section 509aa.

(c) Another voter registration transaction involving that elector occurs.

(7) While the registration record of an elector is in the inactive voter file, the elector remains eligible to vote and his or her name must appear on the precinct voter registration list.

(8) If the registration record of an elector is in the inactive voter file because the elector was sent a notice under section 509aa to confirm the elector's residence information and that elector votes at an election by absent voter ballot, that absent voter ballot must be marked in the same manner as a challenged ballot as provided in section 727.


Popular name: Election Code


Compiler's note: The repealed section pertained to implementation of study of qualified voter file.

Popular name: Election Code

168.509t Person considered registered voter; persons required to vote in person; exceptions; prosecution not precluded in state.

Sec. 509t. (1) Notwithstanding another provision of law to the contrary, a person who is a qualified elector in this state and who registers to vote in a manner consistent with the national voter registration act of 1993 is considered a registered voter under this act.

(2) A person who registers to vote in a jurisdiction in this state by mail or by submitting an electronic voter
registration application shall vote in person and shall provide identification as required under section 303(b) of the help America vote act of 2002, 52 USC 21083, if that person has not previously voted in person in this state. This subsection does not apply to any of the following registered voters:

(a) A person who has registered to vote in a jurisdiction in this state in person.

(b) A person entitled to vote by absentee ballot under the uniformed and overseas citizens absentee voting act.

(c) A person who has a disability as that term is defined in section 103 of the persons with disabilities civil rights act, 1976 PA 220, MCL 37.1103, or, for purposes of voting in person only, a person who is 60 years of age or older.

(d) A person who is entitled to vote other than in person under any other federal law.

(3) This section does not preclude this state from prosecuting a violation of this act that is also a violation of a federal election or voting rights law.


**Popular name:** Election Code

### 168.509u List designating executive departments, state agencies, or other offices performing voter registration activities; armed forces recruitment office as voter registration agency.

Sec. 509u. (1) Not later than the thirtieth day after the effective date of this section, the governor shall provide a list to the secretary of state designating the executive departments, state agencies, or other offices that will perform voter registration activities in this state.

(2) Pursuant to the national voter registration act of 1993, a recruitment office of the armed forces of the United States is a designated voter registration agency under this act.


**Popular name:** Election Code

### 168.509v Registration to vote at certain locations, by mail, or online.

Sec. 509v. (1) 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 at any of the following locations:

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

(b) A department of state office.

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

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

(a) The secretary of state.

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

(c) A designated voter registration agency.

(3) 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 electronic voter registration application as provided in section 509vii.


**Popular name:** Election Code

### 168.509w Person processing application; duties; transmitting application; cost of forwarding application.

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

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

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

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

(3) If an application under subsection (1) is made from the twenty-first day to the fifteenth day before an election, the department of state office, the designated voter registration agency, or the county clerk shall transmit the application not later than 1 business day to the clerk of the county, city, or township where the applicant resides.
(4) If a completed application is transmitted by the secretary of state or a designated voter registration agency to a county clerk, the secretary of state, to the extent funds are appropriated, shall compensate the county clerk for the cost of forwarding the application to the proper city or township clerk of the applicant’s residence from funds appropriated to the secretary of state for that purpose.


**Popular name:** Election Code

### 168.509x Application considered as received; requirements.

Sec. 509x. An application for registration is considered received on or before the fifteenth day before an election if 1 of the following requirements is met:

(a) An application is received at a department of state office, a designated voter registration agency, or the office of a county, city, or township clerk on or before the fifteenth day before an election.

(b) An application is received through the mail that is postmarked on or before the fifteenth day before an election.

(c) An application is received through the mail on or before the eighth day before an election, if the postmark is missing or is unclear and the application, on its face, is dated by the applicant on or before the fifteenth day before an election. The clerk shall consider an application received under this subdivision as received before the fifteenth day before an election.

(d) An application is submitted electronically through the electronic voter registration interface on or before the fifteenth day before an election.


**Popular name:** Election Code


**Compiler's note:** The repealed section pertained to failure to register to vote.

### 168.509z Notice to clerk of certain information.

Sec. 509z. The secretary of state shall notify each clerk of the following information regarding residents or former residents of the clerk’s city or township:

(a) Driver license or state personal identification card changes of address received by the secretary of state, and whether the person submitted an application for the new address.

(b) The names and addresses in this state of persons who have been issued a driver license in another state.

(c) Death notices received by the secretary of state.


**Popular name:** Election Code

### 168.509aa Updating registration upon receipt of certain information; duties of clerk; instruction by clerk to challenge voter; cancellation of registration; notice that registered voter has moved out of state.

Sec. 509aa. (1) A clerk may use change of address information supplied by the United States postal service or other reliable information received by the clerk that identifies registered voters whose addresses may have changed as provided in this section.

(2) Upon receipt of reliable information that a registered voter has moved his or her residence within the city or township, the clerk shall send by forwardable mail all of the following to the voter:

(a) A notice that the clerk has received information indicating that the voter has moved his or her residence within the city or township.

(b) A postage prepaid and preaddressed return card on which the voter may verify or correct the address information.

(c) A notice explaining that, if the address information is correct and the voter has moved his or her residence within the city or township, the voter should complete and return the card to the clerk within 30 days or more before the date of the next election. If the voter has moved his or her residence within the city or township and does not complete and return the card to the clerk within 30 days or more before the date of the next election, the voter will be required to vote in his or her former precinct of residence in the city or township. The voter will also be required to submit an address correction before being permitted to vote.

(3) Upon the receipt of reliable information that a registered voter has moved his or her residence to another city or township, the clerk shall send by forwardable mail all of the following to the voter:
(a) A notice that the clerk has received information indicating that the voter has moved his or her residence to another city or township.

(b) A postage prepaid and preaddressed return card on which the voter may verify or correct the address information.

(c) A notice containing all of the following information:

(i) If the address information is incorrect and the voter has not moved to another city or township and wishes to remain registered to vote, the voter should complete and return the card to the clerk within 30 days of the date of the notice. The voter may be required to provide a form of identification established by this act. If the voter does not vote in an election within the period beginning on the date of the notice and ending on the first business day immediately following the second November general election that is held after the date on the notice, the voter will be canceled and his or her name will be removed from the registration record of that city or township.

(ii) If the voter has moved his or her residence to another city or township, information on how the voter can become registered to vote at the next election in his or her new city or township.

(4) If a notice sent under subsection (2) or (3) is returned to the clerk by the post office as undeliverable, the clerk shall identify the registration record of a voter as challenged as provided in this act. The clerk shall instruct the board of election inspectors to challenge that voter at the first election at which the voter appears to vote. In response to the challenge the voter indicates that he or she resides at the registration address or has changed addresses within the city or township, the voter shall be permitted to vote a regular ballot rather than a challenged ballot. The voter shall complete a new address form at the polling place, if applicable. If the person does not appear to vote in an election within the period beginning on the date of the notice and ending on the first business day immediately following the second November general election that is held after the date of the notice, the clerk shall cancel the registration of the voter and remove his or her name from the registration record of the city or township.

(5) If the department of state receives notice that a registered voter has moved out of state by receiving a surrendered Michigan driver license of that registered voter, the secretary of state shall send by forwardable mail all of the following to the voter:

(a) A notice that the secretary of state has received information indicating that the voter has moved his or her residence to another state.

(b) A postage prepaid and preaddressed return card on which the voter may verify or correct the address information.

(c) A notice providing that if the address information is incorrect and the voter has not moved to another state and wishes to remain registered to vote, the voter should complete and return the card to the secretary of state with a postmark of 30 days or more before the date of the next election. If the card is not completed and returned with a postmark of 30 days or more before the date of the next election, the voter may be required to affirm his or her current address before being permitted to vote. Further, if the voter does not vote in an election within the period beginning on the date of the notice and ending on the first business day immediately following the second November general election that is held after the date on the notice, the registration of the voter will be canceled and his or her name will be removed from the qualified voter file.


Compiler's note: Act 269 of 2001, which was approved by the Governor and filed with the Secretary of State on January 11, 2002, provided for the amendment of MCL 168.31, 168.73, 168.283, 168.393, 168.509y, 168.509aa, 168.561a, 168.624, 168.624a, 168.686, 168.706, 168.727, 168.737, 168.745, 168.769, 168.782b, 168.795, 168.795c, 168.797a, 168.798c, 168.799a, 168.803, 168.804, 168.842, and 168.931 of, the addition of Sec. 701 to, and the repeal of Sec. 509 of, Act 116 of 1954, known as the Michigan Election Law. A petition seeking a referendum on Act 269 of 2001 was filed with the Secretary of State. The Board of State Canvassers officially declared the sufficiency of the referendum petition on May 14, 2002. Const 1963, art 2, sec 9, provides that no law as to which the power of referendum properly has been invoked shall be effective thereafter unless approved by a majority of the electors voting thereon at the next general election. A referendum on Act 269 of 2001 was presented to the electors at the November 5, 2002, general election as Proposal 02-1, which read as follows:

“A REFERENDUM ON PUBLIC ACT 269 OF 2001—AN ACT TO AMEND CERTAIN SECTIONS OF MICHIGAN ELECTION LAW

Public Act 269 of 2001 would:
--Eliminate “straight party” vote option on partisan general election ballots.
--Require Secretary of State to obtain training reports from local election officials.
--Require registered voters who do not appear on registration list to show picture identification before voting a challenged ballot.
--Require expedited canvass if presidential vote differential is under 25,000.
--Require ballot counting equipment to screen ballots for voting errors to ensure the accurate tabulation of absentee ballots. Permit voters in polls to correct errors.
--Provide penalties for stealing campaign signs or accepting payment for campaign work while being paid as a public employee to

perform election duties.

Should this law be approved?
Yes __________
No __________

Act 269 of 2001 was not approved by a majority of the electors voting thereon at the November 5, 2002, general election.

Popular name: Election Code

168.509bb Failure to vote; cancellation of registration prohibited.
Sec. 509bb. A clerk shall not cancel or cause the cancellation of the registration of a voter from the registration record of the city or township based solely upon that registered voter's failure to vote.


Popular name: Election Code

168.509cc Challenge of registration; response by voter; duties of clerk.
Sec. 509cc. (1) If a registration is challenged under this act and the challenged voter does not respond in the manner provided in this act, the registration record of that voter remains challenged and election officials shall not allow the challenged voter to vote until he or she answers the grounds of the challenge in the manner provided in this act. If a registration is challenged under this act and an election official determines, based upon the response of the challenged voter, that the voter is qualified to vote, the election official shall allow the voter to vote and the clerk shall remove the identification as challenged from the registration record of that voter.

(2) If a clerk does not independently determine that a challenged voter is qualified to vote or if the challenged voter does not respond to the challenge or fails to prove in his or her response to the challenge that he or she is qualified to vote during the period beginning on the date of the notice of challenge under this act and ending on the first business day immediately following the second November general election that is held after the date of the notice, the clerk shall cancel the registration of the voter and remove his or her name from the registration record of the city or township.


Popular name: Election Code

168.509dd Program to register voters or remove names.
Sec. 509dd. (1) A clerk may conduct a program to register qualified electors or to remove names of registered voters who are no longer qualified to vote in the city or township from the registration records of that city or township. A clerk who conducts a program to register voters or to remove names under this section shall administer the program in a uniform manner to the entire city or township. The clerk shall use nondiscriminatory procedures that comply with the requirements of the voting rights act of 1965, Public Law 89-110, 79 Stat. 437.

(2) The clerk shall complete any program to remove names conducted under this section 90 days or more before the date of a federal election. The 90-day deadline under this subsection does not apply to the removal of names from the registration records of a city or township under 1 of the following circumstances:
(a) At the request or authorization of a voter.
(b) Upon the death of a voter.
(c) Upon notice that a voter has moved from the city or township and has completed an application at the new address.

(3) Subject to the requirements of this section, a clerk may use 1 or more of the following to conduct a program to register voters or remove names under this section:
(a) A house-to-house canvass.
(b) A general mailing to voters for address verifications.
(c) Participation in the national change of address program established by the postal service.
(d) Other means the clerk considers appropriate.


Popular name: Election Code

168.509ee Transmission of report by voter registration agency to secretary of state.
Sec. 509ee. Not later than 90 days after the request of the secretary of state, a designated voter registration agency shall transmit to the secretary of state a report including all of the following:
(a) Information requested by the secretary of state necessary to administer the provisions of sections 509m to 509gg and the national voter registration act of 1993.
(b) Any other information considered necessary by the secretary of state.
168.509ff Records; purpose; maintenance; availability to public; names and addresses to whom notice sent.

Sec. 509ff. (1) The secretary of state and each county, city, township, or village clerk shall maintain all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of registration records under this chapter for 2 years or more. Except to the extent that the records maintained pursuant to this section relate to a declination to register to vote or to the identity of a designated voter registration agency through which any particular voter applied for registration pursuant to section 509gg, the secretary of state or a county, city, township, or village clerk shall make the records available for public inspection under reasonable conditions and, if available, for photocopying at a reasonable cost.

(2) The secretary of state or a county, city, township, or village clerk shall include in the records maintained under this section a list of the names and addresses of all persons to whom a notice under section 509aa is sent and if the person has responded to the notice as of the date the inspection of the records is made.


168.509gg Information exempt from freedom of information act.

Sec. 509gg. (1) The information described in this subsection that is contained in a registration record is exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246. The secretary of state, a designated voter registration agency, or a county, city, township, or village clerk shall not release a copy of that portion of a registration record that contains any of the following:

(a) The record that a person declined to register to vote.
(b) The office that received a registered voter's application.
(c) A registered voter's driver's license or state personal identification card number.
(d) The month and day of birth of a registered voter.
(e) The telephone number provided by a registered voter.
(f) The digitized signature of an elector that is captured or reproduced and transmitted to the qualified voter file by the secretary of state or a county, city, or township clerk under section 509hh or by the secretary of state under section 307 of the Michigan vehicle code, 1949 PA 300, MCL 257.307.

(2) Except as otherwise provided in this subsection, the last 4 digits of a registered voter's social security number contained in a registration record are exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246. The last 4 digits of a registered voter's social security number contained in a registration record may only be used by the secretary of state to verify a registered voter's data as provided by the help America vote act of 2002 and to verify a registered voter's status under this act, and shall not be used or released for any other purpose.


Compiler's note: Enacting section 4 of Act 71 of 2005 provides:
"Enacting section 4. If any portion of this amendatory act or the application of this amendatory act to any person or circumstances is found invalid by a court, the invalidity shall not affect the remaining portions or applications of this amendatory act that can be given effect without the invalid portion or application, if the remaining portions are not determined by the court to be inoperable, and to this end this amendatory act is declared to be severable."

Popular name: Election Code

168.509hh Capture or reproduction of signature.

Sec. 509hh. (1) The secretary of state may capture or reproduce the signature of an elector from a voter registration application or pursuant to section 307 of the Michigan vehicle code, 1949 PA 300, MCL 257.307, and transmit the signature to the qualified voter file pursuant to section 509q.

(2) The county, city, or township clerk may capture or reproduce the signature of an elector from a voter registration application and transmit the signature to the qualified voter file pursuant to section 509q.


Popular name: Election Code

168.509ii Electronic voter registration interface; requirements; application; qualifications; disqualifications.

Sec. 509ii. (1) The secretary of state shall develop and maintain an electronic voter registration interface to
allow an applicant to submit a voter registration application electronically through the secretary of state's website. The electronic voter registration interface must do all of the following:

(a) Transmit the application to the qualified voter file.

(b) Interact with the state operator's or chauffeur's license file, enhanced driver license file, official state personal identification card file, and enhanced state personal identification card file for authentication purposes.

(c) Authenticate the identity of an applicant under a process developed by the secretary of state that includes, but is not limited to, verifying all of the following:

(i) The last 4 digits of the applicant's social security number.

(ii) The applicant's operator's or chauffeur's license number, enhanced driver license number, official state personal identification card number, or enhanced official state personal identification card number.

(iii) The applicant's full name as printed on his or her operator's or chauffeur's license, enhanced driver license, official state personal identification card, or enhanced official state personal identification card.

(iv) The applicant's date of birth.

(v) The applicant's eye color as printed on his or her operator's or chauffeur's license, enhanced driver license, official state personal identification card, or enhanced official state personal identification card.

(d) Require the applicant's assent to submit a voter registration application electronically and require the applicant's assent to use his or her most recent digitized signature if captured or reproduced by the secretary of state under section 307 of the Michigan vehicle code, 1949 PA 300, MCL 257.307, section 5 of the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.305, or 1972 PA 222, MCL 28.291 to 28.300.

(e) Issue a receipt to the applicant in the manner prescribed by the secretary of state.

(f) Utilize additional security features considered appropriate by the secretary of state or the department of technology, management, and budget to prevent unauthorized access to data or information, or to ensure that a person attempting to use the electronic voter registration interface is an individual.

(2) The secretary of state shall develop an electronic voter registration application that includes all of the same information as provided on the mail registration form developed by the secretary of state under section 509n(a), and also includes the notice required under section 307(1)(c) of the Michigan vehicle code, 1949 PA 300, MCL 257.307.

(3) Only an individual who possesses both of the following is eligible to submit an electronic voter registration application:

(a) The qualifications of an elector as provided in section 492.

(b) A valid official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300, an enhanced official state personal identification card issued under the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.301 to 28.308, a valid operator's or chauffeur's license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or an enhanced driver license issued under the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.301 to 28.308.

(e) Issue a receipt to the applicant in the manner prescribed by the secretary of state.

(f) Utilize additional security features considered appropriate by the secretary of state or the department of technology, management, and budget to prevent unauthorized access to data or information, or to ensure that a person attempting to use the electronic voter registration interface is an individual.

(2) The secretary of state shall develop an electronic voter registration application that includes all of the same information as provided on the mail registration form developed by the secretary of state under section 509n(a), and also includes the notice required under section 307(1)(c) of the Michigan vehicle code, 1949 PA 300, MCL 257.307.

(3) Only an individual who possesses both of the following is eligible to submit an electronic voter registration application:

(a) The qualifications of an elector as provided in section 492.

(b) A valid official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300, an enhanced official state personal identification card issued under the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.301 to 28.308, a valid operator's or chauffeur's license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or an enhanced driver license issued under the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.301 to 28.308.

(e) Issue a receipt to the applicant in the manner prescribed by the secretary of state.

(f) Utilize additional security features considered appropriate by the secretary of state or the department of technology, management, and budget to prevent unauthorized access to data or information, or to ensure that a person attempting to use the electronic voter registration interface is an individual.

(2) The secretary of state shall develop an electronic voter registration application that includes all of the same information as provided on the mail registration form developed by the secretary of state under section 509n(a), and also includes the notice required under section 307(1)(c) of the Michigan vehicle code, 1949 PA 300, MCL 257.307.

(3) Only an individual who possesses both of the following is eligible to submit an electronic voter registration application:

(a) The qualifications of an elector as provided in section 492.

(b) A valid official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300, an enhanced official state personal identification card issued under the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.301 to 28.308, a valid operator's or chauffeur's license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or an enhanced driver license issued under the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.301 to 28.308.

(4) If an elector utilizes the electronic voter registration interface to indicate a change of address, the state bureau of elections shall send a confirmation notice to the elector's previous address.

(5) An individual is not permitted to use the electronic voter registration interface if the individual meets any of the following conditions:

(a) The individual ordered a duplicate of an operator's or chauffeur's license, an enhanced driver license, an official state personal identification card, or an enhanced official state personal identification card the same day as submitting an electronic voter registration application.

(b) The individual submitted a change of address for an operator's or chauffeur's license, an enhanced driver license, an official state personal identification card, or an enhanced official state personal identification card within the 10 days before submitting an electronic voter registration application.

(c) The individual has an expired operator's or chauffeur's license, an expired enhanced driver license, an expired official state personal identification card, or an expired enhanced official state personal identification card.
the registration of all deceased electors.


Popular name: Election Code

168.511 Cancellation of registration; authorization from elector.

Sec. 511. Upon the receipt of an authorization of cancellation of registration from the elector, the clerk shall cancel said registration.


Popular name: Election Code

168.512 Challenge of elector; affidavit, contents; answering affidavit; cancellation of registration; indiscriminate challenge, penalty.

Sec. 512. Any elector of the municipality may challenge the registration of any registered elector by submitting to the clerk of that municipality a written affidavit that such elector is not qualified to vote, which affidavit shall specify the grounds upon which the challenged elector is disqualified. Upon receipt of such affidavit, the clerk shall forthwith send by registered or certified mail to the challenged elector at his registered or last known address a notification of the challenge, which shall include the grounds for such challenge as stated in the affidavit. The challenged elector may within 30 days appear before the clerk and answer the questions and take the oath required of persons challenged on the same grounds at election, or in lieu of appearing in person the challenged elector, within a like period of time, may elect to file with the clerk an affidavit setting forth specifically his qualifications as an elector of the municipality and answering the grounds of the challenge. If within the 30-day period the person challenged shall fail to appear and be sworn or to file an affidavit, or if his statements do not show him to be a qualified elector of the municipality, the clerk shall forthwith cancel his registration. The 30-day period referred to in this section shall be the 30 days immediately following the date of mailing the notice to the challenged elector.

Any person who shall challenge under the provisions of this section, indiscriminately and without good cause or for the purpose of harassment, shall be guilty of a misdemeanor.


Popular name: Election Code


Compiler's note: The repealed section pertained to cancellation of registration.

Popular name: Election Code

168.514 Cancellation of registration; reinstatement prohibited.

Sec. 514. If the registration of an elector is canceled, the clerk shall make a proper entry on the master registration card, indicating the date and the cause for cancellation, and shall affix his or her signature to the entries. All copies of the canceled registration cards must be filed in the office of the clerk. All duplicates of the master registration card canceled may be destroyed 2 years after the registration is canceled. The clerk may also destroy the master registration card of an elector 5 years after the date of cancellation of the elector's registration. The clerk may also destroy any canceled master registration cards 2 years after the date of cancellation if the canceled registration cards are reproduced under the records reproduction act, 1992 PA 116, MCL 24.401 to 24.406, and the reproductions are on file in the office of the clerk. The reproductions may be destroyed after the expiration of the statutory retention date of the reproduced records. A voter registration that has been canceled due to an elector moving out of the jurisdiction must not be reinstated if the elector moves back to the jurisdiction and a new voter registration is required for that elector.


Popular name: Election Code

168.515 Registration records; verification by house-to-house canvass.

Sec. 515. The several township, city and village clerks may conduct a house-to-house canvass or use such other means of checking the correctness of registration records as may seem expedient.


Popular name: Election Code

168.516 Registration records; public inspection.

Sec. 516. The registration record must be open for public inspection.

Compiler's note: The repealed section pertained to diversion or change in ward or precinct.

Popular name: Election Code

168.518 Organization of new township; first registration of electors; records; notice; incorporation of new city; registration records; annexation to city; statement by township clerk.

Sec. 518. Whenever a new township shall be organized, the persons designated to act as inspectors for the first election to be held therein shall constitute a board of registration for the purpose of making the first registration of qualified electors therein. Said board shall be authorized to procure the necessary books or files and forms to conduct such registration in accordance with the provisions of this act. Subsequent to the election, the records shall be delivered to the persons elected to the office of clerk of the township. At least 10 days' public notice shall be given of the time and place for holding the registration. Such notice shall be given by posting written or printed notices in at least 5 of the most conspicuous places in said township, city or village, or by publication in a newspaper of general circulation therein. Whenever a new city is incorporated from the territory of a township, the registration records of the portion of the township incorporated as a city shall constitute the registration records of the newly incorporated city. Township registration records shall be available and used in connection with the election on the adoption of the charter of any new city or village and for the first election of such city's or village's officers.

Whenever any territory of a township is annexed to a city, the clerk of the township from which the territory was detached shall, not less than 5 days prior to the effective date of the annexation, forward to the clerk of the city to which the territory was annexed all of the current registration records of the registered electors residing in the annexed territory. Such records shall thereafter be a part of the registration records of such city and the electors whose registration records were so transferred shall be registered electors of such city.

All such transfers of registration shall be accompanied by a statement signed by the township clerk certifying that all of the current registrations of persons residing within the annexed or incorporated area according to his records are included therein.


Popular name: Election Code

168.519 Illegal or fraudulent registration; penalty.

Sec. 519. A township or city clerk or assistant clerk shall not register an individual if the clerk knows or has good reason to believe that the individual is not a resident and qualified. An individual shall not register as an elector if he or she knows or has good reason to believe that he or she is not a resident and qualified. An individual who violates this section is guilty of a misdemeanor.


Popular name: Election Code

168.520 Illegal or fraudulent registration; township or city clerk, powers and duties; assistance by police or sheriff; assistant examiners, appointment, expenses.

Sec. 520. If a township or city clerk has knowledge that there is a probable illegal or fraudulent registration in the township or city, or in any ward or precinct of the township or city, the clerk has the power and duty to make a full investigation of the facts concerning the registration and to ascertain whether any name has been illegally or fraudulently registered. A township or city clerk is authorized and empowered to call upon the police department of the city or the sheriff of the county in which the city is located, or both, to assist in making the investigation, and the police department and the sheriff are required to render assistance if the clerk makes a request for assistance, and to furnish the clerk at his or her request with all available assistance in making the investigation. A township or city clerk is further authorized and empowered if he or she considers it necessary or advisable to appoint assistant examiners for the purpose of the investigation. Bills for the services of the examiner must be approved by the clerk and must be audited and paid by the township board or legislative body of the city in the same manner as the expenses of conducting elections are paid.


Popular name: Election Code
168.521 Illegal or fraudulent registration; removal of names; notice; reinstatement; review by mandamus; challenge.

Sec. 521. If a township or city clerk determines that any name has been illegally or fraudulently entered upon the registration records of any precinct in the township or city, the clerk shall remove that name from the registration records and shall notify the individual whose name is removed of the removal by registered or certified mail directed to the individual at the address given on the registration records. An individual representing himself or herself to be the individual whose name is removed is not permitted to vote unless the individual shows to the clerk that his or her name was wrongfully removed from the registration records, in which case his or her name must be reinstated. However, any individual aggrieved by the action of any clerk may review the action and seek the reinstatement of his or her name by mandamus and the proceedings and judgment of the court in the case are subject to review in the supreme court. If a clerk has good reason to believe that any name has been illegally or fraudulently entered upon the registration records and the clerk does not remove the name as provided in this section, the clerk shall write the word "challenged" upon the registration card of the individual and shall lay before the prosecuting attorney of the county all the facts concerning the registration. If an individual whose registration card has been marked offers to vote at any election, the inspectors of election shall at that time examine the individual under oath as to his or her qualifications as an elector in the ward or precinct, the same in all respects and with like effect as though he or she had been challenged at the election by a challenger.


Popular name: Election Code

168.522 Making, certifying, and delivering computer tape, disk, or listing of names and addresses of registered electors; year, month, and day of birth of elector; information exempt from disclosure.

Sec. 522. (1) A clerk of a city, township, or village who maintains a computerized file of registered voters and who does not have direct access to the qualified voter files shall make, certify, and deliver to any person, upon request, a computer tape, disk, or listing, as specified by the person, of the names and addresses of the registered electors of the city, township, village, school district, ward, or precinct upon the payment to the clerk of the cost of making, certifying, and delivering the tape, disk, or listing.

(2) A computer tape, disk, or listing provided under subsection (1) shall include, upon request, the year of birth of an elector but shall not include the month and day of birth of an elector. A computer tape, disk, or listing provided under subsection (1) shall not include a person's driver's license or state personal identification card number or any other information that is exempt from disclosure under section 509gg or other section of this chapter.


Popular name: Election Code


Compiler's note: The repealed section pertained to requests under the freedom of information act.

Popular name: Election Code

168.523 Identification of registered elector; presenting identification for election purposes; execution of application; challenge; affidavit; approval, initial, and notation of application; application as poll list; filing application; notations on cards or lists; record of voting participation.

Sec. 523. (1) Except as otherwise provided in subsection (2), at each election, before being given a ballot, each registered elector offering to vote must identify himself or herself by presenting identification for election purposes, and by executing an application, on a form prescribed by the secretary of state, in the presence of an election official that includes all of the following:

(a) The name of the elector.
(b) The elector's address of residence.
(c) The elector's date of birth.
(d) An affirmative statement by the elector that is included in the signature statement indicating that he or she is a citizen of the United States.
(e) The elector's signature or mark.

(2) If an elector's signature contained in the qualified voter file is available in the polling place, the election
The individual shall state the approximate date and in what manner the registration application was submitted:

an individual signing a sworn statement shall complete a new voter registration application. An individual who provides false information in a signed sworn statement under this subsection is guilty of perjury. An individual who provides false information in a signed sworn statement under this subsection is guilty of perjury.

under this section, the individual shall sign an affidavit to that effect before an election inspector and be allowed to vote as otherwise provided in this act. However, an elector being allowed to vote without identification for election purposes as required under this section is subject to challenge as provided in section 727.

(3) If, upon a comparison of the signature or other identification as required in this section, it is found that the applicant is entitled to vote, the election officer having charge of the registration list shall approve the application and write his or her initials on the application, after which the number on the ballot issued must be noted on the application. The application serves as 1 of the 2 poll lists required to be kept as a record of a person who has voted. The application must be filed with the township, city, or village clerk. If voter registration cards are used in the precinct, the date of the election must be noted by 1 of the election officials upon the precinct registration card of each elector voting at an election. If voter registration lists are used in the precinct, the election official shall clearly indicate upon the list each elector voting at that election. The clerk of a city, village, or township shall maintain a record of voting participation for each registered elector.


Compiler's note: Enacting section 4 of Act 71 of 2005 provides:

"Enacting section 4. If any portion of this amendatory act or the application of this amendatory act to any person or circumstances is found invalid by a court, the invalidity shall not affect the remaining portions or applications of this amendatory act that can be given effect without the invalid portion or application, if the remaining portions are not determined by the court to be inoperative, and to this end this amendatory act is declared to be severable."

Popular name: Election Code

168.523a Individual not listed on voter registration list; issuance of ballot; procedure.

Sec. 523a. (1) If an individual who has applied to register to vote on or before election day appears at a polling place on election day and completes an application under section 523 is not listed on the voter registration list, the election inspector shall issue a ballot to the individual as follows:

(a) For an individual who presents a receipt issued by a department of state office, a designated voter registration agency, or the elector’s county, city, or township clerk's office verifying the acceptance of a voter registration application and completes a new voter registration application, the election inspector shall allow the individual to vote a ballot in the same manner as an elector whose name is listed on the voter registration list.

(b) For an individual who does not present a receipt verifying the acceptance of a voter registration application under subdivision (a), the election inspector shall determine whether the individual is in the appropriate polling place based on residence information provided by the individual. The election inspector shall review any documents or maps in the polling place or communicate with the city or township clerk to verify the appropriate polling place for the individual. The election inspector shall direct an individual who is not in the appropriate polling place to the appropriate polling place. If the individual refuses to go to the appropriate polling place, the election inspector shall issue the individual a provisional ballot that is processed according to subsection (5).

(2) Except for an individual who produces a receipt under subsection (1)(a), the election inspector shall require an individual who is not listed on the voter registration list to execute a sworn statement affirming that the individual submitted a voter registration application on or before election day and is eligible to vote in the election. An individual who provides false information in a signed sworn statement under this subsection is guilty of perjury. An individual signing a sworn statement shall complete a new voter registration application. The individual shall state the approximate date and in what manner the registration application was submitted:

(a) To a department of state office,

(b) To a designated voter registration agency,

(c) To the office of his or her county, city, or township clerk.
(d) By a mailed application.

(3) The election inspector shall contact the city or township clerk to verify whether the individual who signed the sworn statement under subsection (2) is listed in the registration records of the jurisdiction or whether there is any information contrary to the content of the sworn statement.

(4) If the city or township clerk verifies the elector information and finds no information contrary to the information provided by the individual in the sworn statement and the individual presents identification for election purposes that contains a current residence address to establish his or her identity and residence address, the individual is permitted to vote a provisional ballot that is tabulated on election day in the same manner as an elector whose name is listed on the voter registration list, except that the election inspectors shall process the ballot as a challenged ballot under sections 745 and 746.

(5) If the election inspector is not able to contact the city or township clerk, the individual is not in the correct precinct, or the individual is unable to present identification for election purposes that contains a current residence address, the individual must be issued a provisional ballot that is not tabulated on election day but is secured for verification after the election. A provisional ballot must also be issued under this subsection to a voter who presents identification for election purposes that does not bear the voter's current residence address, if the voter also presents a document to establish the voter's current residence address. The election inspector shall accept a document containing the name and current residence address of the voter as sufficient documentation to issue a provisional ballot if it is 1 of the following documents:

(a) A current utility bill.
(b) A current bank statement.
(c) A current paycheck, government check, or other government document.

(6) A provisional ballot must be placed in a provisional ballot return envelope prescribed by the secretary of state and delivered to the city or township clerk after the polls close in a manner as prescribed by the secretary of state.

(7) For a provisional ballot voted under subsection (4), the election inspector shall provide the voter with a notice that his or her ballot has been tabulated. For a provisional ballot voted under subsection (5), the election inspector shall provide the voter with a notice that the voter's information will be verified by the clerk of the jurisdiction within 6 days after the election to determine whether the ballot will be tabulated and, if the ballot is not tabulated, to determine the reason it was not tabulated. A clerk of a jurisdiction shall provide a free access system for the voter to determine whether the ballot was tabulated. The free access system may include a telephone number that does not require a toll charge, a toll-free telephone number, an internet website, or a mailed notice.

(8) As used in this section and sections 813 and 829, "provisional ballot" means a special ballot utilized for an individual who is not listed on the voter registration list at the polling place that is tabulated only after verification of the individual's eligibility to vote.


Popular name: Election Code


Compiler's note: This repealed section pertained to a report by the local clerks to the county clerks on the number of eligible voters.

Popular name: Election Code


Compiler's note: The repealed section pertained to review of voter registration system by advisory committee.

Popular name: Election Code