

Act No. 4
Public Acts of 1994
Approved by the Governor
February 18, 1994
Filed with the Secretary of State
February 18, 1994

**STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1994**

Introduced by Senator Bouchard

ENROLLED SENATE BILL No. 168

AN ACT to amend section 500a of Act No 116 of the Public Acts of 1954 entitled An act to reorganize consolidate and add to the election laws to provide for election officials and prescribe their powers and duties to provide for the nomination and election of candidates for public office to provide for the resignation removal and recall of certain public officers to provide for the filling of vacancies in public office to provide for and regulate primaries and elections to provide for the purity of elections to guard against the abuse of the elective franchise to define violations of this act to prescribe the penalties therefor and to repeal certain acts and all other acts inconsistent herewith as amended by Act No 275 of the Public Acts of 1988 being section 168 500a of the Michigan Compiled Laws to add section 328 and to repeal certain parts of the act

The People of the State of Michigan enact

Section 1 Section 500a of Act No 116 of the Public Acts of 1954 as amended by Act No 275 of the Public Acts of 1988 being section 168 500a of the Michigan Compiled Laws is amended by adding section 328 to read as follows

Sec 328 (1) Notwithstanding any law or charter provision to the contrary if a city is scheduled to conduct a city election in March 1994 on a date other than March 15 the legislative body of the city may by resolution change the date of the city election to March 15 1994 The resolution shall be adopted before February 25 1994 A resolution that was adopted before the effective date of the amendatory act that added this section and that substantially complies with this subsection is validated

(2) If a resolution described in subsection (1) is adopted all of the following apply

(a) The legislative body of the city shall immediately file the resolution with the city clerk The city clerk shall immediately notify the clerk of the county in which the city is located of the adoption of the resolution

(b) The terms of elective city offices shall expire and commence on the same dates as would apply if the election were conducted on the date otherwise prescribed by law or charter

(3) Notwithstanding any law or charter provision to the contrary if a village is scheduled to conduct a village election in March 1994 on a date other than March 15 the legislative body of the village may by resolution change the date of the election to March 15 1994 The resolution shall be adopted before February 25 1994 A resolution that was adopted before the effective date of the amendatory act that added this section and that substantially complies with this subsection and subsections (4) and (5) is validated

(4) In a resolution adopted under subsection (3) the village may provide with the consent of the township clerk that the township election authorities shall conduct the village election in which case all of the following apply

(a) The village election commission shall provide any paper ballots necessary to conduct the village election and reimburse the county upon request for any identifiable additional cost incurred for including the village election ballot on voting machine or electronic voting systems ballots

(b) The township precinct inspectors shall certify the results of the village election to the county board of canvassers that normally certifies the village election

(5) In a resolution adopted under subsection (3) the village may provide that the village election authorities shall conduct the village election If the village election authorities will conduct the village election the resolution adopted under subsection (3) may provide that the village election authorities will also conduct for the electors of the village the special election on the proposed state constitutional amendment scheduled for March 15 1994 in which case all of the following apply

(a) The registered and qualified electors of the township residing in the village shall vote on the proposed state constitutional amendment in the same place designated for voting in the village election

(b) The county clerk of the county that canvasses and certifies the results of the village election shall provide the village election commission with any paper state constitutional amendment ballots necessary to conduct the election The village election commission shall cause to be printed upon the ballot used in any voting machine or electronic voting system the approved ballot wording and submit a proof to the county clerk

(c) The election on the state constitutional amendment shall be conducted canvassed and certified in the same manner as required for the village election The board of county canvassers that canvasses the village election shall include in its certification to the board of state canvassers the results of the state constitutional amendment election conducted in the village

(6) If pursuant to subsection (4) the township election authorities will conduct the village election or pursuant to subsection (5) the village election authorities will conduct the special election on the proposed state constitutional amendment absentee ballots for both elections shall be issued upon a single request from the voter to either the village clerk or the township clerk

(7) If a resolution described in subsection (3) is adopted all of the following apply

(a) The legislative body of the village shall immediately file the resolution with the village clerk The village clerk shall immediately notify the clerks of each county and township in which the village is located of the adoption of the resolution

(b) Any notice of election published by the village clerk or the township clerk of a township in which the village is located shall contain information about polling places for both the village election and the special election on the proposed state constitutional amendment scheduled for March 15 1994

(c) The terms of elective village offices shall expire and commence on the same dates as would apply if the election were conducted on the date otherwise prescribed by law or charter

(8) This section is repealed effective June 1 1994

Sec 500a (1) The secretary of state or the secretary of state's agent shall afford a person who appears in a department of state branch office or a person who applies for renewal of an operator's or chauffeur's license under section 307 of the Michigan vehicle code Act No 300 of the Public Acts of 1949 being section 257 307 of the Michigan Compiled Laws an opportunity to complete an application to register to vote or to change the person's voting registration name address or for the purpose of voting in a presidential primary election party preference 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 shall contain all of the following

(a) The name of the applicant

(b) The residence address of the applicant including the street and number or rural route and box number if any

(c) The city or township and county of residence of the applicant and the school district of the applicant if known

(d) The date of birth of the applicant

(e) The birthplace of the applicant

(f) The driver's license or state personal identification card number of the applicant if available

(g) A statement that the applicant has the qualifications of an elector as of the date of applying for registration or will have the qualifications of an elector at the next election

(h) A space for the applicant to declare for the purpose of voting in a presidential primary election a party preference or that the applicant has no party preference

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

(j) A statement that the applicant if qualified may vote at an election occurring not less than 30 days after the date of completing the application

(k) A space to indicate the applicant's last place of registration if any

(l) A statement authorizing the cancellation of registration at the applicant's last place of registration

(m) A space for the applicant to sign and certify to the truth of the statements on the application

(2) The applicant shall sign the application. Upon receipt of the application, the agent shall sign the application, stamp the application with a validation stamp, 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.

This act is ordered to take immediate effect.

Secretary of the Senate

Co Clerk of the House of Representatives

Approved

Governor