

HOUSE BILL No. 4994

July 17, 2003, Introduced by Reps. Stakoe, Ward, Casperson, Stahl, Caswell, LaJoy, Garfield, Gaffney, Koetje, Sheen, Drolet, Hune, Jammick, Byrum and Farhat and referred to the Committee on Local Government and Urban Policy.

A bill to amend 1954 PA 116, entitled
 "Michigan election law,"
 by amending section 661 (MCL 168.661), as amended by 1982 PA 2.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 661. (1) ~~When~~ **if** the voter registration in a
 2 precinct using voting machines is 1,000 or less, there shall be
 3 not less than 1 voting machine for each 500 active registered
 4 electors at the general November election and at the primary
 5 immediately ~~preceding~~ **before** that election. ~~When~~ **if** the
 6 registration in a precinct using voting machines is more than
 7 1,000 and less than 3,000, there shall be at least 1 voting
 8 machine for each 600 active registered electors at the general
 9 November election and at the primary immediately ~~preceding~~
 10 **before** that election. At other primaries and elections, the
 11 number of voting machines ~~shall be~~ **is** at the discretion of the

HOUSE BILL No. 4994

1 local election commission. In making this determination, the
2 local election commission shall take into consideration the
3 number of choices the voter must make, the percentage of
4 registered voters who voted at the last similar election in the
5 jurisdiction, and the intensity of the interest of the electors
6 in the jurisdiction concerning the candidates and proposals to be
7 voted upon. ~~When~~ **If the number of registered voters who voted**
8 **at the last similar election in the precinct by absentee ballot**
9 **exceeded 18% of the total number of registered voters who voted**
10 **in the precinct, the local election commission may reduce the**
11 **number of voting machines accordingly.** If the registration in a
12 precinct using voting machines exceeds 2,999, the precinct shall
13 be divided or rearranged.

14 (2) Except as provided in subsection (3), city and township
15 election commissions shall divide precincts according to law, not
16 later than 210 days before the primary ~~next preceding~~ **that is**
17 **immediately before** the general November election, and shall
18 immediately notify the county clerk of the number of registered
19 voters in each precinct in the city or township. The county
20 clerk shall notify the secretary of state not later than 200 days
21 before the primary of a precinct in the clerk's county ~~which~~
22 **that** has not been divided according to law. ~~—, and the~~ **The**
23 secretary of state shall ~~proceed to~~ make divisions as are
24 necessary at the expense of the city or township involved, not
25 later than 180 days before the primary ~~next preceding~~ **that is**
26 **immediately before** the general November election. If the
27 election commission of a city, village, or township using voting

1 machines decides to use paper ballots for a primary or election,
2 the preceding limitations ~~shall~~ continue for that election. A
3 division of precincts shall be made effective not later than 180
4 days before the primary election ~~next preceding~~ **that is**
5 **immediately before** the general November election.

6 (3) In the second year following each federal census,
7 precincts shall be divided ~~pursuant to~~ **as provided in** this
8 subsection. City and township election commissions shall divide
9 precincts ~~—~~ not later than 120 days before the primary election
10 ~~next preceding~~ **that is immediately before** the general November
11 election ~~in order~~ **so** that a precinct, as far as is practical,
12 is not split between districts and does not exceed 2,999
13 registered voters. ~~— and~~ **The city or township election**
14 **commission** shall immediately notify the county clerk of the
15 number of registered voters in each precinct in each city or
16 township. The county clerk shall notify the secretary of state
17 not later than 110 days before the primary of any precincts in
18 the county ~~which~~ **that** have not been divided, and the secretary
19 of state shall ~~proceed to~~ make the **necessary** divisions ~~as are~~
20 ~~necessary~~ at the expense of the city or township involved ~~—~~
21 not later than 90 days before the primary election ~~next~~
22 ~~preceding~~ **that is immediately before** the general November
23 election. The division of precincts shall be made effective not
24 later than 90 days before the primary election. The secretary of
25 state may authorize, upon written request by a city or township
26 election commission, a later division of a precinct ~~which~~ **that**
27 contains portions of more than 1 elective district. All precinct

1 divisions shall be completed not later than 90 days before the
2 primary election ~~next preceding~~ **that is immediately before** the
3 general November election.