

SUBSTITUTE FOR  
HOUSE BILL NO. 4539

A bill to amend 1954 PA 116, entitled  
"Michigan election law,"  
by amending sections 497 and 509v (MCL 168.497 and 168.509v),  
section 497 as amended by 1989 PA 142 and section 509v as added by  
1994 PA 441.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 497. (1) A person who is not registered **TO VOTE** but  
2 possesses the qualifications of an elector as ~~set forth~~ **PROVIDED** in  
3 section 492 ,—may apply for registration to the clerk of the  
4 county, township, city, or village in which he or she resides on a  
5 day other than Saturday, Sunday, a legal holiday, or the day of a  
6 regular, primary, school, or special election. ~~Registrations~~ **EXCEPT**  
7 **AS OTHERWISE PROVIDED IN THIS ACT, REGISTRATIONS** accepted between  
8 the thirtieth day ~~preceding~~ **BEFORE** an election and the day of the

1 election, unless the thirtieth day falls on a Saturday, Sunday, or  
2 legal holiday, in which event registration shall be accepted during  
3 the following day, are not valid for the election but are valid for  
4 subsequent regular, primary, school, or special elections that are  
5 held so that not less than 30 days intervene between the date the  
6 person registered and the date of the election.

7 (2) Except as otherwise provided in sections ~~499a to 499e,~~  
8 500a to 500j, ~~and 504,~~ an application for registration shall not be  
9 executed at a place other than the office of the county, township,  
10 city, or village clerk or a public place or places designated by  
11 the clerk ~~or deputy registrar~~ for receiving registrations, but the  
12 clerk or ~~deputy registrar~~ **ASSISTANT CLERK** may receive an  
13 application wherever he or she may be. If a county, township, city,  
14 or village clerk does not regularly keep his or her office open  
15 daily during certain hours, the clerk ~~shall~~ **IS** not ~~be~~ required to  
16 be at his or her office for the purpose of receiving applications  
17 for registration on a particular day nor during specific hours of a  
18 day, except as provided in section 498. Registrations taken after  
19 the time of closing registrations before an election need not be  
20 processed until the date immediately following that election. A  
21 registration shall not be placed in a precinct registration file  
22 until the date immediately following that election. If a person  
23 registers at a time that registrations are closed for an election,  
24 the person shall be given a notice, signed by the clerk, on a form  
25 developed by the secretary of state, informing him or her that he  
26 or she is not eligible to vote in the election and indicating the  
27 first date on which he or she is eligible to vote. Except as

1 provided in sections 500a to 500j, the provisions of this section  
2 relating to registration shall apply.

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

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

9 (b) A department of state office.

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

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

18 (a) The secretary of state.

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

21 (c) A designated voter registration agency.

22 (3) NOT LATER THAN JUNE 30, 2010, THE SECRETARY OF STATE SHALL  
23 DEVELOP AND IMPLEMENT A SYSTEM TO ALLOW AN APPLICANT TO SUBMIT A  
24 VOTER REGISTRATION APPLICATION ELECTRONICALLY ON THE SECRETARY OF  
25 STATE'S WEBSITE.

26 (4) BEGINNING JULY 1, 2010, A PERSON WHO IS NOT REGISTERED TO  
27 VOTE AT THE ADDRESS WHERE HE OR SHE RESIDES MAY SUBMIT A VOTER

1 REGISTRATION APPLICATION ELECTRONICALLY ON THE SECRETARY OF STATE'S  
2 WEBSITE.

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

6 (A) ATTEST TO THE TRUTH OF THE INFORMATION PROVIDED ON THE  
7 VOTER REGISTRATION APPLICATION BY AFFIRMATIVELY ACCEPTING THE  
8 INFORMATION AS TRUE.

9 (B) AFFIRMATIVELY ASSENT TO THE USE OF HIS OR HER MOST RECENT  
10 DIGITIZED SIGNATURE IF CAPTURED OR REPRODUCED BY THE SECRETARY OF  
11 STATE PURSUANT TO SECTION 307 OF THE MICHIGAN VEHICLE CODE, 1949 PA  
12 300, MCL 257.307, OR IF CAPTURED OR REPRODUCED BY THE SECRETARY OF  
13 STATE PURSUANT TO 1972 PA 222, MCL 28.291 TO 28.300.

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

18 (6) AN ELECTRONIC MAIL ADDRESS PROVIDED BY AN APPLICANT WHO  
19 SUBMITS A VOTER REGISTRATION APPLICATION ELECTRONICALLY PURSUANT TO  
20 SUBSECTION (4) IS CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER THE  
21 FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246.

22 (7) A PERSON WHO SUBMITS A VOTER REGISTRATION APPLICATION  
23 ELECTRONICALLY MUST HAVE AN OFFICIAL STATE IDENTIFICATION CARD  
24 ISSUED PURSUANT TO 1972 PA 222, MCL 28.291 TO 28.300, OR AN  
25 OPERATOR'S OR CHAUFFEUR'S LICENSE ISSUED PURSUANT TO THE MICHIGAN  
26 VEHICLE CODE, 1949 PA 300, MCL 257.1 TO 257.923.

27 (8) A VOTER REGISTRATION APPLICATION SUBMITTED ELECTRONICALLY

House Bill No. 4539 (H-2) as amended December 17, 2009

1 BY A PERSON SHALL BE CONSIDERED AN IN-PERSON VOTER REGISTRATION FOR  
2 PURPOSES OF THIS ACT.

3 (9) A VOTER REGISTRATION APPLICATION SUBMITTED ELECTRONICALLY  
4 ON THE SECRETARY OF STATE'S WEBSITE BEFORE 4 P.M. ON A DAY BEFORE  
5 THE ELECTION IS VALID FOR THAT ELECTION AND ALL SUBSEQUENT  
6 ELECTIONS.

7 (10) THE SECRETARY OF STATE SHALL IMPLEMENT SECURITY MEASURES  
8 TO ENSURE THE ACCURACY AND INTEGRITY OF THE VOTER REGISTRATIONS  
9 SUBMITTED ELECTRONICALLY.

10 (11) THE SECRETARY OF STATE SHALL PROMULGATE RULES PURSUANT TO  
11 THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201  
12 TO 24.328, TO IMPLEMENT THE PROVISIONS OF SUBSECTIONS (3) TO (10).

13 [(12) AT THE END OF EACH MONTH, ANY COST SAVINGS REALIZED BY THE  
DEPARTMENT OF STATE'S USE OF ELECTRONIC VOTER REGISTRATION SERVICES AS  
PROVIDED IN THIS SECTION SHALL BE TRANSFERRED TO THE STATE GENERAL FUND.]

14 Enacting section 1. This amendatory act does not take effect  
15 unless House Bill No. 4540 of the 95th Legislature is enacted into  
law.