

HOUSE BILL No. 4540

March 10, 2009, Introduced by Reps. Liss, Haase, Switalski, Durhal, Miller, Roberts, Lisa Brown, Haugh, Slavens, Bledsoe, Gregory, Hammel, Kennedy, Spade, Lipton, Polidori, Scripps, Warren, Smith, Bauer, Donigan, Tlaib, Nathan, Cushingberry, Constan, Byrnes, Meadows, Byrum, Simpson, Barnett, Huckleberry, Ebli, Geiss, Young, Segal, Robert Jones, Leland and Bettie Scott and referred to the Committee on Ethics and Elections.

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

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

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

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

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

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

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

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

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

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

received on or before the close of registration, 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 close of registration.

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

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

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

Enacting section 1. This amendatory act does not take effect unless Senate Bill No.____ or House Bill No. 4539(request no. 00854'09) of the 95th Legislature is enacted into law.