

Act No. 253
Public Acts of 2010
Approved by the Governor
December 14, 2010
Filed with the Secretary of State
December 14, 2010
EFFECTIVE DATE: December 14, 2010

**STATE OF MICHIGAN
95TH LEGISLATURE
REGULAR SESSION OF 2010**

Introduced by Rep. Bledsoe

ENROLLED HOUSE BILL No. 6170

AN ACT to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; 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 provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,” by amending sections 10, 11, and 492 (MCL 168.10, 168.11, and 168.492), section 492 as amended by 1989 PA 142.

The People of the State of Michigan enact:

Sec. 10. (1) Except as provided in subsection (2), the term “qualified elector”, as used in this act, means a person who possesses the qualifications of an elector as prescribed in section 1 of article II of the state constitution of 1963 and who has resided in the city or township 30 days.

(2) For purposes of an election for the office of judge of a municipal court that exercises jurisdiction over another city pursuant to section 9928(3) of the revised judiciary act of 1961, 1961 PA 236, MCL 600.9928, qualified elector includes a person who meets the constitutional qualifications described in subsection (1) and has resided for 30 days in the other city over which municipal court jurisdiction is exercised. This subsection does not entitle a person to vote on any ballot question except the office of municipal judge under the circumstances prescribed in this subsection.

Sec. 11. (1) “Residence”, as used in this act, for registration and voting purposes means that place at which a person habitually sleeps, keeps his or her personal effects, and has a regular place of lodging. If a person has more than 1 residence, or if a person has a residence separate from that of his or her spouse, that place at which the person resides the greater part of the time shall be his or her official residence for the purposes of this act. This section does not affect existing judicial interpretation of the term residence.

(2) An elector does not gain or lose a residence while employed in the service of the United States or of this state, while engaged in the navigation of the waters of this state, of the United States, or of the high seas, while a student at an institution of learning, while kept at any state facility or hospital at public expense, or while confined in a jail or prison. Honorably discharged members of the armed forces of the United States or of this state who reside in the veterans’ facility established by this state may acquire a residence where the facility is located. The residence of a person who is a patient receiving treatment at a hospital or other facility under the mental health code, 1974 PA 258, MCL 330.1001 to 330.2106, is the village, city, or township where the person resided immediately before admission to the hospital or other facility.

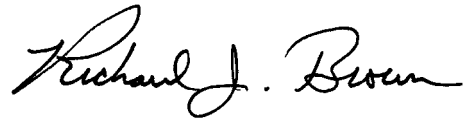
(3) A member of the armed forces of the United States is not a resident of this state due to being stationed in a military or naval facility within this state.

(4) For purposes of registering to vote and voting at an election or special election for the office of judge of a municipal court that exercises jurisdiction over another city pursuant to section 9928(3) of the revised judicature act of 1961, 1961 PA 236, MCL 600.9928, a person who resides in the other city over which municipal court jurisdiction is exercised is considered a resident of the city in which the municipal court is located and may register for, and vote in, that election in the city in which he or she resides.

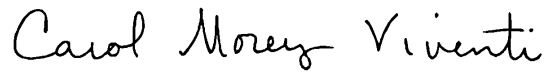
Sec. 492. Each person who has the following qualifications of an elector, or who will have those qualifications at the next election or primary election, is entitled to register as an elector in the township, city, or village in which he or she resides. The person shall be a citizen of the United States; not less than 18 years of age; a resident of the state for not less than 30 days; and a resident of the township, city, or village on or before the thirtieth day before the next regular or special election or primary election. For purposes of registering to vote and voting at an election or special election for the office of judge of a municipal court that exercises jurisdiction over another city pursuant to section 9928(3) of the revised judicature act of 1961, 1961 PA 236, MCL 600.9928, a person who resides in the other city over which municipal court jurisdiction is exercised is considered a resident of the city in which the municipal court is located.

Enacting section 1. This amendatory act does not take effect unless House Bill No. 6168 of the 95th Legislature is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor