

HOUSE BILL No. 4108

January 18, 2011, Introduced by Reps. Darany, Lindberg, Constan and Santana and referred to the Committee on Redistricting and Elections.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 509t (MCL 168.509t), as amended by 2004 PA 92.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 509t. (1) Notwithstanding another provision of law to the
2 contrary, a person who is a qualified elector in this state and who
3 registers to vote in a manner consistent with the national voter
4 registration act of 1993 is considered a registered voter under
5 this act.

6 (2) ~~A-EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION AND~~
7 SUBSECTION (3), A person who registers BY MAIL to vote in a
8 jurisdiction in this state ~~by mail~~ shall vote in person and shall
9 provide identification as required under section 303(b) of the help

1 America vote act of 2002, 42 USC 15483, if that person has not
2 previously voted in person in this state. This subsection does not
3 apply to any of the following registered voters:

4 (a) A person entitled to vote by absentee ballot under the
5 uniformed and overseas citizens absentee voting act.

6 (b) A person who has a disability as defined in section 103 of
7 the persons with disabilities civil rights act, 1976 PA 220, MCL
8 37.1103, or, for purposes of voting in person only, a person who is
9 60 years of age or older.

10 (c) A person who is entitled to vote other than in person
11 under any other federal law.

12 (3) A PERSON WHO REGISTERS BY MAIL TO VOTE MAY SATISFY THE
13 IDENTIFICATION REQUIREMENT OF THE HELP AMERICA VOTE ACT OF 2002 AND
14 THE REQUIREMENT TO VOTE IN PERSON AS PROVIDED IN SUBSECTION (2) IF
15 HE OR SHE PRESENTS A VALID FORM OF IDENTIFICATION AS PROVIDED IN
16 SECTION 303(B) OF THE HELP AMERICA VOTE ACT OF 2002, 42 USC 15483,
17 TO ANY COUNTY, CITY, OR TOWNSHIP CLERK IN THIS STATE. A CLERK WHO
18 RECEIVES A VALID FORM OF IDENTIFICATION AND WHO IS NOT THE CLERK OF
19 THE CITY OR TOWNSHIP WHERE THE ELECTOR IS REGISTERED TO VOTE SHALL
20 TRANSMIT TO THE CLERK OF THE CITY OR TOWNSHIP WHERE THE ELECTOR IS
21 REGISTERED TO VOTE A NOTICE THAT THE ELECTOR HAS SATISFIED THE
22 REQUIREMENT TO VOTE IN PERSON AND THE IDENTIFICATION REQUIREMENT OF
23 THE HELP AMERICA VOTE ACT OF 2002. THE NOTICE SHALL BE TRANSMITTED
24 IN A MANNER PRESCRIBED BY THE SECRETARY OF STATE. THE CLERK OF THE
25 CITY OR TOWNSHIP WHERE THE ELECTOR IS REGISTERED TO VOTE SHALL,
26 UPON RECEIPT OF A NOTICE UNDER THIS SUBSECTION, UPDATE THE
27 INFORMATION IN THE QUALIFIED VOTE FILE OF THE ELECTOR.

1 (4) ~~(3)~~—This section does not preclude this state from
2 prosecuting a violation of this act that is also a violation of a
3 federal election or voting rights law.