

SENATE BILL No. 76

January 26, 2011, Introduced by Senators BIEDA, SMITH, GLEASON, WARREN, HUNTER, WHITMER, ANDERSON, SCHUITMAKER and JOHNSON and referred to the Committee on Local Government and Elections.

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

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

7 (b) A department of state office.

8 (c) A designated voter registration agency when submitting an

1 application, recertification, renewal, or change of address at the
2 voter registration agency.

3 (2) A person who is not registered to vote at the address
4 where he or she resides may apply for registration by submitting a
5 completed mail registration application. A person may request a
6 mail registration application from and submit the application to
7 any of the following:

8 (a) The secretary of state.

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

11 (c) A designated voter registration agency.

12 (3) NOT LATER THAN JUNE 30, 2011, THE SECRETARY OF STATE SHALL
13 DEVELOP AND IMPLEMENT A SYSTEM TO ALLOW AN APPLICANT TO SUBMIT A
14 VOTER REGISTRATION APPLICATION ELECTRONICALLY ON THE SECRETARY OF
15 STATE'S WEBSITE.

16 (4) BEGINNING JULY 1, 2011, A PERSON WHO IS NOT REGISTERED TO
17 VOTE AT THE ADDRESS WHERE HE OR SHE RESIDES MAY SUBMIT A VOTER
18 REGISTRATION APPLICATION ELECTRONICALLY ON THE SECRETARY OF STATE'S
19 WEBSITE.

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

23 (A) ATTEST TO THE TRUTH OF THE INFORMATION PROVIDED ON THE
24 VOTER REGISTRATION APPLICATION BY AFFIRMATIVELY ACCEPTING THE
25 INFORMATION AS TRUE.

26 (B) AFFIRMATIVELY ASSENT TO THE USE OF HIS OR HER MOST RECENT
27 DIGITIZED SIGNATURE IF CAPTURED OR REPRODUCED BY THE SECRETARY OF

1 STATE PURSUANT TO SECTION 307 OF THE MICHIGAN VEHICLE CODE, 1949 PA
2 300, MCL 257.307, OR IF CAPTURED OR REPRODUCED BY THE SECRETARY OF
3 STATE PURSUANT TO 1972 PA 222, MCL 28.291 TO 28.300.

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

8 (6) IF A PERSON WHO SUBMITS A VOTER REGISTRATION APPLICATION
9 ELECTRONICALLY DOES NOT HAVE AN OFFICIAL STATE IDENTIFICATION CARD
10 ISSUED PURSUANT TO 1972 PA 222, MCL 28.291 TO 28.300, OR AN
11 OPERATOR'S OR CHAUFFEUR'S LICENSE ISSUED PURSUANT TO THE MICHIGAN
12 VEHICLE CODE, 1949 PA 300, MCL 257.1 TO 257.923, THE VOTER
13 REGISTRATION APPLICATION SUBMITTED ELECTRONICALLY BY THAT PERSON
14 SHALL BE CONSIDERED A REGISTRATION BY MAIL AND THAT PERSON SHALL
15 COMPLY WITH THE REQUIREMENTS IN SECTION 509T.

16 (7) THE SECRETARY OF STATE MAY IMPLEMENT ADDITIONAL SECURITY
17 MEASURES TO ENSURE THE ACCURACY AND INTEGRITY OF THE VOTER
18 REGISTRATIONS SUBMITTED ELECTRONICALLY.

19 (8) THE SECRETARY OF STATE SHALL PROMULGATE RULES PURSUANT TO
20 THE ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201
21 TO 24.328, TO IMPLEMENT THE PROVISIONS OF SUBSECTIONS (3) TO (7).

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

26 (a) Validate the application in the manner prescribed by the
27 secretary of state.

1 (b) Issue a receipt to the applicant verifying the acceptance
2 of the application.

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

6 (A) VALIDATE THE APPLICATION IN THE MANNER PRESCRIBED BY THE
7 SECRETARY OF STATE.

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

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

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

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

1 of state for that purpose.

2 Sec. 509x. An application for registration is considered ~~to be~~
3 received on or before the close of registration, if 1 of the
4 following requirements is met:

5 (a) An application is received at a department of state
6 office, a designated voter registration agency, or the office of a
7 county, city, or township clerk on or before the close of
8 registration.

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

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

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