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BILL ANALYSIS



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House Bill 5669 (Substitute H-1 as passed by the House)
Sponsor: Representative Aaron Miller
House Committee: Elections and Ethics
Senate Committee: Elections and Government Reform

Date Completed: 4-11-18

CONTENT

The bill would amend the Michigan Election Law to specify types of picture identification that a person may present for various purposes under the Law, including applying to register to vote and voting.

(As discussed in the **BACKGROUND** section below, the bill generally could codify the current practice of the Bureau of Elections regarding the types of identification that are accepted if a person does not have a driver license or State personal ID card.)

Currently, the Election Law requires a person to present an operator's or chauffeur's license issued under the Michigan Vehicle Code, an official State personal identification card issued under Public Act 222 of 1972, or another generally recognized picture identification card in order to apply in person to register to vote or to receive a ballot at the polls. A voter must present one of those items or a photo ID card issued by an institution of higher education or a junior or community college in order to vote a provisional ballot or apply in person for an absent voter ballot. One of those forms of identification also is required to establish the identity and residence of an elector who voted a provisional ballot, in order for it to be tabulated.

The bill, instead, would require "identification for election purposes". That term would mean, "if issued to the person presenting the card or document and if presented for voting purposes the name on the card or document sufficiently matches the individual's name in his or her voter registration record so as to accurately identify the individual as the registered elector, or if issued to the individual presenting the card or document and if presented for voter registration purposes, any of the following":

- An operator's or chauffeur's license issued under the Michigan Vehicle Code or an enhanced driver license issued under the Enhanced Driver License and Enhanced Official State Personal Identification Card Act.
- An official State personal identification card issued under Public Act 222 of 1972 or an enhanced official State personal identification card issued under the Enhanced Driver License and Enhanced Official State Personal Identification Card Act.
- A current operator's or chauffeur's license issued by another state.
- A current state personal ID card issued by another state.
- A current State government-issued photo ID card.
- A current United States passport or Federal government-issued photo ID card.
- A current military photo ID card.
- A current tribal photo ID card.

- A current student photo ID card issued by a high school in Michigan, an institution of higher education in the State described in the State Constitution, a junior college or community college established under the State Constitution, or another accredited degree- or certificate-granting college or university, junior college, or community college located in Michigan.

Currently, if a person who applies to register to vote in person does not have an operator's or chauffeur's license, official State ID card, or other generally recognized picture ID card, he or she may sign an affidavit to that effect and be allowed to register to vote. Under the bill, a person could sign an affidavit if he or she did not have identification for election purposes. The bill specifies that the person would remain subject to any applicable Federal identification requirements under the Help America Vote Act until those identification requirements were satisfied.

The bill would take effect 90 days after being enacted.

MCL 168.2 et al.

BACKGROUND

A Bureau of Elections document titled, "Picture Identification in the Polls: Questions and Answers", discusses the requirement in the Michigan Election Law that voters at the polls show picture identification or sign an affidavit attesting that they are not in possession of picture ID. According to this document, if a voter does not have a Michigan driver license or a Michigan personal identification card to satisfy the picture ID requirement, he or she may show any of the following forms of picture identification as long as it is current:

- Driver license or personal identification card issued by another state.
- Federal or state government-issued photo ID.
- U.S. passport.
- Military identification card with photo.
- Student identification with photo from a high school or an accredited institution of higher education.
- Tribal identification with photo.

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.