

HOUSE BILL No. 4459

March 30, 2017, Introduced by Reps. Webber, Lucido, Hoadley, Pagan, Schor, Brann, Jones, Leutheuser, Zemke, Love and Chang and referred to the Committee on Elections and Ethics.

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
10 America vote act of 2002, ~~42 USC 15483,~~ **52 USC 21083**, if that

1 person has not previously voted in person in this state. This
2 subsection does not apply to any of the following registered
3 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 **THAT TERM IS** defined in
7 section 103 of the persons with disabilities civil rights act, 1976
8 PA 220, MCL 37.1103, or, for purposes of voting in person only, a
9 person who is 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, 52 USC 21083,**
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 MUST 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.

4 Enacting section 1. This amendatory act takes effect 90 days
5 after the date it is enacted into law.