



Senate Fiscal Agency
P.O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bill 4134 (Substitute H-1 as passed by the House)
Sponsor: Representative Ann Bollin
House Committee: Elections and Ethics
Senate Committee: Elections

Date Completed: 9-1-21

CONTENT

The bill would amend the Michigan Election Law to do the following:

- **Require a consolidated election precinct to have no more than 4,000, instead of 2,999 active registered electors.**
- **Specify that municipal elections commissioners could consolidate precincts for a particular election that was not a general November election, instead of an election that was not a general November election, primary election immediately before a general November election, or other statewide or Federal election.**
- **Eliminate references to villages in provisions relating to precinct consolidation.**
- **Allow a consolidated primary election occurring before a general November election to occur only if the polling place for those precincts did not change.**
- **Eliminate a provision prescribing methods by which a city or township election commission or the Secretary of State may use to determine the number of registered voters for a precinct.**
- **Require the clerk of each county, city, or township to maintain a permanent absent voter application list.**
- **Allow a qualified and registered elector to submit a written request to be placed on or removed from a permanent absent voter application list and prescribe the method by which an elector could do so.**
- **Require the clerk of a county, city, or township to remove an elector from the permanent absent voter application list if that elector were placed in the inactive voter file.**
- **Require an elector's request to be on a permanent absent voter application list to continue automatically if the elector changed his or her registered address.**

Consolidated Election Precinct

Currently, if a city, ward, township, or village is divided into two or more election precincts and it appears from an examination of the precinct registration records that there are no more than 2,999 active registered electors in that city, ward, township, or village, using voting machines, the election commission, or other applicable official, may abolish the division and constitute the city, ward, township, or village as a single election precinct. Under the bill, the 2,999-electoral threshold would be raised to 4,000. The bill also would remove a requirement to use voting machines.

If a county, city, ward, township, village, metropolitan district, or school district is divided into two or more precincts, the county, city, ward, township, or village election commission

may, by resolution, consolidate the precincts for a particular election that is *not* a general November election, primary election immediately before a general November election, or other statewide or Federal election. The bill would eliminate references to villages from the consolidation provisions, and specifies that the applicable elections commissioners could consolidate the precincts for a particular election that was not a general November election.

Under the bill, for a primary election occurring before a general November election, a consolidation under this provision could occur only if the polling place for those consolidated precincts did not change. The election commissioners or other designated election official would not have to provide notice of consolidated precincts.

Currently, when the voter registration in a precinct using voting machines is 1,000 or less, there must be at least one voting machine for each 500 active registered electors at the general November election and at the primary immediately preceding the election. When the voter registration at such a precinct is more than 1,000 and less than 3,000, there must be at least one voting machine for each 600 active registered electors at the general November election and at the primary immediately preceding that election. At other primaries and elections, the number of voting machines must be at the discretion of the local election commission. When the voter registration in a precinct using voting machines exceeds 2,999, the precinct must be divided or rearranged. The bill would eliminate this language.

Under the Law, in the second year following each Federal decennial census, precincts must be divided as prescribed by law. City and township election commissions must divide precincts no later than 120 days before the primary election next preceding the general November election in order that a precinct, as far as is practical, is not split between districts and does not exceed 2,999 active registered electors. Under the bill, precincts could not exceed 4,000 active registered electors.

In determining the number of registered voters for a precinct, a city or township election commission or the Secretary of State, as applicable, may use either of the following: a) only the active registered voters for that city or township; or b) both the active registered voters for that city or township and the voters in the inactive voter file for that city or township. The bill would eliminate this provision.

Permanent Absent Voter Application List

Under the bill, each county, city, or township clerk would have to maintain a permanent absent voter application list. Only a county, city, or township clerk would be authorized to maintain a permanent absent voter application list.

A qualified and registered elector could submit a written request to be placed on the permanent absent voter application list of the county, city, or township in which that elector was registered to vote. A request would have to be made to the applicable clerk in person, by facsimile communication, by email, or by first-class mail, would have to be on a form as prescribed by the applicable clerk, or in a format that substantially complied with the prescribed form, and would have to include the elector's registered address. The request of each registered and qualified elector to be placed on the application list would have to be entered in the qualified voter file in the same manner as data were entered for a new elector.

The county, city, or township clerk responsible for issuing absent voter ballots for an election would have to send to each elector on the permanent absent voter application list an application for an absent voter ballot for each election cycle. For the purposes of this provision, "each election cycle" would mean all elections held in a calendar year.

A qualified and registered elector could request to be removed from the permanent absent voter application list of the county, city, or township. The request would have to be made to the applicable clerk in person, by facsimile communication, by email, or by first-class mail, and would have to include the elector's signature and registered address.

If the registration record of an elector were placed in the inactive voter file, the clerk of the county, city, or township in which that elector was registered would have to remove that elector for the permanent absent voter application list for that county, city, or township.

If an elector were on a permanent voter application list and the elector changed his or her registered address, the elector's request to be on a permanent absent voter application list would automatically continue and the elector would have to be listed on the permanent absent voter application list of the county, city, or township in which the elector was registered.

MCL 168.658 et al.

Legislative Analyst: Dana Adams

FISCAL IMPACT

The bill would not have fiscal impact for the Department of State; however, local units of government could realize savings by allowing the consolidation of precincts for most elections. Currently, the average cost for an election for a local unit of government is an estimated \$2,000 per precinct. If a local unit of government chose to consolidate its precincts, they could save \$2,000 for each precinct consolidated. The amount of savings is indeterminate and would depend on the actual number of precincts consolidated.

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.