

SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 4837

A bill to amend 1954 PA 116, entitled  
"Michigan election law,"  
by amending sections 509o and 509r (MCL 168.509o and 168.509r),  
section 509o as amended by 2018 PA 126 and section 509r as amended  
by 2018 PA 125.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 509o. (1) The secretary of state shall direct and  
2 supervise the establishment and maintenance of a statewide  
3 qualified voter file. The secretary of state shall establish the  
4 technology to implement the qualified voter file. The qualified  
5 voter file is the official file for the conduct of all elections  
6 held in this state. The secretary of state may direct that all or  
7 any part of the city or township **voter** registration files must be

1 used in conjunction with the qualified voter file at the first  
2 state primary and election held after the creation of the qualified  
3 voter file.

4 (2) Notwithstanding any other provision of law to the  
5 contrary, an individual who appears to vote in an election and  
6 whose name appears in the qualified voter file for that city,  
7 township, or school district is considered a registered voter of  
8 that city, township, or school district under this act.

9 (3) The secretary of state ~~, a designated voter registration~~  
10 ~~agency,~~ or a county, city, or township clerk shall not place a name  
11 of an individual into the qualified voter file unless that  
12 individual signs an application as prescribed in section ~~509r(3).~~  
13 **509r(4)**. The secretary of state ~~or a designated voter registration~~  
14 ~~agency~~ shall not allow an individual to indicate a different  
15 address than the address in either the secretary of state's or **a**  
16 designated voter registration agency's files to be placed in the  
17 qualified voter file.

18 (4) The secretary of state shall develop and utilize a process  
19 by which information obtained through the United States Social  
20 Security Administration's death master file that is used to cancel  
21 an operator's or chauffeur's license issued under the Michigan  
22 vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or an official  
23 state personal identification card issued under 1972 PA 222, MCL  
24 28.291 to 28.300, of a deceased resident of this state is also used  
25 at least once a month to update the qualified voter file to cancel  
26 the voter registration of any elector determined to be deceased.  
27 The secretary of state shall make the canceled voter registration  
28 information under this subsection available to the clerk of each  
29 **county**, city, or township to assist with the clerk's obligations

1 under section 510.

2 (5) Subject to this subsection, the secretary of state shall  
3 participate with other states in 1 or more recognized multistate  
4 programs or services, if available, to assist in the verification  
5 of the current residence and voter registration status of electors.  
6 The secretary of state shall not participate in any recognized  
7 multistate program or service described in this subsection that  
8 requires this state to promote or adopt legislation as a condition  
9 of participation in that program or service. In addition, the  
10 secretary of state shall not participate in any recognized  
11 multistate program or service described in this subsection if the  
12 secretary of state determines that data of that program or service  
13 are not being adequately secured or protected. The secretary of  
14 state shall follow the procedures under section 509aa(5) with  
15 regard to any electors affected by information obtained through any  
16 multistate program or service.

17 Sec. 509r. (1) The secretary of state shall establish and  
18 maintain the computer system and programs necessary to the  
19 operation of the qualified voter file. The secretary of state shall  
20 allow each county, city, or township access to the qualified voter  
21 file. The county, city, and township clerks shall verify the  
22 accuracy of the names and addresses of registered electors in the  
23 qualified voter file. **Only the following individuals can access the**  
24 **qualified voter file:**

25 (a) **The secretary of state, the director of elections, and the**  
26 **staff of the bureau of elections.**

27 (b) **Each county, city, and township clerk.**

28 (c) **Any election official who has been issued login**  
29 **credentials by the bureau of elections to access the qualified**

1 voter file.

2 (d) Any employee of the department of technology, management,  
3 and budget who performs system maintenance and security functions  
4 on the qualified voter file.

5 (e) Any employee of a vendor that is contracted to perform  
6 system maintenance and security functions on the qualified voter  
7 file.

8 (2) Nothing in subsection (1) affects an individual's ability  
9 to receive records under section 509ff.

10 (3) ~~(2)~~ Subject to subsection ~~(3)~~, **(4)**, the secretary of state  
11 and county, city, and township clerks shall compile the qualified  
12 voter file that consists of all qualified electors from the  
13 following sources and in the following priority:

14 (a) A driver license or, if there is no driver license, a  
15 state personal identification card, including renewals and changes  
16 of address with the department of state.

17 (b) An application for benefits or services, including  
18 renewals and changes of address, taken by a designated voter  
19 registration agency.

20 (c) An application to register to vote taken by a county,  
21 city, or township clerk.

22 **(4)** ~~(3)~~ An individual whose name does not otherwise appear in  
23 the qualified voter file must be placed in the qualified voter file  
24 only if the individual signs under penalty of perjury an  
25 application that contains an attestation that the applicant meets  
26 all of the following requirements:

27 (a) Is 17-1/2 years of age or older.

28 (b) Is a citizen of the United States and this state.

29 (c) Is a resident of the city or township where the

1 individual's street address is located.

2       (5) ~~(4) A designated voter registration agency or a county,~~  
3 city, **or** township ~~, or village~~ clerk shall not add to, delete from,  
4 or change any information contained in the qualified voter file  
5 during the period beginning on the seventh day before an election  
6 and ending on the day of the election.

7       (6) ~~(5)~~ The secretary of state shall create an inactive voter  
8 file.

9       (7) ~~(6)~~ If an elector is sent a notice under section 509aa to  
10 confirm the elector's residence information or if an elector does  
11 not vote for 6 consecutive years, the secretary of state shall  
12 place the registration record of that elector in the inactive voter  
13 file. The registration record of that elector must remain in the  
14 inactive voter file until 1 of the following occurs:

- 15       (a) The elector votes at an election.  
16       (b) The elector responds to a notice sent under section 509aa.  
17       (c) Another voter registration transaction involving that  
18 elector occurs.

19       (8) ~~(7)~~ While the registration record of an elector is in the  
20 inactive voter file, the elector remains eligible to vote and his  
21 or her name must appear on the precinct voter registration list.

22       (9) ~~(8)~~ If the registration record of an elector is in the  
23 inactive voter file because the elector was sent a notice under  
24 section 509aa to confirm the elector's residence information and  
25 that elector votes at an election by absent voter ballot, that  
26 absent voter ballot must be marked in the same manner as a  
27 challenged ballot as provided in section 727.