

**STATE OF MICHIGAN
101ST LEGISLATURE
REGULAR SESSION OF 2021**

Introduced by Reps. Bollin and Koleszar

ENROLLED HOUSE BILL No. 4492

AN ACT to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,” by amending section 662 (MCL 168.662), as amended by 2004 PA 92.

The People of the State of Michigan enact:

Sec. 662. (1) The legislative body in each city and township shall designate and prescribe the place or places of holding an election for a city, village, or township election, and shall provide a suitable polling place in or for each precinct located in the city or township for use at each election. Except as otherwise provided in this section, school buildings, fire stations, police stations, and other publicly owned or controlled buildings must be used as polling places.

(2) Subject to this subsection, if it is not possible or convenient to use a publicly owned or controlled building as a polling place as described in subsection (1), the legislative body of the city or township may use as a polling place a building owned or controlled by an organization that is exempt from federal income tax as provided by section 501(c), other than 501(c)(4), (5), or (6), of the internal revenue code of 1986, 26 USC 501. The legislative body of a city or township shall not designate as a polling place a building as described in this subsection that is owned by a person that is a sponsor of a political committee or independent committee.

(3) Subject to this subsection, if a suitable polling place as described in subsections (1) and (2) is not reasonably available for use or convenient to use, the legislative body of a city or township may establish a polling place at a for profit or nonprofit residence or facility in which 150 individuals or more aged 62 or older reside, an apartment building or complex in which 150 individuals or more reside, or any privately owned clubhouse or conference center located within an apartment or condominium complex, hotel or motel conference center, or recreation clubhouse that includes, but is not limited to, a golf course clubhouse or banquet center or park complex clubhouse. The legislative body of a city or township shall not designate as a polling place a building described in this subsection that is owned by a person that is a sponsor of a political committee or independent committee. Before a building that is not publicly owned or controlled as described in this subsection is designated as a polling place by a city or township, the clerk of the city or township in which that building is located must obtain a signed affidavit from the owner or manager of the building that certifies that the owner of the building is not a person that is a sponsor of a political committee or independent committee.

(4) A township board may provide polling places located within the limits of a city that has been incorporated from territory formerly a part of the township, and the electors of the township may cast their ballots at those polling places. If 2 contiguous townships utilize a combined township hall or other publicly owned or controlled building within 1 of the township's boundaries and outside of the other township's boundaries, and there is not another publicly owned or controlled building or a building owned or controlled by an organization that is exempt from federal income tax, as provided by section 501(c), other than 501(c)(4), (5), or (6), of the internal revenue code of 1986, 26 USC 501, available or suitable for a polling place within the other township, then each township board may provide a polling place in that publicly owned building for 1 or more election precinct.

(5) A city or township shall not use as a polling place a building that does not meet the requirements of this section.

(6) The legislative body of a city or township shall not establish, move, or abolish a polling place less than 60 days before an election unless necessary because a polling place has been damaged, destroyed, or rendered inaccessible or unusable as a polling place.

(7) The legislative body of a city or township shall ensure that a polling place established under this section is accessible and complies with the voting accessibility for the elderly and handicapped act and the help America vote act of 2002.

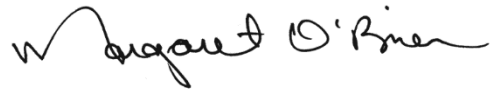
(8) As used in this section:

(a) "Accessible" means the removal or modification of policies, practices, and procedures that deny an individual with a disability the opportunity to vote, including the removal of physical barriers as identified in section 261(b) of the help America vote act of 2002, 52 USC 21021, so as to ensure individuals with disabilities the opportunity to participate in elections in this state.

(b) "Sponsor of a political committee or independent committee" means a person that is described as being a sponsor under section 24(3) of the Michigan campaign finance act, 1976 PA 388, MCL 169.224, and includes a subsidiary of a corporation or a local of a labor organization, if the corporation or labor organization is considered a sponsor under section 24(3) of the Michigan campaign finance act, 1976 PA 388, MCL 169.224.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor