

SENATE BILL NO. 277

March 24, 2021, Introduced by Senators MACDONALD, HORN, LASATA, THEIS, STAMAS, ZORN, BIZON, BARRETT, VICTORY, DALEY, BUMSTEAD, OUTMAN and VANDERWALL and referred to the Committee on Elections.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 509o and 510 (MCL 168.509o and 168.510),
section 509o as amended by 2018 PA 126.

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

1 qualified voter file. The secretary of state shall establish the
2 technology to implement the qualified voter file. The qualified
3 voter file is the official file for the conduct of all elections
4 held in this state. The secretary of state may direct that all or
5 any part of the city or township **voter** registration files must be
6 used in conjunction with the qualified voter file at the first
7 state primary and election held after the creation of the qualified
8 voter file.

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

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

23 (4) The secretary of state shall develop and utilize a process
24 by which information obtained through the United States Social
25 Security Administration's death master file that is used to cancel
26 an operator's or chauffeur's license issued under the Michigan
27 vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or an official
28 state personal identification card issued under 1972 PA 222, MCL
29 28.291 to 28.300, of a deceased resident of this state is also used

1 at least once a month to update the qualified voter file to cancel
2 the voter registration of any elector determined to be deceased.
3 The secretary of state shall make the canceled voter registration
4 information under this subsection available to the clerk of each
5 **county**, city, or township to assist with the clerk's obligations
6 under section 510.

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

22 Sec. 510. **(1)** At least once ~~a month,~~ **every 2 weeks**, the county
23 clerk shall ~~forward~~ **send by email** a list of the last known address
24 and birth date of all ~~persons~~ **individuals** over 18 years of age who
25 have died ~~within~~ **in** the county to the clerk of each city or
26 township ~~within~~ **in** the county. The city or township clerk shall
27 compare this list with the **voter** registration records **in that city**
28 **or township, and with the voter registration records flagged by the**
29 **county clerk in the qualified voter file, and cancel the voter**

1 registration of all deceased electors.

2 (2) Each county clerk is authorized to access the qualified
3 voter file to flag, but not remove, the voter registration record
4 of any deceased elector in his or her county.

5 (3) Each county clerk shall do all of the following:

6 (a) Subject to subdivision (b), at least once every 2 weeks,
7 and more often if necessary, use the list described in subsection
8 (1) and the information provided by the secretary of state under
9 section 509o(4) to flag in the qualified voter file the voter
10 registration record of any deceased elector in the county.

11 (b) At least once a week, and more often if necessary, during
12 the 45 days before a regular election date as provided in section
13 641(1), use the list described in subsection (1) and the
14 information provided by the secretary of state under section
15 509o(4) to flag in the qualified voter file the voter registration
16 record of any deceased elector in the county.

17 (c) Subject to subdivision (d), at least once every 2 weeks,
18 and more often if necessary, if the county clerk receives the death
19 certificate of an individual who is a resident of another county,
20 the county clerk shall send by email that death certificate to the
21 proper county clerk so that the proper county clerk can flag in the
22 qualified voter file the voter registration record of that
23 individual if he or she is a registered elector.

24 (d) At least once a week, and more often if necessary, during
25 the 45 days before a regular election date as provided in section
26 641(1), if the county clerk receives the death certificate of an
27 individual who is a resident of another county, the county clerk
28 shall send by email that death certificate to the proper county
29 clerk so that the proper county clerk can flag in the qualified

1 voter file the voter registration record of that individual if he
2 or she is a registered elector.

3 (e) Keep records of the total number of voter registration
4 records that the county clerk flags in the qualified voter file
5 under subdivisions (a) and (b) and post those numbers each month on
6 the county website. The posting of the total number of voter
7 registration records flagged each month in the qualified voter file
8 must not include the name or any identifying information of an
9 elector, and must be broken down to show the total number of
10 electors from each city and township in that county whose voter
11 registration records were flagged by the county clerk in the
12 qualified voter file.

13 (f) Keep records of the total number of death certificates
14 sent by email to another county clerk under subdivisions (c) and
15 (d) and post those numbers each month on the county website. The
16 posting of the total number of death certificates sent by email to
17 another county clerk must not include the name or any identifying
18 information of an individual.

19 (4) At least once a month, the secretary of state shall do
20 both of the following:

21 (a) Collect all of the information concerning flagged voter
22 registration records posted on each county website under subsection
23 (3)(e).

24 (b) Post on the department of state website all of the
25 following:

26 (i) The total number of voter registration records flagged by
27 county clerks in this state.

28 (ii) The total number of voter registration records flagged by
29 county clerks broken down by county.

- 1 (iii) The total number of voter registration records flagged by
- 2 county clerks broken down by city and township.