

# HOUSE BILL NO. 5302

November 03, 2023, Introduced by Reps. Brabec, Dievendorf, Scott, Pohutsky and Morgan and referred to the Committee on Judiciary.

A bill to amend 1972 PA 222, entitled

"An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes,"

by amending sections 1 and 2 (MCL 28.291 and 28.292), section 1 as amended by 2021 PA 105 and section 2 as amended by 2021 PA 73.

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

**1**           Sec. 1. (1) An individual who is a resident of this state may  
**2** apply to the secretary of state for an official state personal

1 identification card. Upon application, the applicant shall supply a  
2 photographic identity document, a birth certificate or other  
3 nonphotographic identity document, and other sufficient documents  
4 as the secretary of state may require to verify the identity and  
5 citizenship of the applicant. If an applicant for an official state  
6 personal identification card is not a citizen of the United States,  
7 the applicant shall supply a photographic identity document and  
8 other sufficient documents to verify the identity of the applicant  
9 and the applicant's legal presence in the United States under  
10 subsection (5). The documents required under this subsection must  
11 include the applicant's full legal name, date of birth, address,  
12 and residency and demonstrate that the applicant is a citizen of  
13 the United States or is legally present in the United States. If  
14 the applicant's full legal name differs from the name of the  
15 applicant that appears on a document presented under this  
16 subsection, the applicant shall present documents to verify ~~his or~~  
17 ~~her~~ **the applicant's** current full legal name. An application for an  
18 official state personal identification card must be made in a  
19 manner prescribed by the secretary of state and must contain the  
20 applicant's full legal name, date of birth, residence address,  
21 height, sex, eye color, signature, intent to be an organ donor,  
22 other information required or permitted on the official state  
23 personal identification card and, only to the extent to comply with  
24 federal law, the applicant's Social Security number. **For purposes**  
25 **of choosing a sex designation under this subsection, an applicant**  
26 **may indicate a sex designation of "M", "F", or "X" on the**  
27 **application for an official state personal identification card,**  
28 **with no additional documentation or certification required.** The  
29 applicant may provide a mailing address if the applicant receives

1 mail at an address different from ~~his or her~~ **the applicant's**  
2 residence address. Beginning June 27, 2021, if the applicant is a  
3 program participant in the address confidentiality program under  
4 the address confidentiality program act, 2020 PA 301, MCL 780.851  
5 to 780.873, ~~he or she~~ **the applicant** shall present to the secretary  
6 of state ~~his or her~~ **the applicant's** participation card issued under  
7 the address confidentiality program act, 2020 PA 301, MCL 780.851  
8 to 780.873. For automatic voter registration purposes under section  
9 493a of the Michigan election law, 1954 PA 116, MCL 168.493a, an  
10 applicant for an official state personal identification card must  
11 indicate on the application or change of address application  
12 whether ~~he or she~~ **the applicant** is a citizen of the United States.  
13 An application must allow the applicant to indicate that the  
14 applicant declines to use the application as a voter registration  
15 application.

16 (2) The secretary of state shall accept as 1 of the  
17 identification documents required under subsection (1) an  
18 identification card issued by the department of corrections to  
19 prisoners who are placed on parole or released from a correctional  
20 facility, containing the prisoner's legal name, photograph, and  
21 other information identifying the prisoner as provided in section  
22 37(4) of the corrections code of 1953, 1953 PA 232, MCL 791.237.

23 (3) The secretary of state shall have electronic access to  
24 prisoner information maintained by the department of corrections  
25 for the purpose of verifying the identity of a prisoner who applies  
26 for an official state identification card under subsection (1).

27 (4) The secretary of state shall not issue an official state  
28 personal identification card to an individual who holds an  
29 operator's or chauffeur's license issued under the Michigan vehicle

1 code, 1949 PA 300, MCL 257.1 to 257.923, unless the license has  
2 been suspended, revoked, or restricted.

3 (5) If the applicant is not a citizen of the United States,  
4 the applicant shall provide, and the department shall verify,  
5 documents demonstrating ~~his or her~~ **the applicant's** legal presence  
6 in the United States. Nothing in this act obligates this state to  
7 comply with title II of the real ID act of 2005, Public Law 109-13.  
8 The secretary of state may adopt rules under the administrative  
9 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, as are  
10 necessary for the administration of this subsection. A  
11 determination by the secretary of state that an applicant is not  
12 legally present in the United States may be appealed under section  
13 631 of the revised judicature act of 1961, 1961 PA 236, MCL  
14 600.631. The secretary of state shall not issue an official state  
15 personal identification card to an applicant described in this  
16 subsection for a term that exceeds the duration of the applicant's  
17 legal presence in the United States.

18 (6) The secretary of state shall not disclose a Social  
19 Security number obtained under subsection (1) to another person  
20 except for use for 1 or more of the following purposes:

21 (a) Compliance with 49 USC 31301 to 31317 and regulations and  
22 rules related to this act.

23 (b) To carry out the purposes of section 466(a) of the social  
24 security act, 42 USC 666, in connection with matters relating to  
25 paternity, child support, or overdue child support.

26 (c) To the department of health and human services, for  
27 comparison with vital records maintained by the department of  
28 health and human services under part 28 of the public health code,  
29 1978 PA 368, MCL 333.2801 to 333.2899.

1 (d) As otherwise required by law.

2 (7) The secretary of state shall not display an individual's  
3 Social Security number on the individual's official state personal  
4 identification card.

5 (8) A requirement under this section to include a Social  
6 Security number on an application does not apply to an applicant  
7 who demonstrates that ~~he or she~~ **the applicant** is exempt under law  
8 from obtaining a Social Security number.

9 (9) The secretary of state, with the approval of the state  
10 administrative board created under 1921 PA 2, MCL 17.1 to 17.3, may  
11 enter into agreements with the United States government to verify  
12 whether an applicant for an official state personal identification  
13 card under this section who is not a citizen of the United States  
14 is authorized under federal law to be present in the United States.

15 (10) The secretary of state shall not issue an official state  
16 personal identification card to an individual holding an official  
17 state personal identification card issued by another state without  
18 confirmation that the individual is terminating or has terminated  
19 the official state personal identification card issued by the other  
20 state.

21 (11) The secretary of state shall do all of the following:

22 (a) Ensure the physical security of locations where official  
23 state personal identification cards are produced and the security  
24 of document materials and papers from which official state personal  
25 identification cards are produced.

26 (b) Subject each person authorized to manufacture or produce  
27 official state personal identification cards and each person who  
28 has the ability to affect the identity information that appears on  
29 official state personal identification cards to appropriate

1 security clearance requirements. The security requirements of this  
2 subdivision and subdivision (a) may require that official state  
3 personal identification cards be manufactured or produced in this  
4 state.

5 (c) Provide fraudulent document recognition programs to  
6 secretary of state employees engaged in the issuance of official  
7 state personal identification cards.

8 (12) If an individual meets the requirements under subsection  
9 (13), beginning July 1, 2021, the secretary of state shall allow  
10 the individual to elect a communication impediment designation on  
11 the application maintained in the central file under section 7 or  
12 in another appropriate system that limits access to a person  
13 allowed access to public record information by the criminal justice  
14 information policy council under the C.J.I.S. policy council act,  
15 1974 PA 163, MCL 28.211 to 28.215, and that allows a person with  
16 access to view a communication impediment designation with an  
17 official state personal identification card.

18 (13) An individual seeking an election for a communication  
19 impediment designation under subsection (12) shall provide the  
20 secretary of state a certification that meets all of the following:

21 (a) Is signed by a physician, physician assistant, certified  
22 nurse practitioner, audiologist, speech-language pathologist,  
23 psychologist, or physical therapist licensed to practice in this  
24 state.

25 (b) Identifies the individual for whom the communication  
26 impediment designation is being elected.

27 (c) Attests to the nature of the health condition that may  
28 impede communication.

29 (14) The secretary of state shall not display an individual's

1 communication impediment designation on the individual's official  
2 state personal identification card.

3 (15) A person who intentionally makes a false statement of  
4 material fact or commits or attempts to commit a deception or fraud  
5 on a statement described under subsection (13) is guilty of a  
6 misdemeanor punishable by imprisonment for not more than 30 days or  
7 a fine of not more than \$500.00, or both.

8 (16) Subject to subsection (17), the secretary of state may  
9 cancel or revoke a communication impediment designation elected and  
10 maintained under this section if either of the following  
11 circumstances applies:

12 (a) The secretary of state determines that a communication  
13 impediment designation was fraudulently or erroneously elected.

14 (b) The secretary of state determines the communication  
15 impediment designation was abused during a traffic stop.

16 (17) The secretary of state shall provide an individual notice  
17 and an opportunity to be heard before canceling or revoking a  
18 communication impediment designation under subsection (16).

19 (18) As used in this section, "communication impediment" means  
20 an individual has a health condition that may impede communication  
21 with a police officer, including, but not limited to, any of the  
22 following:

23 (a) Deafness or hearing loss.

24 (b) An autism spectrum disorder.

25 Sec. 2. (1) An official state personal identification card  
26 must contain the following:

27 (a) An identification number permanently assigned to the  
28 individual to whom the card is issued.

29 (b) Except as provided in section 2a, the full legal name,

1 date of birth, sex, residence address, height, weight, eye color,  
2 digital photographic image, signature of or verification and  
3 certification by the applicant, as determined by the secretary of  
4 state, and expiration date of the official state personal  
5 identification card. If an official state personal identification  
6 card is issued to an individual described in section 1(5) who has  
7 temporary lawful status, the official state personal identification  
8 card must be issued in compliance with 6 CFR 37.21 or in compliance  
9 with the process established to comply with 6 CFR 37.71 by the  
10 secretary of state. As used in this subdivision, "temporary lawful  
11 status" means that term as defined in 6 CFR 37.3.

12 (c) An indication that the identification card contains 1 or  
13 more of the following:

- 14 (i) The blood type of the individual.  
15 (ii) Immunization data of the individual.  
16 (iii) Medication data of the individual.  
17 (iv) A statement that the individual is deaf.

18 (d) In the case of a holder of an official state personal  
19 identification card who has indicated ~~his or her~~ **the holder's** wish  
20 to participate in the anatomical gift donor registry under part 101  
21 of the public health code, 1978 PA 368, MCL 333.10101 to 333.10123,  
22 a heart insignia on the front of the official state personal  
23 identification card.

24 (e) If requested by an individual who is a veteran as that  
25 term is defined in section 1 of 1965 PA 190, MCL 35.61, a  
26 designation that the individual is a veteran. The designation must  
27 be in a style and format considered appropriate by the secretary of  
28 state. The secretary of state shall require proof of discharge or  
29 separation of service from the armed forces of this state, another



1 state, or the United States, and the nature of that discharge, for  
2 the purposes of verifying an individual's status as a veteran under  
3 this subdivision. The secretary of state shall consult with the  
4 department of military and veterans affairs in determining the  
5 proof that must be required to identify an individual's status as a  
6 veteran for the purposes of this subsection. The secretary of state  
7 may provide the department of military and veterans affairs and  
8 agencies of the counties of this state that provide veteran  
9 services with information provided by an applicant under this  
10 subsection for the purpose of veterans' benefits eligibility  
11 referral.

12 (f) Physical security features designed to prevent tampering,  
13 counterfeiting, or duplication of the official state personal  
14 identification card for fraudulent purposes.

15 (2) In conjunction with the application for an official state  
16 personal identification card, the secretary of state shall do all  
17 of the following:

18 (a) Provide the applicant with all of the following:

19 (i) Information explaining the applicant's right to make an  
20 anatomical gift in the event of death under part 101 of the public  
21 health code, 1978 PA 368, MCL 333.10101 to 333.10123, and in  
22 accordance with this section.

23 (ii) Information describing the donor registry program  
24 maintained by Michigan's federally designated organ procurement  
25 organization or its successor organization under section 10120 of  
26 the public health code, 1978 PA 368, MCL 333.10120. The information  
27 required under this subparagraph must include the address and  
28 telephone number of Michigan's federally designated organ  
29 procurement organization or its successor organization as described

1 in section 10120 of the public health code, 1978 PA 368, MCL  
2 333.10120.

3 (iii) Information giving the applicant the opportunity to have  
4 ~~his or her~~ **the applicant's** name placed on the registry described in  
5 subparagraph (ii).

6 (b) Provide the applicant with the opportunity to specify on  
7 ~~his or her~~ **the applicant's** official state personal identification  
8 card that ~~he or she~~ **the applicant** is willing to make an anatomical  
9 gift in the event of death under part 101 of the public health  
10 code, 1978 PA 368, MCL 333.10101 to 333.10123, and in accordance  
11 with this section.

12 (c) Inform the applicant that, if ~~he or she~~ **the applicant**  
13 indicates to the secretary of state under this section a  
14 willingness to have ~~his or her~~ **the applicant's** name placed on the  
15 donor registry described in subdivision (a) (ii), the secretary of  
16 state will mark the applicant's record for the donor registry.

17 (3) The secretary of state may fulfill the requirements of  
18 subsection (2) by 1 or more of the following methods:

19 (a) Providing printed material enclosed with a mailed notice  
20 for the issuance or renewal of an official state personal  
21 identification card.

22 (b) Providing printed material to an applicant who personally  
23 appears at a secretary of state branch office.

24 (c) Through electronic information transmittals for  
25 applications processed by electronic means.

26 (4) The secretary of state shall prescribe the form of the  
27 official state personal identification card. The secretary of state  
28 shall designate a space on the official state personal  
29 identification card where the applicant may place a sticker or

1 decal of a uniform size as the secretary may specify to indicate  
2 that the cardholder carries a separate emergency medical  
3 information card. The sticker or decal may be provided by any  
4 person, hospital, school, medical group, or association interested  
5 in assisting in implementing the emergency medical information  
6 card, but must meet the specifications of the secretary of state.  
7 The sticker or decal also may be used to indicate that the  
8 cardholder has designated 1 or more patient advocates in accordance  
9 with section 5506 of the estates and protected individuals code,  
10 1998 PA 386, MCL 700.5506. The emergency medical information card,  
11 carried separately by the cardholder, may contain the information  
12 described in subsection (2)(c), information concerning the  
13 cardholder's patient advocate designation, other emergency medical  
14 information, or an indication as to where the cardholder has stored  
15 or registered emergency medical information. An original official  
16 state personal identification card or the renewal of an existing  
17 official state personal identification card issued to an individual  
18 less than 21 years of age must be portrait or vertical in form, and  
19 an official state personal identification card issued to an  
20 individual 21 years of age or over must be landscape or horizontal  
21 in form. Except as otherwise required in this act, other  
22 information required on the official state personal identification  
23 card under this act may appear on the official state personal  
24 identification card in a form prescribed by the secretary of state.

25 (5) The official state personal identification card must not  
26 contain a fingerprint or finger image of the applicant.

27 (6) Except as provided in this subsection, the secretary of  
28 state shall retain and use an individual's digital photographic  
29 image and signature described in subsection (1)(b) only for

1 programs administered by the secretary of state as specifically  
2 authorized by law. An individual's digital photographic image or  
3 signature must only be used as follows:

4 (a) By a federal, state, or local governmental agency for a  
5 law enforcement purpose authorized by law.

6 (b) By the secretary of state for a use specifically  
7 authorized by law.

8 (c) By the secretary of state for forwarding to the department  
9 of state police the images of individuals required to be registered  
10 under the sex offenders registration act, 1994 PA 295, MCL 28.721  
11 to 28.730, upon the department of state police providing the  
12 secretary of state an updated list of those individuals.

13 (d) By the secretary of state for forwarding to the department  
14 of state police a digitized photograph taken of the applicant for  
15 an official state personal identification card for use as provided  
16 in section 5c of 1927 PA 372, MCL 28.425c.

17 (e) By the secretary of state for forwarding to the department  
18 of licensing and regulatory affairs the images of applicants for an  
19 official state registry identification card issued under section 6  
20 of the Michigan Medical Marihuana Act, 2008 IL 1, MCL 333.26426, if  
21 the department of licensing and regulatory affairs promulgates  
22 rules requiring a photograph as a design element for an official  
23 state registry identification card.

24 (f) As necessary to comply with a law of this state or the  
25 United States.

26 (7) If an individual presents evidence of statutory blindness  
27 as provided in 1978 PA 260, MCL 393.351 to 393.368, and is issued  
28 or is the holder of an official state personal identification card,  
29 the secretary of state shall mark the individual's official state

1 personal identification card in a manner that clearly indicates  
2 that the cardholder is legally blind.

3 (8) The secretary of state shall maintain a record of an  
4 individual who indicates a willingness to have ~~his or her~~ **the**  
5 **individual's** name placed on the donor registry described in  
6 subsection (2) (a) (ii). Information about an individual's indication  
7 of a willingness to have ~~his or her~~ **the individual's** name placed on  
8 the donor registry that is obtained by the secretary of state and  
9 forwarded under this section is exempt from disclosure under  
10 section 13(1) (d) of the freedom of information act, 1976 PA 442,  
11 MCL 15.243. As required in section 10120 of the public health code,  
12 1978 PA 368, MCL 333.10120, the secretary of state shall establish  
13 and maintain the donor registry in a manner that complies with that  
14 section and that provides electronic access, including, but not  
15 limited to, the transfer of data to this state's federally  
16 designated organ procurement organization or its successor  
17 organization, tissue banks, and eye banks.

18 (9) An official state personal identification card may contain  
19 an identifier for voter registration purposes.

20 (10) An official state personal identification card must  
21 contain information appearing in electronic or machine-readable  
22 codes needed to conduct a transaction with the secretary of state.  
23 The information must be limited to the information described in  
24 subsection (1) (a) and (b) except for the individual's digital  
25 photographic image and signature or verification and certification,  
26 state of issuance, and other information necessary for use with  
27 electronic devices, machine readers, or automatic teller machines  
28 and must not contain the individual's driving record or other  
29 personal identifier. The official state personal identification

1 card must identify the encoded information.

2 (11) An official state personal identification card must be  
3 issued only upon authorization of the secretary of state, and must  
4 be manufactured in a manner to prohibit as nearly as possible the  
5 ability to reproduce, alter, counterfeit, forge, or duplicate the  
6 official state personal identification card without ready  
7 detection.

8 (12) Except as otherwise provided in this act, an applicant  
9 shall pay a fee of \$10.00 to the secretary of state for each  
10 original or renewal official state personal identification card  
11 issued. The secretary of state shall not assess a late renewal fee  
12 for an official state personal identification card that expires on  
13 or after March 1, 2020 and is renewed before March 31, 2021. The  
14 secretary of state shall not assess a late renewal fee for an  
15 official state personal identification card that expires after  
16 March 31, 2021 but before August 1, 2021 and is renewed within 120  
17 days after the date of the expiration. The secretary of state  
18 shall, upon an applicant's request, reimburse a late renewal fee  
19 assessed and collected for an official state personal  
20 identification card that expires after March 31, 2021 but before  
21 August 1, 2021 and is renewed within 120 days after the date of the  
22 expiration of the official state personal identification card. The  
23 department of treasury shall deposit the fees received and  
24 collected under this section in the state treasury to the credit of  
25 the general fund. The legislature shall appropriate the fees  
26 credited to the general fund under this act to the secretary of  
27 state for the administration of this act. Appropriations from the  
28 Michigan transportation fund created under section 10 of 1951 PA  
29 51, MCL 247.660, must not be used to compensate the secretary of

1 state for costs incurred and services performed under this section.

2 (13) An original or renewal official state personal  
3 identification card expires on the birthday of the individual to  
4 whom it is issued in the fourth year following the date of issuance  
5 or on the date the individual is no longer considered to be legally  
6 present in the United States under section 1, whichever is earlier.  
7 The secretary of state shall not issue an official state personal  
8 identification card under this act for a period greater than 4  
9 years. Except as provided in this subsection, the secretary of  
10 state may issue a renewal official state personal identification  
11 card for 1 additional 4-year period or beginning on July 1, 2021,  
12 for 2 additional 4-year periods, by mail or by other methods  
13 prescribed by the secretary of state. The secretary of state shall  
14 require renewal in person by an individual required under section  
15 5a of the sex offenders registration act, 1994 PA 295, MCL 28.725a,  
16 to maintain a valid operator's or chauffeur's license or official  
17 state personal identification card.

18 (14) The secretary of state shall waive the fee under this  
19 section if the applicant is any of the following:

20 (a) An individual 65 years of age or older.

21 (b) An individual who has had ~~his or her~~ **the individual's**  
22 operator's or chauffeur's license suspended, revoked, or denied  
23 under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923,  
24 because of a mental or physical infirmity or disability.

25 (c) An individual who presents evidence of statutory blindness  
26 as provided in 1978 PA 260, MCL 393.351 to 393.368.

27 (d) An individual who presents evidence of 1 or more of the  
28 following:

29 (i) A notice of case action from the department of health and

1 human services indicating that the individual is a participant in 1  
2 or both of the following programs and is making ~~his or her~~ **the**  
3 **individual's** application for an official state personal  
4 identification card during a period in which ~~he or she~~ **the**  
5 **individual** is receiving benefits:

6 (A) The family independence program.

7 (B) The state disability assistance program.

8 (ii) A United States Social Security Administration benefit  
9 award letter indicating the applicant is currently receiving  
10 payments under the federal supplemental security income program as  
11 that term is defined in section 57 of the social welfare act, 1939  
12 PA 280, MCL 400.57, or the Social Security disability income  
13 program.

14 (iii) A United States Social Security Administration benefit  
15 verification letter indicating the applicant is currently receiving  
16 payments under the federal supplemental security income program as  
17 that term is defined in section 57 of the social welfare act, 1939  
18 PA 280, MCL 400.57, or the Social Security disability income  
19 program.

20 (e) An individual who decides to add or remove a heart  
21 insignia described in subsection (1)(d).

22 (f) An individual who is a veteran as that term is defined in  
23 section 1 of 1965 PA 190, MCL 35.61. The secretary of state shall  
24 require an individual who seeks a waiver of the fee under this  
25 subdivision to provide the secretary of state the same  
26 documentation required for a veteran designation under subsection  
27 (1)(e) before granting the fee waiver.

28 (g) An individual who presents both of the following:

29 (i) A homeless verification letter that states that the



1 individual meets the definition of category 1 homeless as that term  
2 is defined by the United States Department of Housing and Urban  
3 Development. A letter provided as evidence under this subparagraph  
4 must be submitted on the official letterhead of a public service  
5 agency. The secretary of state may verify the information contained  
6 in the letter with the agency of issuance before issuing an  
7 official state personal identification card.

8 (ii) A photo identification card generated from the United  
9 States Department of Housing and Urban Development Homeless  
10 Management Information System.

11 (15) An individual who has been issued an official state  
12 personal identification card shall apply for a renewal official  
13 state personal identification card if the individual changes ~~his or~~  
14 ~~her~~ **the individual's** name.

15 (16) An individual who has been issued an official state  
16 personal identification card shall apply for a corrected  
17 identification card if ~~he or she~~ **the individual** changes ~~his or her~~  
18 **the individual's** residence address. The secretary of state may  
19 correct the address on an official state personal identification  
20 card by a method prescribed by the secretary of state. A fee must  
21 not be charged for a change of residence address.

22 (17) An individual who has been issued an official state  
23 personal identification card may apply for a renewal official state  
24 personal identification card for 1 or more of the following  
25 reasons:

26 (a) The individual wants to change any information on the  
27 official state personal identification card, **including, but not**  
28 **limited to, the individual's sex. For purposes of updating a sex**  
29 **designation under this subdivision, an individual may submit a**

1 **signed form indicating a sex designation of "M", "F", or "X", with**  
2 **no additional documentation or certification required.**

3 (b) An official state personal identification card issued  
4 under this act is lost, destroyed, or mutilated, or becomes  
5 illegible.

6 (18) An individual may indicate on an official state personal  
7 identification card in a place designated by the secretary of state  
8 ~~his or her~~ **the individual's** blood type, emergency contact  
9 information, immunization data, medication data, or a statement  
10 that the individual is deaf.

11 (19) The secretary of state shall develop and shall, in  
12 conjunction with the department of state police, implement a  
13 process using the L.E.I.N. or any other appropriate system that  
14 limits access to law enforcement that allows law enforcement  
15 agencies of this state to access emergency contact information and,  
16 beginning July 1, 2021, to view a communication impediment  
17 designation that the holder of an official state personal  
18 identification card has voluntarily provided to the secretary of  
19 state.

20 (20) If an applicant provides proof to the secretary of state  
21 that ~~he or she~~ **the applicant** is a minor who has been emancipated  
22 under 1968 PA 293, MCL 722.1 to 722.6, the official state personal  
23 identification card must bear the designation of the individual's  
24 emancipated status in a manner prescribed by the secretary of  
25 state.

26 (21) The secretary of state shall inquire of each individual  
27 who applies for or who holds an official state personal  
28 identification card, in person or by mail, whether ~~he or she~~ **the**  
29 **individual** agrees to participate in the anatomical gift donor

1 registry under part 101 of the public health code, 1978 PA 368, MCL  
2 333.10101 to 333.10123. An individual who has agreed to participate  
3 in the donor registry is not considered to have revoked that  
4 agreement solely because the individual's official state personal  
5 identification card has expired. Enrollment in the donor registry  
6 is a legal agreement that remains binding and in effect after the  
7 donor's death regardless of the expressed desires of the deceased  
8 donor's next of kin who may oppose the donor's anatomical gift.

9 (22) A valid official state personal identification card  
10 presented by the individual to whom the card is issued is  
11 considered the same as a valid state of Michigan driver license  
12 when identification is requested except as otherwise specifically  
13 provided by law.

14 (23) Beginning July 1, 2021, if an official state personal  
15 identification card issued under this act is lost, destroyed, or  
16 mutilated, or becomes illegible, the individual to whom the  
17 official state personal identification card was issued may obtain a  
18 duplicate upon the payment of the fee required in subsection (24)  
19 and upon furnishing proof satisfactory to the secretary of state  
20 that the official state personal identification card has been lost,  
21 destroyed, or mutilated, or has become illegible.

22 (24) Except as otherwise provided in subsection (25), for each  
23 duplicate official state personal identification card, and for each  
24 correction of an official state personal identification card,  
25 beginning July 1, 2021, an individual may apply for renewal of the  
26 official state personal identification card and pay the renewal fee  
27 prescribed in this act or the individual may, at ~~his or her~~ **the**  
28 **individual's** option and upon payment of the fee prescribed in this  
29 section, apply for a duplicate official state personal

1 identification card that expires on the same date as the official  
2 state personal identification card that was lost, destroyed, or  
3 mutilated, or became illegible. The fee for a duplicate official  
4 state personal identification card is \$10.00. A renewal fee must  
5 not be charged for a change of address, a correction required to  
6 correct a department error, **to update a sex designation**, or to add  
7 or remove a heart insignia described in subsection (1)(d).

8 (25) Except with regard to an individual who is less than 21  
9 years of age, for each duplicate official state personal  
10 identification card, and for each correction of an official state  
11 personal identification card, beginning July 1, 2021, an individual  
12 shall apply for renewal of the official state personal  
13 identification card and pay the renewal fee prescribed in this act  
14 if the official state personal identification card was due to  
15 expire within the next 12 months. Except as otherwise provided in  
16 this act, an official state personal identification card renewed  
17 under this subsection or subsection (24) must be renewed for the  
18 combined period of the time remaining on the official state  
19 personal identification card before its renewal and the 4-year  
20 renewal period.

21 (26) Notwithstanding subsection (13), an official state  
22 personal identification card that expires on or after March 1, 2020  
23 is considered valid until March 31, 2021. Notwithstanding  
24 subsection (13), an official state personal identification card  
25 that expires after March 31, 2021 but before August 1, 2021 is  
26 considered valid until 120 days after the date of the expiration.  
27 If the secretary of state receives an application to renew an  
28 official state personal identification card that expires on or  
29 after March 1, 2020 before March 31, 2021, the secretary of state

1 shall process the application as a renewal of an existing official  
2 state personal identification card. If the secretary of state  
3 receives an application to renew an official state personal  
4 identification card that expires after March 31, 2021 but before  
5 August 1, 2021, the secretary of state shall process the  
6 application as a renewal of an existing official state personal  
7 identification card until 120 days after the date of the  
8 expiration.

9 (27) As used in this section:

10 (a) "Communication impediment" means an individual has a  
11 health condition that may impede communication with a police  
12 officer, including, but not limited to, the following:

13 (i) Deafness or hearing loss.

14 (ii) An autism spectrum disorder.

15 (b) "Emergency contact information" means the name, telephone  
16 number, or address of an individual that is used for the sole  
17 purpose of contacting that individual when the holder of an  
18 official state personal identification card has been involved in an  
19 emergency.