

MICHIGAN ELECTION LAW (EXCERPT)

Act 116 of 1954

CHAPTER XXIII

REGISTRATION OF ELECTORS

168.491 Inspectors of election, primary election, or special election; vote of registered electors.

Sec. 491. The inspectors of election at an election, primary election, or special election in this state shall not receive the vote of an individual whose name is not on the voter registration list generated from the qualified voter file for the precinct in which he or she offers to vote unless the individual meets the requirements of section 523a, or the individual registered to vote in person at the city or township clerk's office in the city or township in which he or she resides during the 14 days before the day of an election or on the day of an election and the individual presents a voter registration receipt to the inspectors of election.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1989, Act 142, Imd. Eff. June 29, 1989;—Am. 2018, Act 125, Eff. Dec. 31, 2018;—Am. 2018, Act 603, Imd. Eff. Dec. 28, 2018.

Popular name: Election Code

168.492 Qualifications for registration as elector.

Sec. 492. Each individual who has the following qualifications of an elector is entitled to register as an elector in the township or city in which he or she resides. The individual must be a citizen of the United States; not less than 17-1/2 years of age; a resident of this state; and a resident of the township or city.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1967, Act 188, Eff. July 1, 1967;—Am. 1972, Act 17, Imd. Eff. Feb. 19, 1972;—Am. 1972, Act 370, Imd. Eff. Jan. 9, 1973;—Am. 1973, Act 180, Imd. Eff. Dec. 28, 1973;—Am. 1989, Act 142, Imd. Eff. June 29, 1989;—Am. 2010, Act 253, Imd. Eff. Dec. 14, 2010;—Am. 2018, Act 125, Eff. Dec. 31, 2018.

Popular name: Election Code

168.492a Registration of persons confined in jail.

Sec. 492a. An individual who is confined in a jail and who is otherwise a qualified elector may, before trial or sentence, register to vote. The individual is considered a resident of the city or township, and address, at which he or she resided before confinement. An individual who is confined in a jail after being convicted and sentenced is not eligible to register to vote.

History: Add. 1975, Act 178, Imd. Eff. July 25, 1975;—Am. 2018, Act 125, Eff. Dec. 31, 2018.

Popular name: Election Code

168.493 Repealed. 1994, Act 441, Imd. Eff. Jan. 10, 1995.

Compiler's note: The repealed section pertained to registration cards.

Popular name: Election Code

168.493a Automatic voter registration; qualifications; qualified voter file; option to opt-out; notice; information added to qualified voter file; United States citizenship requirement; preregistration; erroneous registration not a violation; monthly data reports.

Sec. 493a. (1) Subject to this section, the secretary of state shall automatically register to vote each individual who meets the qualifications of an elector under section 492 and who submits an application for an operator's or chauffeur's license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, an official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300, or an enhanced driver license or enhanced official state personal identification card issued under the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.301 to 28.308. In addition, subject to this section, the secretary of state shall automatically register to vote each individual who meets the qualifications of an elector under section 492 and who submits a change of address application for an operator's or chauffeur's license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, an official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300, or an enhanced driver license or enhanced official state personal identification card issued under the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.301 to 28.308.

(2) Subject to this subsection, for each individual who submits an application under subsection (1) or who is issued a graduated licensing status under section 310e of the Michigan vehicle code, 1949 PA 300, MCL 257.310e, who provides or has provided documentation demonstrating United States citizenship, and who is of sufficient age to register to vote, the secretary of state shall, if the individual is not already registered to

vote in this state, add the information required under section 509q(1)(a), (b), and (g) to the qualified voter file for that individual and electronically forward the individual's information to the clerk of the city or township in which the individual resides to have the clerk register that individual to vote. For an individual registered to vote under this subsection, the qualified voter file must include an indication that the individual was registered to vote under this section. Subject to this subsection, the secretary of state shall send to the individual's residence address, by nonforwardable mail, a notice that the individual has been registered to vote and a postage prepaid and preaddressed return form by which the individual may decline the voter registration. The secretary of state shall prescribe the form of the notice described in this subsection. In addition, the secretary of state shall develop procedures for processing a voter registration under this subsection for an individual who has previously declined voter registration under subsection (4).

(3) The notice mailed to an individual under subsection (2) must include all of the following:

(a) An explanation of the eligibility requirements to register to vote, and a statement that if the individual is not eligible to vote, the individual must decline the voter registration by using the postage prepaid and preaddressed return form.

(b) A statement that an individual may decline the voter registration. The statement must also indicate that if the individual declines the voter registration, the fact that the individual declined the voter registration remains confidential and can be used only for purposes of voter registration statistics. The statement must also indicate that if the individual remains registered to vote, the office at which the individual was registered to vote remains confidential and can be used only for voter registration purposes.

(c) Information on how a registered elector may cast an absent voter ballot.

(4) If an individual returns a notice mailed under subsection (2) and declines the voter registration, that individual is considered to never have been registered to vote and any information added to the qualified voter file for that individual must be removed. However, if an individual has voted in an election and then returns a notice mailed under subsection (2) that declines the voter registration, the secretary of state's office shall contact that individual to determine whether the individual wishes to decline the voter registration or remain registered to vote.

(5) If a notice mailed under subsection (2) is returned to the secretary of state by the post office as undeliverable, the qualified voter file must generate a notification to the clerk of the city or township in which that individual resides to have the clerk mail the individual a notice required under section 509aa(3). If an individual returns a notice mailed under subsection (2) without selecting the option to decline the voter registration, the individual remains registered to vote.

(6) The secretary of state shall not provide an opportunity to register to vote or automatically register to vote any individual who, when submitting an application under subsection (1), provides documentation demonstrating that the individual is not a United States citizen. Subject to this subsection, for any other individual who submits an application under subsection (1) who has not provided documentation demonstrating United States citizenship, but who is of sufficient age to register to vote, the secretary of state shall offer to register to vote that individual if the individual indicates on the individual's operator's or chauffeur's license application, official state personal identification card application, or change of address application that the individual is a citizen of the United States. The secretary of state shall add the information required under section 509q(1)(a), (b), and (g) to the qualified voter file for each elector registered under this subsection and shall electronically forward the name of each elector registered under this subsection to the clerk of the city or township in which each elector resides to have the clerk register that individual to vote. For an individual registered under this subsection, the qualified voter file must include an indication that the individual was registered to vote under this section. For purposes of this subsection only, the secretary of state shall not register to vote an individual under this subsection who indicates on the individual's operator's or chauffeur's license application, official state personal identification card application, or change of address application that the individual declines to use the application as a voter registration application. The secretary of state shall not transmit any information to the qualified voter file regarding any individual who declines under this subsection to use an application described in this section as a voter registration application.

(7) The secretary of state shall use the procedures in subsections (2) to (6) to preregister any individual who meets the qualifications to preregister to vote under section 496a and who submits an application under subsection (1). The procedures in subsections (2) to (5) must be used for each individual who submits an application under subsection (1), or who is issued a graduated licensing status under section 310e of the Michigan vehicle code, 1949 PA 300, MCL 257.310e, who provides or has provided documentation demonstrating United States citizenship, and who is of sufficient age to preregister to vote. The notice and procedures required in subsections (2) to (5) must be modified to reflect that the individual has been preregistered to vote, not registered to vote. The procedures in subsection (6) must be used for each individual who submits an application under subsection (1) and who has not provided documentation demonstrating

United States citizenship, but is of sufficient age to preregister to vote, except that the secretary of state shall not provide an opportunity to preregister to vote or automatically preregister to vote any individual who, at the time of submitting an application under subsection (1), provides documentation demonstrating that the individual is not a United States citizen.

(8) An individual who is not eligible to vote and who, without intending to register to vote, becomes registered to vote through human or mechanical error is not considered to have knowingly intended to register to vote in violation of section 519.

(9) If an individual who is not eligible to vote becomes registered to vote under subsection (2) or section 493b and votes or attempts to vote in an election held after the effective date of the individual's voter registration, that individual is presumed to have a defense for a violation under section 932a(c). This subsection does not apply to an individual who knowingly and willfully makes a false statement to effectuate voter registration or who intentionally takes voluntary action to register to vote or vote knowing that the individual is not entitled to vote.

(10) Nothing in this section shall be construed to amend the substantive qualifications for voter registration in this state, or to require documentary proof of United States citizenship for voter registration.

(11) The secretary of state shall publicly release data reports, as described in this subsection, on a monthly basis. The data reports must not include any personally identifying information, must be subcategorized by sex and age of the individuals included, and must include all of the following information:

(a) The number of individuals registered to vote or preregistered to vote under the procedures in subsections (2) to (5).

(b) The number of individuals who declined voter registration or voter preregistration under the procedures in subsections (2) to (5).

(c) The number of individuals registered to vote or preregistered to vote under the procedures in subsection (6).

(d) The number of individuals who declined voter registration or voter preregistration under the procedures in subsection (6).

(e) The number of individuals whose voter registration or voter preregistration was updated pursuant to the requirement under sections 509o and 509r that the secretary of state use the residence address provided on a driver license or state personal identification card application as the applicant's residence address in the qualified voter file.

History: Add. 2018, Act 603, Imd. Eff. Dec. 28, 2018;—Am. 2023, Act 268, Eff. June 30, 2025.

Popular name: Election Code

168.493b Automatic voter registration agencies; transmission of voter registration information; procedure and schedule; Medicaid application; submission requests by tribal nations; memorandum of understanding; release from incarceration; procedures for processing electronic records.

Sec. 493b. (1) If the secretary of state verifies that a state agency in the regular course of business collects sufficient information, including through documents or database verification, to confirm the eligibility for voter registration or the updating of information for an existing voter registration, the secretary of state may designate that state agency as an automatic voter registration agency. Once a state agency is designated as an automatic voter registration agency, that state agency must not be removed as an automatic voter registration agency unless it is shown that the state agency no longer collects sufficient information to confirm the eligibility for voter registration or the updating of information for an existing voter registration.

(2) If a state agency is designated as an automatic voter registration agency under subsection (1), that state agency and the secretary of state shall jointly establish a procedure and schedule for automatically and electronically transmitting voter registration information from the state agency to the secretary of state for those individuals who are eligible to register to vote or preregister to vote, or to update information in the qualified voter file for those individuals who are already registered to vote or preregistered to vote. Subject to any instructions issued and determined necessary by the secretary of state to conform with a designated state agency transaction, each designated state agency under subsection (1), the secretary of state, and the clerk of each city and township must comply with the procedures under section 493a for automatically registering and preregistering individuals to vote.

(3) If information is received under subsection (2) for an individual who is already registered to vote or preregistered to vote, the secretary of state shall use the most recent information for the residence address or name of the individual received from the state agency to update the individual's information in the qualified voter file. The secretary of state shall send to the individual's new residence address, by forwardable mail,

notice of the change and a postage prepaid and preaddressed return form by which the individual may verify or correct the information. If the individual returns the notice and indicates that the change to the individual's record was in error, the secretary of state must immediately revert the individual's updated information in the qualified voter file to the information as it existed before the update.

(4) Subject to compliance with all applicable federal laws and regulations, as part of an application for Medicaid coverage to the department of health and human services, the department of health and human services shall automatically and electronically transmit the information required under section 509q(1)(a), either the information required under section 509q(1)(b) or the last 4 digits of the individual's Social Security number, and the individual's digitized signature, if available, to the secretary of state for each individual who is of sufficient age to register to vote or preregister to vote and who is verified as a United States citizen. Subject to any instructions issued and determined necessary by the secretary of state to conform with the structure of a department of health and human services application, in processing the information received from the department of health and human services under this subsection, the secretary of state and each city or township clerk shall comply with the requirements established under section 493a(2) to (5) and (7) for automatically registering and preregistering individuals to vote, and the requirements established under subsection (3) for updating information for individuals who are already registered to vote or preregistered to vote.

(5) Subject to compliance with all applicable federal laws and regulations, an Indian nation or tribe located in this state may, at its discretion, submit a request to the secretary of state for approval to allow the governing body of the Indian nation or tribe, or an election board, election official, or other designated representative of the Indian nation or tribe, to electronically submit the information required under section 509q(1)(a), either the information required under section 509q(1)(b) or the last 4 digits of the individual's Social Security number, and the individual's digitized signature, if available, for any tribal member to the secretary of state for the purpose of registering and preregistering tribal members to vote or for updating the registration or preregistration information of tribal members. If an Indian nation or tribe submits a request under this subsection and the Indian nation's or tribe's governing body, election board, election official, or other designated representative collects sufficient information, including through documents or database verification, to confirm the eligibility for registration or for updating the information for an existing voter registration, the secretary of state shall enter into a memorandum of understanding with the Indian nation or tribe regarding transmission and processing of information for purposes of voter registration. Subject to any instructions issued and determined necessary by the secretary of state to conform with Indian nation or tribal procedures, in processing information received under this subsection, the secretary of state and each city or township clerk shall comply with the requirements established under section 493a(2) to (5) and (7) for automatically registering and preregistering individuals to vote, and the requirements established under subsection (3) for updating information for individuals who are already registered to vote or preregistered to vote.

(6) The secretary of state and the department of corrections shall coordinate to ensure that eligible individuals are automatically registered to vote, with the opportunity to decline the voter registration, on release from incarceration imposed as a sentence for a crime. Subject to this subsection, for individuals scheduled to be released on parole, or discharged on completion of the individual's maximum sentence, and who will be issued an operator's or chauffeur's license under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, an official state personal identification card under 1972 PA 222, MCL 28.291 to 28.300, or an enhanced driver license or enhanced official state personal identification card under the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.301 to 28.308, the secretary of state and the department of corrections shall use the procedures under section 493a(2) to (7) to comply with this subsection. However, an individual must not be registered to vote until the individual's release on parole or discharge on completion of the individual's maximum sentence. The procedures under section 493a(2) to (5) must be used for each individual who submits an application for an operator's or chauffeur's license under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, an official state personal identification card under 1972 PA 222, MCL 28.291 to 28.300, or an enhanced driver license or enhanced official state personal identification card under the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.301 to 28.308, who provides or has provided documentation demonstrating United States citizenship, and who is of sufficient age to register to vote. The notice and procedures required under section 493a(2) to (5) must be modified to reflect that the individual is not registered to vote until released on parole or discharged on completion of the individual's maximum sentence. Subject to this subsection, the procedures under section 493a(6) must be used for each individual who submits an application for an operator's or chauffeur's license under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or an official state personal identification card under 1972 PA 222, MCL 28.291

to 28.300, and who has not provided documentation demonstrating United States citizenship but is of sufficient age to register to vote. However, the secretary of state shall not provide an opportunity to register to vote or automatically register to vote any individual who, at the time of submitting an application for an operator's or chauffeur's license under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or an official state personal identification card under 1972 PA 222, MCL 28.291 to 28.300, provides documentation demonstrating that the individual is not a United States citizen. The secretary of state and the department of corrections shall jointly ensure that an individual is not registered to vote under this subsection until the individual has been released on parole or discharged on completion of the individual's maximum sentence. For any individual who is released from incarceration imposed as a sentence for a crime and who is not otherwise subject to this subsection, the department of corrections and the secretary of state shall, as provided under subsection (2), jointly establish a procedure and schedule for automatically and electronically transmitting voter registration information from the department of corrections to the secretary of state for those individuals who are eligible to register or preregister to vote.

(7) The secretary of state shall develop procedures for processing electronic records received from a state agency designated as an automatic voter registration agency, or from an Indian nation or tribe under this section, that do not include a digitized image of the applicant's signature.

History: Add. 2023, Act 268, Eff. June 30, 2025.

Popular name: Election Code

168.494 Repealed. 2018, Act 125, Eff. Dec. 31, 2018.

Compiler's note: The repealed section pertained to registration cards.

Popular name: Election Code

168.495 Registration application; contents.

Sec. 495. The registration application must contain all of the following:

- (a) The name of the applicant.
- (b) The residence address of the applicant, including the street and number or rural route and box number and the apartment number, if any.
- (c) The city or township and county of residence of the applicant.
- (d) The date of birth of the applicant.
- (e) The driver license or state personal identification card number of the applicant, if available.
- (f) A statement that the applicant is a citizen of the United States.
- (g) For voter registration, a statement that the applicant is at the time of completing the affidavit, or will be on the date of the next election, not less than 18 years of age, and for preregistration to vote, a statement that the applicant is at the time of completing the affidavit at least 16 years of age.
- (h) For voter registration, a statement that the applicant has or will have lived in this state not less than 30 days before the next election, and for preregistration to vote, a statement that the applicant has lived in this state for at least 30 days.
- (i) For voter registration, a statement that the applicant has or will have established the applicant's residence in the township or city in which the applicant is applying for registration not less than 30 days before the next election, and for preregistration to vote, a statement that the applicant has established the applicant's residence in the township or city in which the applicant is applying for preregistration for at least 30 days.
- (j) A statement that the applicant must be at least 18 years of age on or before the date of an election to vote in that election.
- (k) A space in which the applicant must state the place of the applicant's last registration, if any.
- (l) A statement that the registration is not effective until processed by the clerk of the city or township in which the applicant resides.
- (m) A statement that the applicant, if qualified, may vote at an election occurring on or after the date of completing the application.
- (n) A statement authorizing the cancellation of registration at the applicant's last place of registration.
- (o) A space for the applicant to sign and certify to the truth of the statements on the application.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1955, Act 271, Imd. Eff. June 30, 1955;—Am. 1966, Act 102, Imd. Eff. June 16, 1966;—Am. 1967, Act 188, Eff. July 1, 1967;—Am. 1972, Act 17, Imd. Eff. Feb. 19, 1972;—Am. 1973, Act 180, Imd. Eff. Dec. 28, 1973;—Am. 1988, Act 275, Eff. Sept. 1, 1988;—Am. 1995, Act 87, Imd. Eff. June 20, 1995;—Am. 2018, Act 125, Eff. Dec. 31, 2018;—Am. 2018, Act 603, Imd. Eff. Dec. 28, 2018;—Am. 2023, Act 258, Eff. Feb. 13, 2024.

Popular name: Election Code

168.495a Repealed. 2011, Act 163, Imd. Eff. Oct. 4, 2011.

Compiler's note: The repealed section pertained to removal of party preference from precinct and registration file.

168.496 Registration of electors; duties of secretary of state.

Sec. 496. It shall be the duty of the secretary of state to make the proper forms for use in the registration of electors, in recommending the use of the same to the several clerks of the townships, cities and villages of this state, and in instructing the several township, city and village clerks in this state as to the requirements of this act.

History: 1954, Act 116, Eff. June 1, 1955.

Popular name: Election Code

168.496a Preregistration requirements; age 16; application; processing and transfer of application; considered registered elector at 17.5 years of age; qualified voter file notification; public education and outreach campaign.

Sec. 496a. (1) An individual may preregister to vote if the individual meets all of the following requirements:

- (a) Is at least 16 years of age but less than 17-1/2 years of age.
- (b) Is a citizen of the United States.
- (c) Is a resident of this state.
- (d) Is a resident of the city or township in which the applicant is applying for preregistration.

(2) An individual may preregister to vote using any method of voter registration available. The method of voter registration used by an individual who is at least 16 years of age but less than 17-1/2 years of age must be considered an application to preregister to vote rather than an application for voter registration, and the individual, if eligible, must be preregistered to vote.

(3) If an individual preregisters to vote at a secretary of state's office or on the department of state's website, the secretary of state shall transmit the electronic data for that individual's application to preregister to vote to the qualified voter file. If an individual preregisters to vote at the city or township clerk's office or by mail, the city or township clerk shall, immediately after receiving the application to preregister to vote, transmit the electronic data for that individual's application to preregister to vote to the qualified voter file. If an individual preregisters to vote at a location or in a manner not provided for in this subsection, the individual processing that application to preregister to vote must transmit that application to preregister to vote in the manner prescribed by the secretary of state. An individual who is preregistered to vote must be explicitly designated in the qualified voter file as preregistered to vote.

(4) If an individual who preregisters to vote changes the address that appears on that individual's driver license, enhanced driver license, official state personal identification card, or enhanced official state personal identification card, the secretary of state must change the preregistration to vote address for that individual.

(5) The records for individuals who are preregistered to vote under this section must be maintained, updated, and canceled in accordance with the procedures for maintaining, updating, and canceling records of individuals who are registered to vote.

(6) An individual who is preregistered to vote becomes a registered elector at 17-1/2 years of age and is eligible to vote in the first election that occurs on or after the date the individual becomes 18 years of age. If an individual will be 18 years of age on or before the date of an election, the individual may use any method of voting in that election, including any method of voting that occurs before election day.

(7) At each election, the qualified voter file must include on the precinct voter registration lists, including those precinct voter registration lists used at early voting sites, the names of all registered individuals who will be 18 years of age on or before the date of the election. The qualified voter file must not include on a precinct voter registration list for an election the name of an individual who will not be 18 years of age on or before the date of the election.

(8) When an individual who is preregistered to vote becomes 17-1/2 years of age, the qualified voter file must generate a notification to the appropriate city or township clerk of the city or township where that individual is preregistered to vote directing the city or township clerk to send a voter identification card to that individual who is preregistered to vote. The city or township clerk who receives a notification under this subsection must send a voter identification card to the individual who is preregistered to vote and must add that individual to the master file.

(9) The secretary of state and the department of education shall annually coordinate a public education and outreach campaign to ensure that individuals who are at least 16 years of age but less than 18 years of age, and who are eligible to preregister to vote under this section or who are eligible to register to vote under

section 492, are informed of the opportunity and available methods to preregister to vote or register to vote. In addition, the department of education shall ensure that materials for voter registration and preregistration to vote are available to pupils in each public high school in this state. As used in this subsection:

(a) "Public high school" means a public school that offers at least 1 of grades 9 to 12.

(b) "Public school" means that term as defined in section 5 of the revised school code, 1976 PA 451, MCL 380.5.

(10) No later than June 1, 2024, and no later than March 1 of each year after 2024, the secretary of state shall identify individuals who are at least 16 years of age and less than 18 years of age who have applied for an operator's or chauffeur's license under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, an official state personal identification card under 1972 PA 222, MCL 28.291 to 28.300, or an enhanced driver license or enhanced official state personal identification card under the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.301 to 28.308, and who are not registered or preregistered to vote, but who are eligible to preregister to vote under this section or eligible to register to vote under section 492. No later than July 1, 2024, and no later than April 1 of each year after 2024, the secretary of state shall contact each individual identified in this subsection and provide information to that individual on the opportunity and available methods to preregister to vote or register to vote.

History: Add. 2023, Act 258, Eff. Feb. 13, 2024.

Popular name: Election Code

168.497 Application for registration; in-person or by mail or online; application; proof of residency; identification for election purposes; affidavit; execution; notice; exception.

Sec. 497. (1) An individual who is not registered to vote but possesses the qualifications of an elector as provided in section 492 may apply for registration to the clerk of the county, township, or city in which the individual resides in person, during the clerk's regular business hours, or by mail or online until the fifteenth day before an election.

(2) An individual who is not registered to vote but possesses the qualifications of an elector as provided in section 492 or an individual who is not registered to vote in the city or township in which the individual is registering to vote may apply for registration in person at the city or township clerk's office of the city or township in which the individual resides from the fourteenth day before an election and continuing through the day of the election. An individual who applies to register to vote under this subsection must provide to the city or township clerk proof of residency in that city or township. For purposes of this subsection, "proof of residency" includes, subject to subsection (3), any of the following:

(a) An operator's or chauffeur's license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or an enhanced driver license issued under the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.301 to 28.308.

(b) An official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300, or an enhanced official state personal identification card issued under the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.301 to 28.308.

(3) If an applicant for voter registration under subsection (2) does not have proof of residency as that term is defined in subsection (2), the applicant may provide as the applicant's proof of residency any other form of identification for election purposes as that term is defined in section 2 and 1 of the following documents that contains the applicant's name and current residence address:

(a) A current utility bill.

(b) A current bank statement.

(c) A current paycheck, government check, or other government document.

(4) If an applicant for voter registration under subsection (2) does not have identification for election purposes, the applicant may register to vote if the applicant signs an affidavit indicating that the applicant does not have identification for election purposes and the applicant provides 1 of the following documents that contains the applicant's name and current residence address:

(a) A current utility bill.

(b) A current bank statement.

(c) A current paycheck, government check, or other government document.

(5) Immediately after approving a voter registration application, the city or township clerk shall provide to the individual registering to vote a voter registration receipt that is in a form as approved by the secretary of state.

(6) Except as otherwise provided in sections 500a to 500e and 509v, an application for registration must not be executed at a place other than the office of the county, township, or city clerk or a public place or places designated by the clerk or deputy registrar for receiving registrations, but the clerk or deputy registrar

may receive an application wherever the clerk or deputy registrar may be. If a county, township, or city clerk does not regularly keep the clerk's office open daily during certain hours, the clerk is not required to be at the clerk's office for the purpose of receiving applications for registration on a particular day nor during specific hours of a day, except as provided in section 498. If an individual registers to vote with the secretary of state during the 14 days before the day of an election by mail, online, or by automatic voter registration, as described in section 493a, the individual must be given a notice on a form developed by the secretary of state informing the individual that the individual is not eligible to vote in the next election unless the individual applies in person at the individual's city or township clerk's office as provided in subsection (2). Except as provided in sections 500a to 500e, the provisions of this section relating to registration apply.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1963, 2nd Ex. Sess., Act 10, Imd. Eff. Dec. 27, 1963;—Am. 1967, Act 188, Eff. July 1, 1967;—Am. 1968, Act 46, Imd. Eff. May 24, 1968;—Am. 1973, Act 180, Imd. Eff. Dec. 28, 1973;—Am. 1975, Act 28, Eff. July 1, 1975;—Am. 1981, Act 61, Imd. Eff. June 5, 1981;—Am. 1989, Act 142, Imd. Eff. June 29, 1989;—Am. 2018, Act 125, Eff. Dec. 31, 2018;—Am. 2018, Act 603, Imd. Eff. Dec. 28, 2018;—Am. 2023, Act 184, Eff. Feb. 13, 2024.

Popular name: Election Code

168.497a Repealed. 2018, Act 125, Eff. Dec. 31, 2018.

Compiler's note: The repealed section pertained to applicability of 30-day limitation to second school millage election.

Popular name: Election Code

168.497c Voter registration; presenting identification for election purposes; affidavit.

Sec. 497c. (1) Subject to subsection (2), a person who applies in person to register to vote at a department of state office, a designated voter registration agency, the office of a county clerk, or the office of the clerk of the city or township in which the applicant resides shall identify himself or herself by presenting identification for election purposes.

(2) If a person who applies in person to register to vote as provided in subsection (1) does not possess identification for election purposes, the person may sign an affidavit to that effect and be allowed to register to vote. However, the person remains subject to any applicable federal identification requirements under the help America vote act of 2002 until those identification requirements are satisfied.

History: Add. 2012, Act 523, Eff. Mar. 28, 2013;—Am. 2018, Act 129, Imd. Eff. May 3, 2018.

Popular name: Election Code

168.498 Clerk of township or city; office hours, days, and place for receiving applications for registration; public notice; agreement to jointly publish public notice.

Sec. 498. (1) In a township or city in which the clerk does not maintain regular daily office hours, the township board or the legislative body of the city may require that the clerk of the township or city shall be at the clerk's office or other designated place for the purpose of receiving applications for registration on the days that the board or legislative body designates.

(2) The clerk of each township or city shall give public notice of the days and hours that the clerk will be at the clerk's office or other designated place for the purpose of receiving registrations before an election or primary election by publication of the notice in a newspaper published or of general circulation in the township or city and, if considered advisable by the township or city clerk, by posting written or printed notices in at least 2 of the most conspicuous places in each election precinct. The publication or posting must be made not less than 30 days before election day. The notice of registration must include the offices to be filled that will appear on the ballot. If the notice of registration is for an election that includes a ballot proposal, a caption or brief description of the ballot proposal along with the location where an elector can obtain the full text of the ballot proposal must be stated in the notice.

(3) A county clerk may enter into an agreement with the clerk of 1 or more townships or cities in the county or the clerks of 1 or more cities or townships in a county may enter into an agreement to jointly publish the notice required in subsection (2). The notice must be published in a newspaper of general circulation in the cities and townships listed in the notice.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1967, Act 188, Eff. July 1, 1967;—Am. 1969, Act 345, Imd. Eff. Jan. 5, 1970;—Am. 1973, Act 180, Imd. Eff. Dec. 28, 1973;—Am. 1977, Act 241, Imd. Eff. Nov. 30, 1977;—Am. 1980, Act 171, Eff. Mar. 31, 1981;—Am. 1981, Act 61, Imd. Eff. June 5, 1981;—Am. 1981, Act 127, Imd. Eff. Sept. 29, 1981;—Am. 1981, Act 140, Imd. Eff. Oct. 30, 1981;—Am. 1982, Act 2, Imd. Eff. Jan. 27, 1982;—Am. 1984, Act 89, Imd. Eff. Apr. 19, 1984;—Am. 2005, Act 71, Imd. Eff. July 14, 2005;—Am. 2018, Act 125, Eff. Dec. 31, 2018;—Am. 2018, Act 603, Imd. Eff. Dec. 28, 2018.

Compiler's note: Enacting section 4 of Act 71 of 2005 provides:

"Enacting section 4. If any portion of this amendatory act or the application of this amendatory act to any person or circumstances is found invalid by a court, the invalidity shall not affect the remaining portions or applications of this amendatory act that can be given

effect without the invalid portion or application, if the remaining portions are not determined by the court to be inoperable, and to this end this amendatory act is declared to be severable."

Popular name: Election Code

168.499 Registration of elector; registration application; oaths; interpreter; false material statement as misdemeanor; accepting fee as misdemeanor; voter identification card; effect of voter identification card returned to post office.

Sec. 499. (1) An elector entitled to registration in an election precinct may become registered in the precinct by applying in person and signing the registration application before the clerk or assistant clerk of the township, city, or village in which the precinct is located. For the performance of his or her duties under this act, each clerk and assistant clerk has the power to administer oaths and to swear persons as to the truth of statements contained in an application. For a better examination of the applicant, a clerk may employ and swear an interpreter to interpret all questions put to applicants and the answers to those questions. If the applicant, in answer to a question or in the registration application, makes a material statement that is false, the applicant is guilty of a misdemeanor.

(2) A clerk or assistant clerk shall not accept a fee from an elector applying for registration, either for the registering of the elector or for the taking of the acknowledgment on the application. A person who violates this subsection is guilty of a misdemeanor.

(3) The clerk, immediately after receiving the registration or change of address of an elector, shall prepare a voter identification card for the elector. The clerk shall also prepare and send a corrected voter identification card to an elector affected by a change in United States representative, state senatorial, state representative, or county commissioner district or precinct. The clerk shall forward by first-class mail the voter identification card to the elector at the elector's registration address. The voter identification card shall contain the name and address of the registrant and the United States representative, state senatorial, state representative, or county commissioner district and precinct in which the registrant is an elector. If the original voter identification card is returned to the clerk by the post office as nondeliverable, the clerk shall reject the registration and send the individual a notice of rejection. If a duplicate voter identification card is returned to the clerk by the post office, the clerk shall accept this as information that the elector has moved and the clerk shall proceed in conformity with section 509aa.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1957, Act 224, Eff. Sept. 27, 1957;—Am. 1961, Act 171, Eff. Sept. 8, 1961;—Am. 1964, Act 18, Imd. Eff. Apr. 14, 1964;—Am. 1975, Act 28, Eff. July 1, 1975;—Am. 1977, Act 260, Eff. Mar. 30, 1978;—Am. 1984, Act 105, Imd. Eff. May 24, 1984;—Am. 1988, Act 275, Eff. Sept. 1, 1988;—Am. 1995, Act 213, Imd. Eff. Nov. 29, 1995;—Am. 2004, Act 92, Imd. Eff. Apr. 26, 2004.

Popular name: Election Code

168.499a Repealed. 1994, Act 441, Imd. Eff. Jan. 10, 1995.

Compiler's note: The repealed section pertained to appointment, duties, jurisdiction, and training of deputy registrars.

Popular name: Election Code

168.499b Registration application of program participant under address confidentiality program act; confidentiality.

Sec. 499b. The voter registration application of an elector who is a program participant, as that term is defined in the address confidentiality program act, is confidential and not subject to disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

History: Add. 2020, Act 302, Eff. June 27, 2021.

Compiler's note: Former MCL 168.499b, which pertained to appointment of deputy registrars, was repealed by Act 441 of 1994, Imd. Eff. Jan. 10, 1995.

Popular name: Election Code

168.499c, 168.499d Repealed. 1994, Act 441, Imd. Eff. Jan. 10, 1995.

Compiler's note: The repealed sections pertained to duties, jurisdiction, and training of deputy registrars.

Popular name: Election Code

168.499e Same day voter registration; application approval; receipt.

Sec. 499e. (1) The clerk of a city or township shall be present or have a deputy clerk be present at the clerk's office at all times a polling place is open on election day to receive and process voter registration applications.

(2) Immediately after approving a voter registration application under this section, the clerk or deputy clerk shall prepare a registration card or an insert to a registration list in a form prescribed by the secretary of state.

In addition, the clerk or deputy clerk shall provide to the individual registering to vote a voter registration receipt that is in a form as approved by the secretary of state.

(3) The clerk shall prepare and send a voter identification card in the manner prescribed for corrected voter identification cards in section 499 as soon as practical after the election.

History: Add. 2018, Act 603, Imd. Eff. Dec. 28, 2018.

Popular name: Election Code

168.500 Voter registration of applicant; procedure for applicant unable to write or sign name because of physical disability.

Sec. 500. If an applicant for voter registration is unable to write, or sign his or her name on the voter registration application because of a physical disability, then the applicant may execute the registration affidavit either by making his or her mark or by using a signature stamp.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 2014, Act 79, Imd. Eff. Mar. 28, 2014.

Popular name: Election Code

168.500a Registration or change in registration of person applying for renewal of operator's or chauffeur's license; application.

Sec. 500a. The secretary of state or the secretary of state's agent shall ensure that an individual who appears in a department of state branch office or an individual who applies for renewal of an operator's or chauffeur's license under section 307 of the Michigan vehicle code, 1949 PA 300, MCL 257.307, is afforded an opportunity to register to vote or to change the individual's voting registration name or address, if the applicant possesses the qualifications of an elector on the date of application or will possess the qualifications at the next election. This section does not require a registered elector to periodically reregister or to renew the elector's registration.

History: Add. 1975, Act 28, Eff. July 1, 1975;—Am. 1978, Act 173, Imd. Eff. May 30, 1978;—Am. 1980, Act 512, Imd. Eff. Jan. 26, 1981;—Am. 1988, Act 275, Eff. Sept. 1, 1988;—Am. 1994, Act 4, Imd. Eff. Feb. 18, 1994;—Am. 1995, Act 87, Imd. Eff. June 20, 1995;—Am. 2018, Act 125, Eff. Dec. 31, 2018;—Am. 2023, Act 268, Eff. June 30, 2025.

Popular name: Election Code

168.500b Forwarding application for registration to clerk of city or township; compensation of county clerks; obtaining additional information; transmitting application to appropriate clerk; electronic transmission of address change.

Sec. 500b. (1) Not more than 5 business days after receipt of an application for registration, the county clerk shall forward the application for registration to the clerk of the city or township in which the applicant resides.

(2) Compensation to be paid county clerks for transmitting applications shall be appropriated by the legislature to the secretary of state for equitable distribution by the secretary of state to the county clerks. The city or township clerk shall obtain needed additional information on an application that is not completed properly or return to the secretary of state's election division an application needing additional information or not completed properly. An application received by the clerk of a city or township in which the applicant does not reside shall be transmitted promptly to the appropriate county clerk of the county in which the applicant resides. If the city or township clerk knows the city or township in which the applicant resides, the clerk shall inform the county clerk of the county in which the applicant resides and forward the application directly to the clerk of the city or township in which the applicant resides.

(3) The secretary of state may electronically transmit to the qualified voter file voter registration change of address information received from a registered elector who is changing the address on his or her operator's or chauffeur's license issued pursuant to the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or official state personal identification card issued pursuant to 1972 PA 222, MCL 28.291 to 28.300. The secretary of state is not required to transmit a paper copy of an elector's voter registration change of address information if the elector's signature is already captured or reproduced under section 307 of the Michigan vehicle code, 1949 PA 300, MCL 257.307, and has been transmitted to the qualified voter file. This subsection applies to address changes made within a city or township and to address changes made from 1 city or township to another city or township.

History: Add. 1975, Act 28, Eff. July 1, 1975;—Am. 1989, Act 142, Imd. Eff. June 29, 1989;—Am. 2005, Act 71, Imd. Eff. July 14, 2005.

Compiler's note: Enacting section 4 of Act 71 of 2005 provides:

"Enacting section 4. If any portion of this amendatory act or the application of this amendatory act to any person or circumstances is found invalid by a court, the invalidity shall not affect the remaining portions or applications of this amendatory act that can be given

effect without the invalid portion or application, if the remaining portions are not determined by the court to be inoperable, and to this end this amendatory act is declared to be severable."

Popular name: Election Code

168.500c Repealed. 2018, Act 125, Eff. Dec. 31, 2018.

Compiler's note: The repealed section pertained to issuance of voter identification card.

Popular name: Election Code

168.500d Elections in which applicant permitted to vote; determination and notice of nonqualification; presenting validated voter registration application receipt at polls.

Sec. 500d. An individual who has properly completed an application for registration at an office of the secretary of state or his or her agent is permitted to vote in all elections after making the application if the clerk determines the individual is qualified. If the clerk determines the individual is not qualified, the clerk immediately shall send a notice to the applicant at the address stated in the application stating the determination and the reasons the individual is not qualified. An individual is permitted to vote if he or she presents at the polls a validated voter registration application receipt and the clerk determines the individual is qualified.

History: Add. 1975, Act 28, Eff. July 1, 1975;—Am. 2018, Act 125, Eff. Dec. 31, 2018;—Am. 2018, Act 603, Imd. Eff. Dec. 28, 2018.

Popular name: Election Code

168.500e Preparation of registration forms; notice of cancellation.

Sec. 500e. The city or township clerk shall prepare the registration forms needed for the city or township from information contained on properly completed and validated applications for persons meeting the requirements of this act. The clerk of a city or township shall forward a notice of cancellation to the clerk of the place of the applicant's previous residence as indicated on the application.

History: Add. 1975, Act 28, Eff. July 1, 1975.

Popular name: Election Code

168.500f Repealed. 2012, Act 523, Eff. Mar. 28, 2013.

Compiler's note: The repealed section pertained to transmission of registration information to village clerk.

Popular name: Election Code

168.500g Repealed. 2005, Act 71, Imd. Eff. July 14, 2005.

Compiler's note: The repealed section pertained to signing registration card.

Popular name: Election Code

168.500h Repealed. 2018, Act 125, Eff. Dec. 31, 2018.

Compiler's note: The repealed section pertained to notifying clerks of changes of address, death notices, and names of drivers issued license in another state.

Popular name: Election Code

168.500i "Agent" defined.

Sec. 500i. As used in sections 500a to 500e, "agent" means a person appointed by the secretary of state to act as an examining officer for the purpose of examining applicants for operator's and chauffeur's licenses under section 309 of the Michigan vehicle code, 1949 PA 300, MCL 257.309.

History: Add. 1975, Act 28, Eff. July 1, 1975;—Am. 2018, Act 125, Eff. Dec. 31, 2018.

Popular name: Election Code

168.500j Repealed. 2018, Act 125, Eff. Dec. 31, 2018.

Compiler's note: The repealed section pertained to authority to promulgate administrative rules.

Popular name: Election Code

168.501 Master registration cards; master file.

Sec. 501. The master registration cards must be filed alphabetically and must be termed the "master file". Subject to section 493b(7), the master file must contain the signature of each elector registered in the city or township, unless the clerk of the jurisdiction has access to the qualified voter file and the elector has a digitized signature in the qualified voter file. If an elector is unable to write, or sign the elector's name because of a physical disability, the master file must contain the mark or signature stamp used by that elector when a

signature is required.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1955, Act 271, Imd. Eff. June 30, 1955;—Am. 2005, Act 71, Eff. Jan. 1, 2007;—Am. 2014, Act 79, Imd. Eff. Mar. 28, 2014;—Am. 2018, Act 125, Eff. Dec. 31, 2018;—Am. 2023, Act 268, Eff. June 30, 2025.

Compiler's note: Enacting section 4 of Act 71 of 2005 provides:

"Enacting section 4. If any portion of this amendatory act or the application of this amendatory act to any person or circumstances is found invalid by a court, the invalidity shall not affect the remaining portions or applications of this amendatory act that can be given effect without the invalid portion or application, if the remaining portions are not determined by the court to be inoperable, and to this end this amendatory act is declared to be severable."

Popular name: Election Code

168.501a Repealed. 2005, Act 71, Imd. Eff. July 14, 2005.

Compiler's note: The repealed section pertained to creation and arrangement of registration list.

Popular name: Election Code

168.502 Custody of master file.

Sec. 502. The master file must at all times remain in the custody of the township or city clerk.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 2018, Act 125, Eff. Dec. 31, 2018.

Popular name: Election Code

168.502a Repealed. 1989, Act 142, Eff. Dec. 1, 1990.

Compiler's note: The repealed section pertained to examination of voter registration records and to inactive voter file.

Popular name: Election Code

168.503 Destruction or mutilation of registration records; request for back-up file from secretary of state; reregistration.

Sec. 503. If the voter registration records are destroyed or mutilated making them unusable, the clerk of the city or township shall request a back-up file from the secretary of state. The secretary of state shall provide a list of registered electors and their signatures, if available, from the qualified voter file to the city or township clerk. If the secretary of state is unable to provide a back-up file to the city or township clerk, the clerk shall require the electors to reregister as prescribed by the secretary of state.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1957, Act 223, Imd. Eff. June 6, 1957;—Am. 2018, Act 125, Eff. Dec. 31, 2018.

Popular name: Election Code

168.504 Repealed. 2006, Act 605, Imd. Eff. Jan. 3, 2007

Compiler's note: The repealed section pertained to registration of disabled or absent electors.

Popular name: Election Code

168.505 Authorization to cancel previous registration; signature; form; notice of cancellation; effect of previous address in another state; duties of clerk; authorization to cancel or notice received from another state.

Sec. 505. (1) At the time an elector is applying for registration, the registration officer shall ascertain if the elector is already registered as an elector. If the elector is previously registered, the elector shall at the time of applying for registration sign an authorization to cancel a previous registration. The secretary of state shall prescribe forms for this purpose. The form may be a part of the application or a separate form.

(2) An authorization to cancel that indicates a previous address in a state other than this state must be forwarded to the chief election officer of that state. Notice may be made by forwarding the separate cancellation form, by forwarding the portion of an application listing a previous place of registration, or by forwarding a list certified by the clerk containing the names of people authorizing cancellation.

(3) An authorization to cancel a voter registration signed by the elector and received from another state or a notice from an election official of another state that an elector has registered in that state has the same force and effect as the notice of authorization to cancel of this state.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1955, Act 271, Imd. Eff. June 30, 1955;—Am. 1967, Act 52, Eff. Nov. 2, 1967;—Am. 1977, Act 234, Imd. Eff. Nov. 30, 1977;—Am. 2003, Act 302, Eff. Jan. 1, 2005;—Am. 2018, Act 125, Eff. Dec. 31, 2018.

Popular name: Election Code

168.506 Change of residence within township or city; transfer of registration by clerk.

Sec. 506. A registered elector may, upon change of residence within the township or city, update his or her registration address by sending to the clerk a signed request stating his or her present address, the date he or she moved to that address, and the address from which he or she was last registered, or by updating his or her

address in person. The clerk shall strike through the last address, ward, and precinct number and record the new address, ward, and precinct number on the master registration card. Transfers must not be made after the thirtieth day next preceding a regular or special election or primary election, unless the thirtieth day falls on a Saturday, Sunday, or legal holiday, in which event registration transfers must be accepted during the following day.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1967, Act 188, Eff. July 1, 1967;—Am. 1973, Act 180, Imd. Eff. Dec. 28, 1973;—Am. 2018, Act 125, Eff. Dec. 31, 2018.

Popular name: Election Code

168.506a Repealed. 1994, Act 441, Imd. Eff. Jan. 10, 1995.

Compiler's note: The repealed section pertained to declaration or change in party preference, request, failure to identify date of birth, recordation, and voter identification card.

Popular name: Election Code

168.507 Execution of transfer of registration request; comparison of signatures; certification; filing application for transfer; proper name of street or resident house number; notice; eligibility to vote.

Sec. 507. (1) A registered elector who has removed from 1 election precinct of a township, city, or village to another election precinct of the same township, city, or village and has not recorded the removal with the local clerk shall execute a transfer of registration request, listing the new residence address over his or her signature, with the election board in the precinct in which he or she is registered at the next ensuing primary or election.

(2) If an elector's signature contained in the qualified voter file is available in the polling place, the inspector of election in charge of the registration records shall compare the digitized signature provided by the qualified voter file with the signature and, if the signatures correspond, then the inspector shall certify the fact by affixing his or her initials upon the request. If an elector's signature is not contained in the qualified voter file, the election official shall process the transfer of registration request in the same manner as transfer of registration requests are processed when a voter registration list is used in the polling place. The applicant for transfer, after having signed an application to vote as provided in section 523, shall then be permitted to vote in the precinct for that primary or election only. The application for transfer shall be filed with the township, city, or village clerk who shall transfer the elector's registration pursuant to the application. If the name of a street or resident house number in a township, city, or village is changed, the township, city, or village clerk shall make the change to show the proper name of the street or resident house number in the registration records and notify the county clerk of the change. It is not necessary for the elector to change his or her registration to reflect the change in order to be eligible to vote.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1963, Act 235, Eff. Sept. 6, 1963;—Am. 1989, Act 142, Imd. Eff. June 29, 1989;—Am. 2005, Act 71, Eff. Jan. 1, 2007.

Compiler's note: Enacting section 4 of Act 71 of 2005 provides:

"Enacting section 4. If any portion of this amendatory act or the application of this amendatory act to any person or circumstances is found invalid by a court, the invalidity shall not affect the remaining portions or applications of this amendatory act that can be given effect without the invalid portion or application, if the remaining portions are not determined by the court to be inoperable, and to this end this amendatory act is declared to be severable."

Popular name: Election Code

168.507a Moving to another township or city; voting at place of last registration; affidavit; forms; cancellation of registration; voting in person or by absentee ballot.

Sec. 507a. (1) A registered and qualified elector of this state who has moved from the city or township in which he or she is registered to another city or township within this state after the sixtieth day before an election or primary election is permitted to vote in the election or primary election at the place of last registration upon the signing of a form containing an affidavit stating that the move has taken place.

(2) The form or forms required by this section must be approved by the secretary of state, must state that the move has taken place, and must authorize the clerk of the city or township to cancel the elector's registration. An elector coming under this section is permitted to vote either in person or by absentee ballot.

History: Add. 1956, Act 37, Imd. Eff. Mar. 28, 1956;—Am. 1967, Act 188, Eff. July 1, 1967;—Am. 1973, Act 180, Imd. Eff. Dec. 28, 1973;—Am. 1989, Act 142, Imd. Eff. June 29, 1989;—Am. 2018, Act 125, Eff. Dec. 31, 2018.

Popular name: Election Code

168.507b Repealed. 2018, Act 125, Eff. Dec. 31, 2018.

Compiler's note: The repealed section pertained to registration of elector who has moved from township or city to another township

or city within the same county.

Popular name: Election Code

168.508 Repealed. 1994, Act 441, Imd. Eff. Jan. 10, 1995.

Compiler's note: The repealed section pertained to transfer of registration and notice to elector.

Popular name: Election Code

168.509 Repealed. 2004, Act 92, Imd. Eff. Apr. 26, 2004.

Compiler's note: The repealed section pertained to examination of voter registration records.

168.509a Repealed. 2004, Act 92, Imd. Eff. Apr. 26, 2004.

Compiler's note: The repealed section pertained to members of armed forces on active duty.

168.509b-168.509/ Repealed. 1994, Act 441, Imd. Eff. Jan. 10, 1995.

Compiler's note: The repealed sections pertained to definitions, statewide voter registration network, duties of secretary of state and clerks, county and state files, registration lists, and voting histories.

Popular name: Election Code

168.509m Purpose of MCL 168.509m to 168.509ii; definitions.

Sec. 509m. (1) The purposes of this section and sections 509n to 509ii are all of the following:

(a) To establish a statewide qualified voter file that consists of all qualified electors who wish to be registered to vote in local, state, and federal elections.

(b) To enhance the uniformity of the administration of elections by creating and maintaining a statewide qualified voter file.

(c) To increase the efficiency and decrease the public cost of maintaining voter registration files and implementing the national voter registration act of 1993.

(d) To increase the integrity of the voting process by creating a single qualified voter file that will permit the name of each citizen of this state to appear only once and that is compiled from other state files that require citizens to verify their identity and residence.

(e) To apply technology and information gathered by principal executive departments, state agencies, and county, city, township, and village clerks in a manner that ensures that accurate and current records of qualified voters are maintained.

(2) As used in sections 509n to 509ii:

(a) "Designated voter registration agency" means an office designated under section 509u to perform voter registration activities in this state.

(b) "Qualified voter file" means the statewide qualified voter file established according to section 509o.

History: Add. 1994, Act 441, Imd. Eff. Jan. 10, 1995;—Am. 2004, Act 92, Imd. Eff. Apr. 26, 2004;—Am. 2005, Act 71, Imd. Eff. July 14, 2005;—Am. 2018, Act 351, Eff. Feb. 13, 2019.

Compiler's note: Enacting section 4 of Act 71 of 2005 provides:

"Enacting section 4. If any portion of this amendatory act or the application of this amendatory act to any person or circumstances is found invalid by a court, the invalidity shall not affect the remaining portions or applications of this amendatory act that can be given effect without the invalid portion or application, if the remaining portions are not determined by the court to be inoperable, and to this end this amendatory act is declared to be severable."

Popular name: Election Code

168.509n Secretary of state; duties.

Sec. 509n. The secretary of state is responsible for the coordination of the requirements imposed under this chapter, the national voter registration act of 1993, and the help America vote act of 2002. The secretary of state shall do all of the following:

(a) Develop a mail registration form and make the form available for distribution through governmental and private entities, with special emphasis on making the form available to voter registration programs established for the purpose of registering citizens of this state to vote.

(b) Instruct designated voter registration agencies and county, city, township, and village clerks about the voter registration procedures and requirements imposed by law.

(c) By June 15 of each odd numbered year, submit to each member of the committees of the senate and house of representatives with primary responsibility for election matters a report on the qualified voter file. The report shall include, but need not be limited to, both of the following:

(i) Information on the efficiency and effectiveness of the qualified voter file as a voter registration system.

(ii) Recommendations of the secretary of state for amendments to this act to increase the efficiency and effectiveness of the qualified voter file as a voter registration system.

History: Add. 1994, Act 441, Imd. Eff. Jan. 10, 1995;—Am. 1999, Act 216, Imd. Eff. Dec. 28, 1999;—Am. 2003, Act 302, Eff. Jan. 1, 2005;—Am. 2004, Act 92, Imd. Eff. Apr. 26, 2004.

Popular name: Election Code

168.509o Qualified voter file; establishment and maintenance; individuals considered registered voters; signed application; development and use of process to update qualified voter file; availability of canceled voter registration information; participation in multistate programs or services; limitations.

Sec. 509o. (1) The secretary of state shall direct and supervise the establishment and maintenance of a statewide qualified voter file. The secretary of state shall establish the technology to implement the qualified voter file. The qualified voter file is the official file for the conduct of all elections held in this state. The secretary of state may direct that all or any part of the city or township voter registration files must be used in conjunction with the qualified voter file at the first state primary and election held after the creation of the qualified voter file.

(2) Notwithstanding any other provision of law to the contrary, an individual who appears to vote in an election and whose name appears in the qualified voter file for that city, township, or school district, and who is not designated in the qualified voter file as preregistered to vote as provided under section 496a, is considered a registered elector of that city, township, or school district under this act.

(3) The secretary of state, a designated voter registration agency, or a county, city, or township clerk shall not place a name of an individual into the qualified voter file unless that individual signs an application as prescribed in section 509r(3), or is registered to vote or preregistered to vote under section 493a or 493b. The secretary of state or a designated voter registration agency shall not allow an individual to indicate a different address than the address in either the secretary of state's or designated voter registration agency's files to be placed in the qualified voter file.

(4) The secretary of state shall develop and utilize a process by which information obtained through the United States Social Security Administration's death master file that is used to cancel an operator's or chauffeur's license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or an official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300, of a deceased resident of this state is also used at least once a month to update the qualified voter file to cancel the voter registration of any elector determined to be deceased. The secretary of state shall make the canceled voter registration information under this subsection available to the clerk of each county, city, or township to assist with the clerk's obligations under section 510.

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

History: Add. 1994, Act 441, Imd. Eff. Jan. 10, 1995;—Am. 2018, Act 125, Eff. Dec. 31, 2018;—Am. 2018, Act 126, Imd. Eff. May 3, 2018;—Am. 2022, Act 195, Imd. Eff. Oct. 7, 2022;—Am. 2023, Act 258, Eff. Feb. 13, 2024.

Popular name: Election Code

168.509p Qualified voter file; components.

Sec. 509p. The qualified voter file must consist of all of the following components:

(a) A computer file that has the capacity to maintain a number of records equal to or greater than the voting age population of this state.

(b) An electronic network that allows participating designated executive departments, state agencies, and county, city, and township clerks to electronically add, change, or delete records contained in the qualified voter file.

(c) An interactive electronic communication system that allows access to records in the file of qualified electors residing in a county, city, or township for the purpose of receiving copies of the county, city, or township file, transmitting data to the county, city, or township file, or reviewing and printing the county, city, or township file. The interactive electronic communication system must be designed to permit counties, cities, or townships that are capable of accessing the interactive electronic communication system to add, change, or delete records regarding qualified electors in the qualified voter file.

(d) A statewide street address index in an electronic medium that will accurately identify the city or township of each record and accurately identify the precinct of each record in the qualified voter file.

History: Add. 1994, Act 441, Imd. Eff. Jan. 10, 1995;—Am. 2018, Act 125, Eff. Dec. 31, 2018.

Popular name: Election Code

168.509q Qualified voter file; information to be contained for each voter; requirements for program participant in address confidentiality program act; confidentiality of preregistration information.

Sec. 509q. (1) Subject to subsection (2), the qualified voter file must contain all of the following information for each qualified voter:

(a) The name; residence address including house number and street name or rural route and box number, and the apartment number, if any; city; state; zip code; and date of birth.

(b) The driver license number or state personal identification card number or similar number issued by a designated voter registration agency.

(c) Jurisdictional information including county and city or township; village, if any; metropolitan district, if any; and school district.

(d) Precinct numbers and ward numbers, if any.

(e) Any other information that the secretary of state determines is necessary to assess the eligibility of qualified electors or to administer voter registration or other aspects of the election process.

(f) Voting history for a 5-year period.

(g) Before June 30, 2025, the most recent digitized signature of an elector if captured or reproduced by the secretary of state or a county, city, or township clerk from a voter registration application under section 509hh, or captured or reproduced by the secretary of state under section 307 of the Michigan vehicle code, 1949 PA 300, MCL 257.307. Beginning June 30, 2025, and subject to section 493b(7), the digitized signatures of an elector if captured or reproduced by the secretary of state or a county, city, or township clerk from a voter registration application under section 509hh, or captured or reproduced by the secretary of state under section 307 of the Michigan vehicle code, 1949 PA 300, MCL 257.307.

(2) If a qualified voter is a program participant, as that term is defined in section 3 of the address confidentiality program act, 2020 PA 301, MCL 780.853, the qualified voter file must also contain the program participant's unique identification number issued by the department of the attorney general.

(3) Except as otherwise provided in this subsection, if a qualified voter is a program participant, as that term is defined in section 3 of the address confidentiality program act, 2020 PA 301, MCL 780.853, the information contained in the qualified voter file for that program participant, including the program participant's unique identification number issued by the department of the attorney general, is confidential and not subject to disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246. The information contained in the qualified voter file for a program participant, as that term is defined in section 3 of the address confidentiality program act, 2020 PA 301, MCL 780.853, may be used by an election official during the normal course of the election official's duties as an election official.

(4) Subject to section 509gg, if an individual preregisters to vote under section 496a, the information contained in the qualified voter file for that individual is confidential and not subject to disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, until that individual is 17-1/2 years of age.

History: Add. 1994, Act 441, Imd. Eff. Jan. 10, 1995;—Am. 2005, Act 71, Imd. Eff. July 14, 2005;—Am. 2012, Act 586, Imd. Eff. Jan. 7, 2013;—Am. 2020, Act 302, Eff. June 27, 2021;—Am. 2023, Act 258, Eff. Feb. 13, 2024.

Compiler's note: Enacting section 4 of Act 71 of 2005 provides:

"Enacting section 4. If any portion of this amendatory act or the application of this amendatory act to any person or circumstances is found invalid by a court, the invalidity shall not affect the remaining portions or applications of this amendatory act that can be given effect without the invalid portion or application, if the remaining portions are not determined by the court to be inoperable, and to this end this amendatory act is declared to be severable."

Popular name: Election Code

168.509r Qualified voter file; establishment and maintenance of computer system and programs; access; verification of accuracy; compilation of electors; sources; person whose name does not appear in file; requirements; inactive voter file.

Sec. 509r. (1) The secretary of state shall establish and maintain the computer system and programs necessary to the operation of the qualified voter file. The secretary of state shall allow each county, city, or township access to the qualified voter file. The county, city, and township clerks shall verify the accuracy of the names and addresses of registered electors in the qualified voter file.

(2) Subject to subsection (3), the secretary of state and county, city, and township clerks shall compile the

qualified voter file that consists of all qualified electors from the following sources and in the following priority:

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

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

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

(3) An individual whose name does not otherwise appear in the qualified voter file, or whose name has not been added to the qualified voter file under section 493a or 493b, must be placed in the qualified voter file only if the individual signs under penalty of perjury an application that contains an attestation that the applicant meets all of the following requirements:

(a) Is 16 years of age or older.

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

(c) Is a resident of the city or township where the individual's street address is located.

(4) The secretary of state shall create an inactive voter file.

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

(a) The elector votes at an election.

(b) The elector responds to a notice sent under section 509aa.

(c) Another voter registration transaction involving that elector occurs.

(6) While the registration record of an elector is in the inactive voter file, the elector remains eligible to vote and the elector's name must appear on the precinct voter registration list.

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

History: Add. 1994, Act 441, Imd. Eff. Jan. 10, 1995;—Am. 2003, Act 302, Eff. Jan. 1, 2005;—Am. 2012, Act 270, Eff. Aug. 15, 2012;—Am. 2018, Act 125, Eff. Dec. 31, 2018;—Am. 2023, Act 258, Eff. Feb. 13, 2024.

Popular name: Election Code

168.509s Repealed. 2018, Act 125, Eff. Dec. 31, 2018.

Compiler's note: The repealed section pertained to implementation of study of qualified voter file.

Popular name: Election Code

168.509t Person considered registered voter; persons required to vote in person; exceptions; prosecution not precluded in state.

Sec. 509t. (1) Notwithstanding another provision of law to the contrary, a person who is a qualified elector in this state and who registers to vote in a manner consistent with the national voter registration act of 1993 is considered a registered voter under this act.

(2) A person who registers to vote in a jurisdiction in this state by mail or by submitting an electronic voter registration application shall vote in person and shall provide identification as required under section 303(b) of the help America vote act of 2002, 52 USC 21083, if that person has not previously voted in person in this state. This subsection does not apply to any of the following registered voters:

(a) A person who has registered to vote in a jurisdiction in this state in person.

(b) A person entitled to vote by absentee ballot under the uniformed and overseas citizens absentee voting act.

(c) A person who has a disability as that term is defined in section 103 of the persons with disabilities civil rights act, 1976 PA 220, MCL 37.1103, or, for purposes of voting in person only, a person who is 60 years of age or older.

(d) A person who is entitled to vote other than in person under any other federal law.

(3) This section does not preclude this state from prosecuting a violation of this act that is also a violation of a federal election or voting rights law.

History: Add. 1994, Act 441, Imd. Eff. Jan. 10, 1995;—Am. 1998, Act 21, Imd. Eff. Mar. 12, 1998;—Am. 2004, Act 92, Imd. Eff. Apr. 26, 2004;—Am. 2018, Act 353, Eff. Feb. 13, 2019.

Popular name: Election Code

168.509u List designating executive departments, state agencies, or other offices performing voter registration activities; armed forces recruitment office as voter registration agency.

Sec. 509u. (1) Not later than the thirtieth day after the effective date of this section, the governor shall provide a list to the secretary of state designating the executive departments, state agencies, or other offices that will perform voter registration activities in this state.

(2) Pursuant to the national voter registration act of 1993, a recruitment office of the armed forces of the United States is a designated voter registration agency under this act.

History: Add. 1994, Act 441, Imd. Eff. Jan. 10, 1995.

Popular name: Election Code

168.509v Registration to vote at certain locations, by mail, or online.

Sec. 509v. (1) A person who is not registered to vote at the address where he or she resides may apply to register to vote by submitting an application at any of the following locations:

(a) The office of the clerk of a county or the office of the clerk of the city or township in which the applicant resides, during regular office hours of that clerk.

(b) A department of state office.

(c) A designated voter registration agency when submitting an application, recertification, renewal, or change of address at the voter registration agency.

(2) A person who is not registered to vote at the address where he or she resides may apply for registration by submitting a completed mail registration application. A person may request a mail registration application from and submit the application to any of the following:

(a) The secretary of state.

(b) The clerk of the county, city, or township in which the applicant resides.

(c) A designated voter registration agency.

(3) A person who is not registered to vote at the address where he or she resides may apply to register to vote by submitting an electronic voter registration application as provided in section 509ii.

History: Add. 1994, Act 441, Imd. Eff. Jan. 10, 1995;—Am. 2018, Act 352, Eff. Feb. 13, 2019.

Popular name: Election Code

168.509w Person processing application; duties; transmitting application; cost of forwarding application.

Sec. 509w. (1) The person processing an application submitted in person at a department of state office, a designated voter registration agency, or the office of a county clerk shall do all of the following:

(a) Validate the application in the manner prescribed by the secretary of state.

(b) Issue a receipt to the applicant verifying the acceptance of the application.

(2) Except as otherwise provided in subsection (3), the department of state office, the designated voter registration agency, or the county clerk shall transmit the application not later than 7 days after receipt of the application to the clerk of the county, city, or township where the applicant resides.

(3) If an application under subsection (1) is made from the twenty-first day to the fifteenth day before an election, the department of state office, the designated voter registration agency, or the county clerk shall transmit the application not later than 1 business day to the clerk of the county, city, or township where the applicant resides.

(4) If a completed application is transmitted by the secretary of state or a designated voter registration agency to a county clerk, the secretary of state, to the extent funds are appropriated, shall compensate the county clerk for the cost of forwarding the application to the proper city or township clerk of the applicant's residence from funds appropriated to the secretary of state for that purpose.

History: Add. 1994, Act 441, Imd. Eff. Jan. 10, 1995;—Am. 2018, Act 603, Imd. Eff. Dec. 28, 2018.

Popular name: Election Code

168.509x Application considered as received; requirements.

Sec. 509x. An application for registration is considered received on or before the fifteenth day before an election if 1 of the following requirements is met:

(a) An application is received at a department of state office, a designated voter registration agency, or the office of a county, city, or township clerk on or before the fifteenth day before an election.

(b) An application is received through the mail that is postmarked on or before the fifteenth day before an election.

(c) An application is received through the mail on or before the eighth day before an election, if the

postmark is missing or is unclear and the application, on its face, is dated by the applicant on or before the fifteenth day before an election. The clerk shall consider an application received under this subdivision as received before the fifteenth day before an election.

(d) An application is submitted electronically through the electronic voter registration interface on or before the fifteenth day before an election.

History: Add. 1994, Act 441, Imd. Eff. Jan. 10, 1995;—Am. 2018, Act 354, Eff. Feb. 13, 2019;—Am. 2018, Act 603, Imd. Eff. Dec. 28, 2018.

Popular name: Election Code

168.509y Repealed. 2004, Act 92, Imd. Eff. Apr. 26, 2004.

Compiler's note: The repealed section pertained to failure to register to vote.

168.509z Notice to clerk of certain information.

Sec. 509z. The secretary of state shall notify each clerk of the following information regarding residents or former residents of the clerk's city or township:

(a) Driver license or state personal identification card changes of address received by the secretary of state, and whether the person submitted an application for the new address.

(b) The names and addresses in this state of persons who have been issued a driver license in another state.

(c) Death notices received by the secretary of state.

History: Add. 1994, Act 441, Imd. Eff. Jan. 10, 1995.

Popular name: Election Code

168.509aa Updating registration upon receipt of certain information; duties of clerk; instruction by clerk to challenge elector; cancellation of registration; notice that registered elector has moved out of state.

Sec. 509aa. (1) A clerk may use change of address information supplied by the United States Postal Service or other reliable information received by the clerk that identifies registered electors whose addresses may have changed as provided in this section.

(2) On receipt of reliable information that a registered elector has moved the elector's residence within the city or township, the clerk shall send by forwardable mail all of the following to the elector:

(a) A notice that the clerk has received information indicating that the elector has moved the elector's residence within the city or township.

(b) A postage prepaid and preaddressed return card on which the elector may verify or correct the address information.

(c) A notice explaining that, if the address information is correct and the elector has moved the elector's residence within the city or township, the elector should complete and return the card to the clerk with a postmark of 30 days or more before the date of the next election. If the elector has moved the elector's residence within the city or township and does not complete and return the card to the clerk with a postmark of 30 days or more before the date of the next election, the elector will be required to vote in the elector's former precinct of residence in the city or township. The elector will also be required to submit an address correction before being permitted to vote.

(3) On the receipt of reliable information that a registered elector has moved the elector's residence to another city or township, the clerk shall send by forwardable mail all of the following to the elector:

(a) A notice that the clerk has received information indicating that the elector has moved the elector's residence to another city or township.

(b) A postage prepaid and preaddressed return card on which the elector may verify or correct the address information.

(c) A notice containing all of the following information:

(i) If the address information is incorrect and the elector has not moved to another city or township and wishes to remain registered to vote, the elector should complete and return the card to the clerk with a postmark of 30 days or more before the date of the next election. If the card is not completed and returned with a postmark of 30 days or more before the date of the next election, the elector may be required to affirm the elector's current address before being permitted to vote. Further, if the elector does not vote in an election within the period beginning on the date of the notice and ending on the first business day immediately following the second November general election that is held after the date on the notice, the registration of the elector will be canceled and the elector's name will be removed from the registration record of that city or township.

(ii) If the elector has moved the elector's residence to another city or township, information on how the

elector can become registered to vote at the next election in the elector's new city or township.

(4) If a notice sent under subsection (2) or (3) is returned to the clerk by the post office as undeliverable, the clerk shall identify the registration record of an elector as challenged as provided in this act. The clerk shall instruct the board of election inspectors to challenge that elector at the first election at which the elector appears to vote. If in response to the challenge the elector indicates that the elector resides at the registration address or has changed addresses within the city or township, the elector must be permitted to vote a regular ballot rather than a challenged ballot. The elector shall complete a change of address form at the polling place, if applicable. If the elector does not appear to vote in an election within the period beginning on the date of the notice and ending on the first business day immediately following the second November general election that is held after the date of the notice, the clerk shall cancel the registration of the elector and remove the elector's name from the registration record of the city or township.

(5) If the department of state receives notice that a registered elector has moved out of state by receiving a surrendered Michigan driver license of that registered elector, the secretary of state shall send by forwardable mail all of the following to the elector:

(a) A notice that the secretary of state has received information indicating that the elector has moved the elector's residence to another state.

(b) A postage prepaid and preaddressed return card on which the elector may verify or correct the address information.

(c) A notice providing that if the address information is incorrect and the elector has not moved to another state and wishes to remain registered to vote, the elector should complete and return the card to the secretary of state with a postmark of 30 days or more before the date of the next election. If the card is not completed and returned with a postmark of 30 days or more before the date of the next election, the elector may be required to affirm the elector's current address before being permitted to vote. Further, if the elector does not vote in an election within the period beginning on the date of the notice and ending on the first business day immediately following the second November general election that is held after the date on the notice, the registration of the elector will be canceled and the elector's name will be removed from the qualified voter file.

(6) A notice sent to an elector under subsection (2), (3), or (5) must include a warning to the elector that any prior absent voter ballot application submitted by the elector for all future elections is rescinded and the elector will not be sent an absent voter ballot for any future elections unless the elector submits a new absent voter ballot application.

History: Add. 1994, Act 441, Imd. Eff. Jan. 10, 1995;—Am. 2004, Act 92, Imd. Eff. Apr. 26, 2004;—Am. 2012, Act 270, Eff. Aug. 15, 2012;—Am. 2023, Act 86, Eff. Feb. 13, 2024.

Compiler's note: Act 269 of 2001, which was approved by the Governor and filed with the Secretary of State on January 11, 2002, provided for the amendment of MCL 168.31, 168.73, 168.283, 168.393, 168.509y, 168.509aa, 168.561a, 168.624, 168.624a, 168.686, 168.706, 168.727, 168.737, 168.745, 168.769, 168.782b, 168.795, 168.795c, 168.797a, 168.798c, 168.799a, 168.803, 168.804, 168.842, and 168.931 of, the addition of Sec. 701 to, and the repeal of Sec. 509 of, Act 116 of 1954, known as the Michigan Election Law. A petition seeking a referendum on Act 269 of 2001 was filed with the Secretary of State. The Board of State Canvassers officially declared the sufficiency of the referendum petition on May 14, 2002. Const 1963, art 2, sec 9, provides that no law as to which the power of referendum properly has been invoked shall be effective thereafter unless approved by a majority of the electors voting thereon at the next general election. A referendum on Act 269 of 2001 was presented to the electors at the November 5, 2002, general election as Proposal 02-1, which read as follows:

“A REFERENDUM ON PUBLIC ACT 269 OF 2001--AN ACT TO AMEND CERTAIN SECTIONS OF MICHIGAN ELECTION LAW

Public Act 269 of 2001 would:

- Eliminate “straight party” vote option on partisan general election ballots.
- Require Secretary of State to obtain training reports from local election officials.
- Require registered voters who do not appear on registration list to show picture identification before voting a challenged ballot.
- Require expedited canvass if presidential vote differential is under 25,000.
- Require ballot counting equipment to screen ballots for voting errors to ensure the accurate tabulation of absentee ballots. Permit voters in polls to correct errors.
- Provide penalties for stealing campaign signs or accepting payment for campaign work while being paid as a public employee to perform election duties.

Should this law be approved?

Yes _____
No _____

Act 269 of 2001 was not approved by a majority of the electors voting thereon at the November 5, 2002, general election.

Popular name: Election Code

168.509bb Failure to vote; cancellation of registration prohibited.

Sec. 509bb. A clerk shall not cancel or cause the cancellation of the registration of a voter from the registration record of the city or township based solely upon that registered voter's failure to vote.

History: Add. 1994, Act 441, Imd. Eff. Jan. 10, 1995.

Popular name: Election Code

168.509cc Challenge of registration; response by voter; duties of clerk.

Sec. 509cc. (1) If a registration is challenged under this act and the challenged voter does not respond in the manner provided in this act, the registration record of that voter remains challenged and election officials shall not allow the challenged voter to vote until he or she answers the grounds of the challenge in the manner provided in this act. If a registration is challenged under this act and an election official determines, based upon the response of the challenged voter, that the voter is qualified to vote, the election official shall allow the voter to vote and the clerk shall remove the identification as challenged from the registration record of that voter.

(2) If a clerk does not independently determine that a challenged voter is qualified to vote or if the challenged voter does not respond to the challenge or fails to prove in his or her response to the challenge that he or she is qualified to vote during the period beginning on the date of the notice of challenge under this act and ending on the first business day immediately following the second November general election that is held after the date of the notice, the clerk shall cancel the registration of the voter and remove his or her name from the registration record of the city or township.

History: Add. 1994, Act 441, Imd. Eff. Jan. 10, 1995.

Popular name: Election Code

168.509dd Program to register voters or remove names.

Sec. 509dd. (1) A clerk may conduct a program to register qualified electors or to remove names of registered voters who are no longer qualified to vote in the city or township from the registration records of that city or township. A clerk who conducts a program to register voters or to remove names under this section shall administer the program in a uniform manner to the entire city or township. The clerk shall use nondiscriminatory procedures that comply with the requirements of the voting rights act of 1965, Public Law 89-110, 79 Stat. 437.

(2) The clerk shall complete any program to remove names conducted under this section 90 days or more before the date of a federal election. The 90-day deadline under this subsection does not apply to the removal of names from the registration records of a city or township under 1 of the following circumstances:

(a) At the request or authorization of a voter.

(b) Upon the death of a voter.

(c) Upon notice that a voter has moved from the city or township and has completed an application at the new address.

(3) Subject to the requirements of this section, a clerk may use 1 or more of the following to conduct a program to register voters or remove names under this section:

(a) A house-to-house canvass.

(b) A general mailing to voters for address verifications.

(c) Participation in the national change of address program established by the postal service.

(d) Other means the clerk considers appropriate.

History: Add. 1994, Act 441, Imd. Eff. Jan. 10, 1995.

Popular name: Election Code

168.509ee Transmission of report by voter registration agency to secretary of state.

Sec. 509ee. Not later than 90 days after the request of the secretary of state, a designated voter registration agency shall transmit to the secretary of state a report including all of the following:

(a) Information requested by the secretary of state necessary to administer the provisions of sections 509m to 509gg and the national voter registration act of 1993.

(b) Any other information considered necessary by the secretary of state.

History: Add. 1994, Act 441, Imd. Eff. Jan. 10, 1995.

Popular name: Election Code

168.509ff Records; purpose; maintenance; availability to public; names and addresses to whom notice sent.

Sec. 509ff. (1) The secretary of state and each county, city, township, or village clerk shall maintain all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of registration records under this chapter for 2 years or more. Except to the extent that the records maintained pursuant to this section relate to a declination to register to vote or to the identity of a

designated voter registration agency through which any particular voter applied for registration pursuant to section 509gg, the secretary of state or a county, city, township, or village clerk shall make the records available for public inspection under reasonable conditions and, if available, for photocopying at a reasonable cost.

(2) The secretary of state or a county, city, township, or village clerk shall include in the records maintained under this section a list of the names and addresses of all persons to whom a notice under section 509aa is sent and if the person has responded to the notice as of the date the inspection of the records is made.

History: Add. 1994, Act 441, Imd. Eff. Jan. 10, 1995.

Popular name: Election Code

168.509gg Information exempt from freedom of information act.

Sec. 509gg. (1) Subject to subsection (3), the information described in this subsection that is contained in a registration record is exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246. The secretary of state, a designated voter registration agency, or a county, city, township, or village clerk shall not release a copy of that portion of a registration record that contains any of the following:

- (a) The record that an individual declined to register to vote.
- (b) The office that received a registered elector's application.
- (c) A registered elector's driver license or state personal identification card number.
- (d) The month and day of birth of a registered elector.
- (e) The telephone number provided by a registered elector.

(f) The digitized signature of an elector that is captured or reproduced and transmitted to the qualified voter file by the secretary of state or a county, city, or township clerk under section 509hh or by the secretary of state under section 307 of the Michigan vehicle code, 1949 PA 300, MCL 257.307.

(2) Except as otherwise provided in this subsection, the last 4 digits of a registered elector's Social Security number contained in a registration record are exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246. The last 4 digits of a registered elector's Social Security number contained in a registration record may only be used by the secretary of state to verify a registered elector's data as provided by the help America vote act of 2002 and to verify a registered elector's status under this act, and must not be used or released for any other purpose.

(3) If an individual preregisters to vote under section 496a, the information contained in the registration record for that individual is confidential and not subject to disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, until that individual is 17-1/2 years of age. Once that individual is 17-1/2 years of age, the information contained in the registration record for that individual is subject to the exemptions provided in subsection (1).

History: Add. 1994, Act 441, Imd. Eff. Jan. 10, 1995;—Am. 2003, Act 302, Eff. Jan. 1, 2005;—Am. 2005, Act 71, Imd. Eff. July 14, 2005;—Am. 2014, Act 94, Imd. Eff. Apr. 3, 2014;—Am. 2023, Act 258, Eff. Feb. 13, 2024.

Compiler's note: Enacting section 4 of Act 71 of 2005 provides:

"Enacting section 4. If any portion of this amendatory act or the application of this amendatory act to any person or circumstances is found invalid by a court, the invalidity shall not affect the remaining portions or applications of this amendatory act that can be given effect without the invalid portion or application, if the remaining portions are not determined by the court to be inoperable, and to this end this amendatory act is declared to be severable."

Popular name: Election Code

168.509hh Capture or reproduction of signature.

Sec. 509hh. (1) The secretary of state may capture or reproduce the signature of an elector from a voter registration application or pursuant to section 307 of the Michigan vehicle code, 1949 PA 300, MCL 257.307, and transmit the signature to the qualified voter file pursuant to section 509q.

(2) The county, city, or township clerk may capture or reproduce the signature of an elector from a voter registration application and transmit the signature to the qualified voter file pursuant to section 509q.

History: Add. 2005, Act 71, Imd. Eff. July 14, 2005.

Popular name: Election Code

168.509ii Electronic voter registration interface; requirements; application; qualifications.

Sec. 509ii. (1) The secretary of state shall develop and maintain an electronic voter registration interface to allow an applicant to submit a voter registration application electronically through the secretary of state's website. The electronic voter registration interface must do all of the following:

- (a) Transmit the application to the qualified voter file.
- (b) Require the applicant's assent to submit the voter registration application electronically.
- (c) Issue a receipt to the applicant in the manner prescribed by the secretary of state.

(d) Utilize security features determined appropriate by the secretary of state or the department of technology, management, and budget to prevent unauthorized access to data or information and to ensure that a person attempting to use the electronic voter registration interface is an individual.

(2) The secretary of state shall develop an electronic voter registration application that includes all of the same information as provided on the mail registration form developed by the secretary of state under section 509n(a), and that also includes the notice required under section 307(1)(c) of the Michigan vehicle code, 1949 PA 300, MCL 257.307.

(3) In order to authenticate the identity of a voter registration applicant submitting an electronic voter registration application under this section, the voter registration applicant must provide 1 of the following:

(a) The identification number for the applicant on any of the following:

(i) A valid operator's or chauffeur's license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923.

(ii) A valid official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300.

(iii) An enhanced driver license issued under the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.301 to 28.308.

(iv) An enhanced official state personal identification card issued under the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.301 to 28.308.

(b) If the applicant does not have an identification number for an identification as provided under subdivision (a), the last 4 digits of a valid Social Security number for the applicant.

(4) If a voter registration applicant submits a voter registration application under this section that provides an identification number for an identification as provided under subsection (3)(a), the electronic voter registration interface must do all of the following:

(a) Interact with the state operator's or chauffeur's license file, enhanced driver license file, official state personal identification card file, and enhanced state personal identification card file for authentication purposes.

(b) Authenticate the identity of an applicant under a process developed by the secretary of state that verifies all of the following:

(i) The applicant's operator's or chauffeur's license number, enhanced driver license number, official state personal identification card number, or enhanced official state personal identification card number.

(ii) The applicant's full name as printed on the applicant's operator's or chauffeur's license, enhanced driver license, official state personal identification card, or enhanced official state personal identification card.

(iii) The applicant's date of birth.

(iv) The applicant's eye color as printed on the applicant's operator's or chauffeur's license, enhanced driver license, official state personal identification card, or enhanced official state personal identification card.

(c) Require the applicant's assent to use the applicant's most recent digitized signature if captured or reproduced by the secretary of state under section 307 of the Michigan vehicle code, 1949 PA 300, MCL 257.307, section 5 of the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.305, or 1972 PA 222, MCL 28.291 to 28.300.

(5) If a voter registration applicant does not have an identification number for an identification as provided under subsection (3)(a), and that voter registration applicant submits a voter registration application under this section that provides the last 4 digits of the applicant's Social Security number, the electronic voter registration interface must do all of the following:

(a) Authenticate the identity of the applicant under a process developed by the secretary of state that verifies all of the following information using information maintained by the United States Social Security Administration or the secretary of state:

(i) The last 4 digits of the applicant's Social Security number.

(ii) The applicant's full name.

(iii) The applicant's date of birth.

(b) Except as otherwise provided under subsection (6), require the applicant's assent to use the applicant's most recent digitized signature contained in the qualified voter file.

(6) If a digitized signature for a voter registration applicant under subsection (5) is not contained in the qualified voter file, the voter registration applicant is required to electronically submit an image of the applicant's signature through the electronic voter registration interface and must assent to the use of this signature image as the applicant's signature for voter registration purposes. The secretary of state shall develop a process for a voter registration applicant under subsection (5) to electronically submit a high-quality digitized image of the applicant's signature through the electronic voter registration interface, as well as a process for transmitting the digitized image of that applicant's signature to the qualified voter file.

(7) If an elector utilizes the electronic voter registration interface to indicate a change of address, the state

bureau of elections shall send a notice confirming the change to the elector's previous address.

(8) A registered elector who wishes to provide a new or additional signature for the registered elector's registration record may utilize the electronic voter registration interface to electronically submit an image of the registered elector's signature and assent to the use of that signature image as the registered elector's signature for voter registration purposes. The registered elector must have the registered elector's identity authenticated under the procedures in subsection (4)(b) or (5)(a) before the image of the registered elector's signature is accepted for inclusion in the qualified voter file. The registered elector shall submit the image of the registered elector's signature using the process developed by the secretary of state under subsection (6).

History: Add. 2018, Act 350, Eff. Feb. 13, 2019;—Am. 2023, Act 257, Eff. June 30, 2025.

Popular name: Election Code

168.510 Deceased electors; cancellation of registration; notification requirements; updating of qualified voter file; removal of absent voter ballot return.

Sec. 510. (1) Until December 31, 2022, at least once a month, the county clerk shall forward a list of the last known address and birth date of all individuals over 17-1/2 years of age who have died in the county to the clerk of each city or township in the county. The city or township clerk shall compare this list with the registration records and cancel the registration of the deceased electors.

(2) Beginning January 1, 2023, and except as otherwise provided in subsections (6) and (7), at least once a month, and not later than the second business day of each month, each county clerk shall update the qualified voter file to initiate the cancellation of the voter registration of all individuals over 17-1/2 years of age who have died in the county.

(3) Beginning January 1, 2023, each time a county clerk updates the qualified voter file under subsection (2), (6), or (7), the secretary of state shall, within 24 hours after the qualified voter file is updated, send an electronic notification to the appropriate city or township clerk regarding each initiated cancellation of voter registration in that city or township.

(4) Beginning January 1, 2023, upon receiving an electronic notification under subsection (3), the city or township clerk shall compare the electronic notification with the voter registration records in that city or township and complete the cancellation of the voter registration of each deceased elector in that city or township.

(5) Beginning January 1, 2023, if the secretary of state updates the qualified voter file to cancel the voter registration of any deceased elector, the secretary of state shall, within 24 hours after the qualified voter file is updated, send an electronic notification to the appropriate city or township clerk regarding each canceled voter registration in that city or township. The secretary of state shall notify each appropriate city or township clerk of any voter registration that needs to be canceled after 4 p.m. on the day before an election so that the city or township clerk can cancel the voter registration.

(6) Beginning January 1, 2023, on the first Friday in July before an August election and continuing until 16 days before that August election, each county clerk shall update the qualified voter file by the close of business each Friday before that August election to initiate the cancellation of the voter registration of all individuals over 17-1/2 years of age who have died in the county. Beginning January 1, 2023, on the first Friday in October before a November election and continuing until 16 days before that November election, each county clerk shall update the qualified voter file by the close of business each Friday before that November election to initiate the cancellation of the voter registration of all individuals over 17-1/2 years of age who have died in the county.

(7) Beginning January 1, 2023, 15 days before each August and November election and continuing until the day before each August and November election, each county clerk shall update the qualified voter file by the close of business each business day before the August or November election to initiate the cancellation of the voter registration of all individuals over 17-1/2 years of age who have died in the county. Each county clerk shall notify each appropriate city or township clerk in the county of any voter registration that needs to be canceled after 4 p.m. on the day before an August or November election so that the city or township clerk can cancel the voter registration.

(8) Upon receiving notice that an elector in the city or township has died and determining that the elector was issued an absent voter ballot, the clerk of that city or township shall make the clerk's best effort to remove the absent voter ballot return envelope or any ballot returned by that elector from processing and spoil the ballot for that elector.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1963, Act 224, Eff. Sept. 6, 1963;—Am. 1972, Act 45, Imd. Eff. Feb. 19, 1972;—Am. 2022, Act 195, Imd. Eff. Oct. 7, 2022.

Popular name: Election Code

168.511 Cancellation of registration; authorization from elector.

Sec. 511. Upon the receipt of an authorization of cancellation of registration from the elector, the clerk shall cancel said registration.

History: 1954, Act 116, Eff. June 1, 1955.

Popular name: Election Code

168.512 Challenge of elector; affidavit, contents; answering affidavit; cancellation of registration; indiscriminate challenge, penalty.

Sec. 512. Any elector of the municipality may challenge the registration of any registered elector by submitting to the clerk of that municipality a written affidavit that such elector is not qualified to vote, which affidavit shall specify the grounds upon which the challenged elector is disqualified. Upon receipt of such affidavit, the clerk shall forthwith send by registered or certified mail to the challenged elector at his registered or last known address a notification of the challenge, which shall include the grounds for such challenge as stated in the affidavit. The challenged elector may within 30 days appear before the clerk and answer the questions and take the oath required of persons challenged on the same grounds at election, or in lieu of appearing in person the challenged elector, within a like period of time, may elect to file with the clerk an affidavit setting forth specifically his qualifications as an elector of the municipality and answering the grounds of the challenge. If within the 30-day period the person challenged shall fail to appear and be sworn or to file an affidavit, or if his statements do not show him to be a qualified elector of the municipality, the clerk shall forthwith cancel his registration. The 30-day period referred to in this section shall be the 30 days immediately following the date of mailing the notice to the challenged elector.

Any person who shall challenge under the provisions of this section, indiscriminately and without good cause or for the purpose of harassment, shall be guilty of a misdemeanor.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1959, Act 48, Eff. Mar. 19, 1959.

Popular name: Election Code

168.513 Repealed. 1994, Act 441, Imd. Eff. Jan. 10, 1995.

Compiler's note: The repealed section pertained to cancellation of registration.

Popular name: Election Code

168.514 Cancellation of registration; reinstatement prohibited.

Sec. 514. If the registration of an elector is canceled, the clerk shall make a proper entry on the master registration card, indicating the date and the cause for cancellation, and shall affix his or her signature to the entries. All copies of the canceled registration cards must be filed in the office of the clerk. All duplicates of the master registration card canceled may be destroyed 2 years after the registration is canceled. The clerk may also destroy the master registration card of an elector 5 years after the date of cancellation of the elector's registration. The clerk may also destroy any canceled master registration cards 2 years after the date of cancellation if the canceled registration cards are reproduced under the records reproduction act, 1992 PA 116, MCL 24.401 to 24.406, and the reproductions are on file in the office of the clerk. The reproductions may be destroyed after the expiration of the statutory retention date of the reproduced records. A voter registration that has been canceled due to an elector moving out of the jurisdiction must not be reinstated if the elector moves back to the jurisdiction and a new voter registration is required for that elector.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1957, Act 183, Eff. Sept. 27, 1957;—Am. 1992, Act 195, Imd. Eff. Oct. 5, 1992;—Am. 2012, Act 271, Eff. Aug. 15, 2012;—Am. 2018, Act 125, Eff. Dec. 31, 2018.

Popular name: Election Code

168.515 Registration records; verification by house-to-house canvass.

Sec. 515. The several township, city and village clerks may conduct a house-to-house canvass or use such other means of checking the correctness of registration records as may seem expedient.

History: 1954, Act 116, Eff. June 1, 1955.

Popular name: Election Code

168.516 Registration records; public inspection.

Sec. 516. (1) Except as otherwise provided in subsection (2) and section 509gg, the registration record must be open for public inspection.

(2) If an individual preregisters to vote under section 496a, the information contained in the registration record for that individual is confidential and must not be open for public inspection as provided under

subsection (1) until that individual is 17-1/2 years of age.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 2018, Act 125, Eff. Dec. 31, 2018;—Am. 2023, Act 258, Eff. Feb. 13, 2024.

Popular name: Election Code

168.517 Repealed. 2018, Act 125, Eff. Dec. 31, 2018.

Compiler's note: The repealed section pertained to diversion or change in ward or precinct.

Popular name: Election Code

168.518 Organization of new township; first registration of electors; records; notice; incorporation of new city; registration records; annexation to city; statement by township clerk.

Sec. 518. Whenever a new township shall be organized, the persons designated to act as inspectors for the first election to be held therein shall constitute a board of registration for the purpose of making the first registration of qualified electors therein. Said board shall be authorized to procure the necessary books or files and forms to conduct such registration in accordance with the provisions of this act. Subsequent to the election, the records shall be delivered to the persons elected to the office of clerk of the township. At least 10 days' public notice shall be given of the time and place for holding the registration. Such notice shall be given by posting written or printed notices in at least 5 of the most conspicuous places in said township, city or village, or by publication in a newspaper of general circulation therein. Whenever a new city is incorporated from the territory of a township, the registration records of the portion of the township incorporated as a city shall constitute the registration records of the newly incorporated city. Township registration records shall be available and used in connection with the election on the adoption of the charter of any new city or village and for the first election of such city's or village's officers.

Whenever any territory of a township is annexed to a city, the clerk of the township from which the territory was detached shall, not less than 5 days prior to the effective date of the annexation, forward to the clerk of the city to which the territory was annexed all of the current registration records of the registered electors residing in the annexed territory. Such records shall thereafter be a part of the registration records of such city and the electors whose registration records were so transferred shall be registered electors of such city.

All such transfers of registration shall be accompanied by a statement signed by the township clerk certifying that all of the current registrations of persons residing within the annexed or incorporated area according to his records are included therein.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1956, Act 123, Imd. Eff. Apr. 13, 1956;—Am. 1959, Act 160, Eff. Mar. 19, 1960.

Popular name: Election Code

168.519 Illegal or fraudulent registration; penalty.

Sec. 519. A township or city clerk or assistant clerk shall not register an individual if the clerk knows or has good reason to believe that the individual is not a resident and qualified. An individual shall not register as an elector if he or she knows or has good reason to believe that he or she is not a resident and qualified. An individual who violates this section is guilty of a misdemeanor.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 2018, Act 125, Eff. Dec. 31, 2018.

Popular name: Election Code

168.520 Illegal or fraudulent registration; township or city clerk, powers and duties; assistance by police or sheriff; assistant examiners, appointment, expenses.

Sec. 520. If a township or city clerk has knowledge that there is a probable illegal or fraudulent registration in the township or city, or in any ward or precinct of the township or city, the clerk has the power and duty to make a full investigation of the facts concerning the registration and to ascertain whether any name has been illegally or fraudulently registered. A township or city clerk is authorized and empowered to call upon the police department of the city or the sheriff of the county in which the city is located, or both, to assist in making the investigation, and the police department and the sheriff are required to render assistance if the clerk makes a request for assistance, and to furnish the clerk at his or her request with all available assistance in making the investigation. A township or city clerk is further authorized and empowered if he or she considers it necessary or advisable to appoint assistant examiners for the purpose of the investigation. Bills for the services of the examiner must be approved by the clerk and must be audited and paid by the township board or legislative body of the city in the same manner as the expenses of conducting elections are paid.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 2018, Act 125, Eff. Dec. 31, 2018.

Popular name: Election Code

168.521 Illegal or fraudulent registration; removal of names; notice; reinstatement; review by mandamus; challenge.

Sec. 521. If a township or city clerk determines that any name has been illegally or fraudulently entered upon the registration records of any precinct in the township or city, the clerk shall remove that name from the registration records and shall notify the individual whose name is removed of the removal by registered or certified mail directed to the individual at the address given on the registration records. An individual representing himself or herself to be the individual whose name is removed is not permitted to vote unless the individual shows to the clerk that his or her name was wrongfully removed from the registration records, in which case his or her name must be reinstated. However, any individual aggrieved by the action of any clerk may review the action and seek the reinstatement of his or her name by mandamus and the proceedings and judgment of the court in the case are subject to review in the supreme court. If a clerk has good reason to believe that any name has been illegally or fraudulently entered upon the registration records and the clerk does not remove the name as provided in this section, the clerk shall write the word "challenged" upon the registration card of the individual and shall lay before the prosecuting attorney of the county all the facts concerning the registration. If an individual whose registration card has been marked offers to vote at any election, the inspectors of election shall at that time examine the individual under oath as to his or her qualifications as an elector in the ward or precinct, the same in all respects and with like effect as though he or she had been challenged at the election by a challenger.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1956, Act 190, Imd. Eff. Apr. 26, 1956;—Am. 2018, Act 125, Eff. Dec. 31, 2018.

Popular name: Election Code

168.522 Making, certifying, and delivering computer tape, disk, or listing of names and addresses of registered electors; year, month, and day of birth of elector; information exempt from disclosure.

Sec. 522. (1) A clerk of a city, township, or village who maintains a computerized file of registered voters and who does not have direct access to the qualified voter files shall make, certify, and deliver to any person, upon request, a computer tape, disk, or listing, as specified by the person, of the names and addresses of the registered electors of the city, township, village, school district, ward, or precinct upon the payment to the clerk of the cost of making, certifying, and delivering the tape, disk, or listing.

(2) A computer tape, disk, or listing provided under subsection (1) shall include, upon request, the year of birth of an elector but shall not include the month and day of birth of an elector. A computer tape, disk, or listing provided under subsection (1) shall not include a person's driver's license or state personal identification card number or any other information that is exempt from disclosure under section 509gg or other section of this chapter.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1986, Act 168, Imd. Eff. July 7, 1986;—Am. 1989, Act 142, Imd. Eff. June 29, 1989;—Am. 1996, Act 583, Eff. Mar. 31, 1997.

Popular name: Election Code

168.522a Repealed. 2018, Act 125, Eff. Dec. 31, 2018.

Compiler's note: The repealed section pertained to requests under the freedom of information act.

Popular name: Election Code

168.523 Identification of registered elector; presenting identification for election purposes; execution of application; challenge; affidavit; approval, initial, and notation of application; application as poll list; filing application; notations on cards or lists; record of voting participation.

Sec. 523. (1) Except as otherwise provided in subsection (2), at each election, before being given a ballot, each registered elector offering to vote must identify himself or herself by presenting identification for election purposes, and by executing an application, on a form prescribed by the secretary of state, in the presence of an election official that includes all of the following:

- (a) The name of the elector.
- (b) The elector's address of residence.
- (c) The elector's date of birth.
- (d) An affirmative statement by the elector that is included in the signature statement indicating that he or she is a citizen of the United States.
- (e) The elector's signature or mark.

(2) If an elector's signature contained in the qualified voter file is available in the polling place, the election official shall compare the signature upon the application with the digitized signature provided by the qualified voter file. If an elector's signature is not contained in the qualified voter file, the election official shall process the application in the same manner as applications are processed when a voter registration list is used in the polling place. If voter registration lists are used in the precinct, the election inspector shall determine if the name on the application to vote appears on the voter registration list. If the name appears on the voter registration list, the elector shall provide further identification or other information stated upon the voter registration list. If the signature or an item of information does not correspond, the vote of the person must be challenged, and the same procedure must be followed as provided in this act for the challenging of an elector. If the elector does not have identification for election purposes as required under this section, the individual shall sign an affidavit to that effect before an election inspector and be allowed to vote as otherwise provided in this act. However, an elector being allowed to vote without identification for election purposes as required under this section is subject to challenge as provided in section 727.

(3) If, upon a comparison of the signature or other identification as required in this section, it is found that the applicant is entitled to vote, the election officer having charge of the registration list shall approve the application and write his or her initials on the application, after which the number on the ballot issued must be noted on the application. The application serves as 1 of the 2 poll lists required to be kept as a record of a person who has voted. The application must be filed with the township, city, or village clerk. If voter registration cards are used in the precinct, the date of the election must be noted by 1 of the election officials upon the precinct registration card of each elector voting at an election. If voter registration lists are used in the precinct, the election official shall clearly indicate upon the list each elector voting at that election. The clerk of a city, village, or township shall maintain a record of voting participation for each registered elector.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1955, Act 271, Imd. Eff. June 30, 1955;—Am. 1961, Act 57, Eff. Sept. 8, 1961;—Am. 1963, 2nd Ex. Sess., Act 10, Imd. Eff. Dec. 27, 1963;—Am. 1964, Act 267, Eff. Aug. 28, 1964;—Am. 1978, Act 338, Imd. Eff. July 11, 1978;—Am. 1988, Act 275, Eff. Sept. 1, 1988;—Am. 1995, Act 87, Imd. Eff. June 20, 1995;—Am. 1996, Act 583, Eff. Mar. 31, 1997;—Am. 2005, Act 71, Eff. Jan. 1, 2007;—Am. 2012, Act 523, Eff. Mar. 28, 2013;—Am. 2018, Act 129, Imd. Eff. May 3, 2018.

Compiler's note: Enacting section 4 of Act 71 of 2005 provides:

"Enacting section 4. If any portion of this amendatory act or the application of this amendatory act to any person or circumstances is found invalid by a court, the invalidity shall not affect the remaining portions or applications of this amendatory act that can be given effect without the invalid portion or application, if the remaining portions are not determined by the court to be inoperable, and to this end this amendatory act is declared to be severable."

Popular name: Election Code

168.523a Individual not listed on voter registration list; issuance of ballot; procedure.

Sec. 523a. (1) If an individual who has applied to register to vote on or before election day appears at a polling place on election day and completes an application under section 523 is not listed on the voter registration list, the election inspector shall issue a ballot to the individual as follows:

(a) For an individual who presents a receipt issued by a department of state office, a designated voter registration agency, or the elector's county, city, or township clerk's office verifying the acceptance of a voter registration application and completes a new voter registration application, the election inspector shall allow the individual to vote a ballot in the same manner as an elector whose name is listed on the voter registration list.

(b) For an individual who does not present a receipt verifying the acceptance of a voter registration application under subdivision (a), the election inspector shall determine whether the individual is in the appropriate polling place based on residence information provided by the individual. The election inspector shall review any documents or maps in the polling place or communicate with the city or township clerk to verify the appropriate polling place for the individual. The election inspector shall direct an individual who is not in the appropriate polling place to the appropriate polling place. If the individual refuses to go to the appropriate polling place, the election inspector shall issue the individual a provisional ballot that is processed according to subsection (5).

(2) Except for an individual who produces a receipt under subsection (1)(a), the election inspector shall require an individual who is not listed on the voter registration list to execute a sworn statement affirming that the individual submitted a voter registration application on or before election day and is eligible to vote in the election. An individual who provides false information in a signed sworn statement under this subsection is guilty of perjury. An individual signing a sworn statement shall complete a new voter registration application. The individual shall state the approximate date and in what manner the registration application was submitted:

(a) To a department of state office.

(b) To a designated voter registration agency.

(c) To the office of his or her county, city, or township clerk.

(d) By a mailed application.

(3) The election inspector shall contact the city or township clerk to verify whether the individual who signed the sworn statement under subsection (2) is listed in the registration records of the jurisdiction or whether there is any information contrary to the content of the sworn statement.

(4) If the city or township clerk verifies the elector information and finds no information contrary to the information provided by the individual in the sworn statement and the individual presents identification for election purposes that contains a current residence address to establish his or her identity and residence address, the individual is permitted to vote a provisional ballot that is tabulated on election day in the same manner as an elector whose name is listed on the voter registration list, except that the election inspectors shall process the ballot as a challenged ballot under sections 745 and 746.

(5) If the election inspector is not able to contact the city or township clerk, the individual is not in the correct precinct, or the individual is unable to present identification for election purposes that contains a current residence address, the individual must be issued a provisional ballot that is not tabulated on election day but is secured for verification after the election. A provisional ballot must also be issued under this subsection to a voter who presents identification for election purposes that does not bear the voter's current residence address, if the voter also presents a document to establish the voter's current residence address. The election inspector shall accept a document containing the name and current residence address of the voter as sufficient documentation to issue a provisional ballot if it is 1 of the following documents:

(a) A current utility bill.

(b) A current bank statement.

(c) A current paycheck, government check, or other government document.

(6) A provisional ballot must be placed in a provisional ballot return envelope prescribed by the secretary of state and delivered to the city or township clerk after the polls close in a manner as prescribed by the secretary of state.

(7) For a provisional ballot voted under subsection (4), the election inspector shall provide the voter with a notice that his or her ballot has been tabulated. For a provisional ballot voted under subsection (5), the election inspector shall provide the voter with a notice that the voter's information will be verified by the clerk of the jurisdiction within 6 days after the election to determine whether the ballot will be tabulated and, if the ballot is not tabulated, to determine the reason it was not tabulated. A clerk of a jurisdiction shall provide a free access system for the voter to determine whether the ballot was tabulated. The free access system may include a telephone number that does not require a toll charge, a toll-free telephone number, an internet website, or a mailed notice.

(8) As used in this section and sections 813 and 829, "provisional ballot" means a special ballot utilized for an individual who is not listed on the voter registration list at the polling place that is tabulated only after verification of the individual's eligibility to vote.

History: Add. 2004, Act 92, Imd. Eff. Apr. 26, 2004;—Am. 2018, Act 129, Imd. Eff. May 3, 2018;—Am. 2018, Act 603, Imd. Eff. Dec. 28, 2018.

Popular name: Election Code

168.523b Establishment of election day vote centers; requirements; election inspector duties.

Sec. 523b. (1) If a city or township has processed 500 or more election day voter registrations in either or both of the previous 2 general November elections, the board of election commissioners of that city or township may establish election day vote centers to tabulate ballots issued to electors who register to vote or update voter registration on election day. No later than 90 days before an election, the board of election commissioners of a city or township that establishes an election day vote center under this subsection must inform the county clerk of the county in which that city or township is located that an election day vote center will be established in that city or township. No later than the fourth day before election day, the city or township clerk of a city or township that establishes an election day vote center shall post notice of the establishment and location of that election day vote center on the website of the city or township, if available, and in the clerk's office.

(2) An election day vote center operates as a polling place and must have at least 3 election inspectors appointed under section 674 and be located in the same building where the city or township clerk provides election day registration, which includes a satellite office of that city or township clerk. A political party, or an incorporated organization or organized committee of interested citizens as described under sections 730 and 731, may have 1 challenger for every 8 election inspectors assigned to an election day vote center.

(3) Only an elector who registers to vote or updates the elector's voter registration in the city or township

on election day is eligible to cast a ballot at an election day vote center that is located in the same building in which the elector registers to vote or updates the elector's voter registration. The registered elector must present to an election inspector at the election day vote center the voter registration receipt issued to that elector under section 497(5) by the city or township clerk on election day, and must comply with all of the other requirements for an elector under section 523. An election inspector in an election day vote center shall do all of the following:

(a) Allow an elector to cast a ballot in the same manner as an elector whose name is listed on the voter registration list in an election day precinct.

(b) Enter the elector's name in the poll book approved by the secretary of state for use in an election day vote center.

(c) Issue a ballot to the elector who shall mark the ballot and deposit the ballot in the tabulator.

(4) A city or township clerk shall configure an election day vote center with at least 1 tabulator and a corresponding poll book that lists the electors issued a ballot to be cast on that tabulator. The collected voter registration receipts under subsection (3) serve as 1 of the required poll lists, and the list of electors issued a ballot in the poll book serves as the second required poll list.

(5) The county clerk shall program the tabulators to be used in an election day vote center so that the results will be included in the unofficial and official election accumulation reports that are part of the election day precinct results. The number of tabulators and poll books must conform to the manner in which the county clerk programs tabulators for use in an election day vote center.

(6) An elector who is in line at a city or township clerk's office, including a satellite office of that city or township clerk, by 8 p.m. on election day to register to vote or update a voter registration must be allowed to complete the voter registration transaction and be allowed to cast a ballot immediately after that transaction at that city or township election day vote center. The election inspectors at an election day vote center must allow an elector who was issued a voter registration receipt at the city or township clerk's office on election day and who is in line at that election day vote center by 8 p.m. on election day to cast a ballot, including after 11:59 p.m. on election day if necessary.

(7) The election inspectors at an election day vote center must follow the same process required at an election day polling place after the last elector in line casts a ballot.

History: Add. 2023, Act 81, Eff. Feb. 13, 2024.

Popular name: Election Code

168.524 Repealed. 2018, Act 603, Imd. Eff. Dec. 28, 2018.

Compiler's note: This repealed section pertained to a report by the local clerks to the county clerks on the number of eligible voters.

Popular name: Election Code

168.530 Repealed. 1999, Act 216, Imd. Eff. Dec. 28, 1999.

Compiler's note: The repealed section pertained to review of voter registration system by advisory committee.

Popular name: Election Code