

HOUSE BILL NO. 4569

May 16, 2023, Introduced by Reps. Coffia, Rogers, Tsernoglou, Price, Rheingans, Byrnes, Andrews, Wilson, Hood, Pohutsky, Conlin, Hoskins, Brixie, McFall, Mentzer, Hope, Breen, Arbit, MacDonell, Wegela, Skaggs, Miller, Dievendorf, Morgan, Scott, Young, Koleszar, Weiss, Farhat, Paiz, Brabec, McKinney, Steckloff, Edwards, O'Neal, Neeley, Grant, Martus and Whitsett and referred to the Committee on Elections.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 495, 509o, 509q, 509r, 509gg, and 516 (MCL
168.495, 168.509o, 168.509q, 168.509r, 168.509gg, and 168.516),
section 495 as amended by 2018 PA 603, section 509o as amended by
2022 PA 195, section 509q as amended by 2020 PA 302, sections 509r
and 516 as amended by 2018 PA 125, and section 509gg as amended by
2014 PA 94, and by adding section 496a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

3 (a) The name of the ~~elector~~**applicant**.

4 (b) The residence address of the ~~elector~~**applicant**, including
5 the street and number or rural route and box number and the
6 apartment number, if any.

7 (c) The city or township and county of residence of the
8 ~~elector~~**applicant**.

9 (d) The date of birth of the ~~elector~~**applicant**.

10 (e) The driver license or state personal identification card
11 number of the ~~elector~~**applicant**, if available.

12 (f) A statement that the ~~elector~~**applicant** is a citizen of the
13 United States.

14 (g) ~~A~~**For voter registration, a** statement that the ~~elector~~
15 **applicant** is at the time of completing the affidavit, or will be on
16 the date of the next election, not less than 18 years of age, **and**
17 **for preregistration to vote, a statement that the applicant is at**
18 **the time of completing the affidavit at least 16 years of age.**

19 (h) ~~A~~**For voter registration, a** statement that the ~~elector~~
20 **applicant** has or will have lived in this state not less than 30
21 days before the next election, **and for preregistration to vote, a**
22 **statement that the applicant has lived in this state for at least**
23 **30 days.**

24 (i) ~~A~~**For voter registration, a** statement that the ~~elector~~
25 **applicant** has or will have established ~~his or her~~**the applicant's**
26 residence in the township or city in which the ~~elector~~**applicant** is
27 applying for registration not less than 30 days before the next
28 election, **and for preregistration to vote, a statement that the**
29 **applicant has established the applicant's residence in the township**

1 or city in which the applicant is applying for preregistration for
2 at least 30 days.

3 ~~(j) A statement that the elector is or will be a qualified~~
4 ~~elector of the township or city on the date of the next election.~~**A**
5 **statement that the applicant must be at least 18 years of age on or**
6 **before the date of an election to vote in that election.**

7 (k) A space in which the ~~elector shall~~**applicant must** state
8 the place of the ~~elector's~~**applicant's** last registration, if any.

9 (l) A statement that the registration is not effective until
10 processed by the clerk of the city or township in which the
11 applicant resides.

12 (m) A statement that the applicant, if qualified, may vote at
13 an election occurring on or after the date of completing the
14 application.

15 (n) A statement authorizing the cancellation of registration
16 at the ~~elector's~~**applicant's** last place of registration.

17 (o) A space for the ~~elector~~**applicant** to sign and certify to
18 the truth of the statements on the application.

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

21 (a) Is at least 16 years of age but less than 17-1/2 years of
22 age.

23 (b) Is a citizen of the United States.

24 (c) Is a resident of this state.

25 (d) Is a resident of the city or township in which the
26 applicant is applying for preregistration.

27 (2) An individual may preregister to vote using any method of
28 voter registration available. The method of voter registration used
29 by an individual who is at least 16 years of age but less than 17-

1 1/2 years of age must be considered an application to preregister
2 to vote rather than an application for voter registration, and the
3 individual, if eligible, must be preregistered to vote.

4 (3) If an individual preregisters to vote at a secretary of
5 state's office or on the department of state's website, the
6 secretary of state shall transmit the electronic data for that
7 individual's application to preregister to vote to the qualified
8 voter file. If an individual preregisters to vote at the city or
9 township clerk's office or by mail, the city or township clerk
10 shall, immediately after receiving the application to preregister
11 to vote, transmit the electronic data for that individual's
12 application to preregister to vote to the qualified voter file. If
13 an individual preregisters to vote at a location or in a manner not
14 provided for in this subsection, the individual processing that
15 application to preregister to vote must transmit that application
16 to preregister to vote in the manner prescribed by the secretary of
17 state. An individual who is preregistered to vote must be
18 explicitly designated in the qualified voter file as preregistered
19 to vote.

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

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

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

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

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

26 (9) The secretary of state and the department of education
27 shall annually coordinate a public education and outreach campaign
28 to ensure that individuals who are at least 16 years of age but
29 less than 18 years of age, and who are eligible to preregister to

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

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

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

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

27 Sec. 509o. (1) The secretary of state shall direct and
28 supervise the establishment and maintenance of a statewide
29 qualified voter file. The secretary of state shall establish the

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

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

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

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

1 28.291 to 28.300, of a deceased resident of this state is also used
2 at least once a month to update the qualified voter file to cancel
3 the voter registration of any elector determined to be deceased.
4 The secretary of state shall make the canceled voter registration
5 information under this subsection available to the clerk of each
6 county, city, or township to assist with the clerk's obligations
7 under section 510.

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

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

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

29 (b) The driver license number or state personal identification

1 card number or similar number issued by a designated voter
2 registration agency.

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

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

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

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

12 (g) The most recent digitized signature of an elector if
13 captured or reproduced by the secretary of state or a county, city,
14 or township clerk from a voter registration application under
15 section 509hh, or captured or reproduced by the secretary of state
16 under section 307 of the Michigan vehicle code, 1949 PA 300, MCL
17 257.307.

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

23 (3) Except as otherwise provided in this subsection, if a
24 qualified voter is a program participant, as that term is defined
25 in **section 3 of** the address confidentiality program act, **2020 PA**
26 **301, MCL 780.853**, the information contained in the qualified voter
27 file for that program participant, including ~~his or her~~ **the program**
28 **participant's** unique identification number issued by the department
29 of the attorney general, is confidential and not subject to

1 disclosure under the freedom of information act, 1976 PA 442, MCL
2 15.231 to 15.246. The information contained in the qualified voter
3 file for a program participant, as that term is defined in **section**
4 **3 of** the address confidentiality program act, **2020 PA 301, MCL**
5 **780.853**, may be used by an election official during the normal
6 course of ~~his or her~~ **the election official's** duties as an election
7 official.

8 **(4) Subject to section 509gg, if an individual preregisters to**
9 **vote under section 496a, the information contained in the qualified**
10 **voter file for that individual is confidential and not subject to**
11 **disclosure under the freedom of information act, 1976 PA 442, MCL**
12 **15.231 to 15.246, until that individual is 17-1/2 years of age.**

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

20 (2) Subject to subsection (3), the secretary of state and
21 county, city, and township clerks shall compile the qualified voter
22 file that consists of all qualified electors from the following
23 sources and in the following priority:

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

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

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

3 (3) An individual whose name does not otherwise appear in the
4 qualified voter file must be placed in the qualified voter file
5 only if the individual signs under penalty of perjury an
6 application that contains an attestation that the applicant meets
7 all of the following requirements:

8 (a) Is ~~17-1/2~~ **16** years of age or older.

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

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

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

17 **(4)** ~~(5)~~ The secretary of state shall create an inactive voter
18 file.

19 **(5)** ~~(6)~~ If an elector is sent a notice under section 509aa to
20 confirm the elector's residence information or if an elector does
21 not vote for 6 consecutive years, the secretary of state shall
22 place the registration record of that elector in the inactive voter
23 file. The registration record of that elector must remain in the
24 inactive voter file until 1 of the following occurs:

25 (a) The elector votes at an election.

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

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

29 **(6)** ~~(7)~~ While the registration record of an elector is in the

1 inactive voter file, the elector remains eligible to vote and ~~his~~
 2 ~~or her~~ **the elector's** name must appear on the precinct voter
 3 registration list.

4 (7) ~~(8)~~—If the registration record of an elector is in the
 5 inactive voter file because the elector was sent a notice under
 6 section 509aa to confirm the elector's residence information and
 7 that elector votes at an election by absent voter ballot, that
 8 absent voter ballot must be marked in the same manner as a
 9 challenged ballot as provided in section 727.

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

17 (a) The record that ~~a person~~ **an individual** declined to
 18 register to vote.

19 (b) The office that received a registered ~~voter's~~ **elector's**
 20 application.

21 (c) A registered ~~voter's driver's~~ **elector's driver** license or
 22 state personal identification card number.

23 (d) The month and day of birth of a registered ~~voter~~ **elector**.

24 (e) The telephone number provided by a registered
 25 ~~voter~~ **elector**.

26 (f) The digitized signature of an elector that is captured or
 27 reproduced and transmitted to the qualified voter file by the
 28 secretary of state or a county, city, or township clerk under
 29 section 509hh or by the secretary of state under section 307 of the

1 Michigan vehicle code, 1949 PA 300, MCL 257.307.

2 (2) Except as otherwise provided in this subsection, the last
3 4 digits of a registered ~~voter's social security~~ **elector's Social**
4 **Security** number contained in a registration record are exempt from
5 disclosure under the freedom of information act, 1976 PA 442, MCL
6 15.231 to 15.246. The last 4 digits of a registered ~~voter's social~~
7 ~~security~~ **elector's Social Security** number contained in a
8 registration record may only be used by the secretary of state to
9 verify a registered ~~voter's~~ **elector's** data as provided by the help
10 America vote act of 2002 and to verify a registered ~~voter's~~
11 **elector's** status under this act, and ~~shall~~ **must** not be used or
12 released for any other purpose.

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

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

24 (2) If an individual preregisters to vote under section 496a,
25 the information contained in the registration record for that
26 individual is confidential and must not be open for public
27 inspection as provided under subsection (1) until that individual
28 is 17-1/2 years of age.