



HOUSE BILL No. 4435

February 16, 1995, Introduced by Reps. Sikkema, Brackenridge, Profit, Whyman, Hammerstrom, Kaza, London, Johnson, Jellema, Jamian, Gnodtke, Voorhees, Oxender, Kukuk, Perricone and Bankes and referred to the Committee on Local Government.

A bill to amend sections 495, 500a, 501a, 523, and 615a of Act No. 116 of the Public Acts of 1954, entitled as amended "Michigan election law," sections 495, 501a, and 523 as amended and section 615a as added by Act No. 275 of the Public Acts of 1988 and section 500a as amended by Act No. 4 of the Public Acts of 1994, being sections 168.495, 168.500a, 168.501a, 168.523, and 168.615a of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 495, 500a, 501a, 523, and 615a of Act
2 No. 116 of the Public Acts of 1954, sections 495, 501a, and 523
3 as amended and section 615a as added by Act No. 275 of the Public
4 Acts of 1988 and section 500a as amended by Act No. 4 of the
5 Public Acts of 1994, being sections 168.495, 168.500a, 168.501a,

1 168.523, and 168.615a of the Michigan Compiled Laws, are amended
2 to read as follows:

3 Sec. 495. ~~(++)~~ The registration affidavit required under
4 section 493 shall contain all of the following:

5 (a) The name of the elector.

6 (b) The residence address OF THE ELECTOR, INCLUDING THE
7 street and number or rural route and box number AND THE APARTMENT
8 NUMBER, if any. ~~, of the elector.~~

9 (c) The birthplace and ~~birth~~ date OF BIRTH of the
10 elector.

11 (d) The driver's license or state personal identification
12 card number of the elector, if available.

13 (e) A statement that the elector is a citizen of the United
14 States.

15 (f) A statement that the elector is at the time of complet-
16 ing the affidavit, or will be on the date of the next election,
17 not less than 18 years of age.

18 (g) A statement that the elector has or will have lived in
19 this state not less than 30 days before the next election.

20 (h) A statement that the elector has or will have estab-
21 lished his or her residence in the township, city, or village in
22 which the elector is applying for registration not less than 30
23 days before the next election.

24 (i) A statement that the elector is or will be a qualified
25 elector of the township, city, or village on the date of the next
26 election.

1 (j) A space in which the elector shall state the place of
2 the elector's last registration, IF ANY.

3 ~~(k) For the purpose of voting in a presidential primary~~
4 ~~election, a space for the elector to declare a party preference~~
5 ~~or that the elector has no party preference.~~

6 ~~(2) Until February 15, 1992, the secretary of state or the~~
7 ~~secretary of state's agent shall print a notice that shall be~~
8 ~~provided to each person applying for registration. The notice~~
9 ~~shall contain all of the following information:~~

10 ~~(a) That, for the purpose of voting in a presidential pri-~~
11 ~~mary election, the elector must declare a party preference.~~

12 ~~(b) That, if the elector prefers to register with no party~~
13 ~~preference, the elector is not eligible to vote in a presidential~~
14 ~~primary election unless the elector declares a party preference~~
15 ~~at least 30 days before the presidential primary election.~~

16 ~~(c) That, even if currently registered to vote, the elector~~
17 ~~is not eligible to vote in a presidential primary election unless~~
18 ~~the elector declares in writing to the city or township clerk a~~
19 ~~party preference at least 30 days before the presidential primary~~
20 ~~election.~~

21 ~~(d) That, if the elector declares a party preference or~~
22 ~~declares that the elector has no party preference, that declara-~~
23 ~~tion of preference remains as that elector's preference until the~~
24 ~~elector changes his or her party preference or declares that he~~
25 ~~or she has no party preference on a form prescribed by the secre-~~
16 ~~tary of state or in writing to the city or township clerk.~~

1 ~~(3) Until February 15, 1992, the city or township clerk~~
2 ~~shall provide each elector who votes in an election in that city~~
3 ~~or township the notice required under subsection (2) on a form~~
4 ~~prescribed by the secretary of state on which an elector may~~
5 ~~declare his or her party preference or that the elector has no~~
6 ~~party preference for the purpose of voting in a presidential pri-~~
7 ~~mary election.~~

8 ~~(4) The secretary of state shall provide to each county~~
9 ~~clerk for distribution to the city and township clerks in the~~
10 ~~county a sufficient number of the notices required for distribu-~~
11 ~~tion to electors under subsections (2) and (3).~~

12 Sec. 500a. (1) The secretary of state or the secretary of
13 state's agent shall afford a person who appears in a department
14 of state branch office or a person who applies for renewal of an
15 operator's or chauffeur's license under section 307 of the
16 Michigan vehicle code, Act No. 300 of the Public Acts of 1949,
17 being section 257.307 of the Michigan Compiled Laws, an opportu-
18 nity to complete an application to register to vote or to change
19 the person's voting registration name ~~—~~ OR address, ~~or, for~~
20 ~~the purpose of voting in a presidential primary election, party~~
21 ~~preference,~~ if the applicant possesses the qualifications of an
22 elector on the date of application or will possess the qualifica-
23 tions at the next election. This subsection does not require a
24 registered elector to periodically reregister or to renew his or
25 her registration. The application for registration made under
26 this section shall contain all of the following:

1 (a) The name of the applicant.

2 (b) The residence address of the applicant, including the
3 street and number or rural route and box number AND APARTMENT
4 NUMBER, if any.

5 (c) The city or township and county of residence of the
6 applicant, and the school district of the applicant, if known.

7 (d) The date of birth of the applicant.

8 (e) The birthplace of the applicant.

9 (f) The driver's license or state personal identification
10 card number of the applicant, if available.

11 (g) A statement that the applicant has the qualifications of
12 an elector as of the date of applying for registration, or will
13 have the qualifications of an elector at the next election.

14 ~~(h) A space for the applicant to declare, for the purpose~~
15 ~~of voting in a presidential primary election, a party preference~~
16 ~~or that the applicant has no party preference.~~

17 (H) ~~(i)~~ A statement that the registration is not effective
18 until processed by the clerk of the city or township in which the
19 applicant resides.

20 (I) ~~(j)~~ A statement that the applicant, if qualified, may
21 vote at an election occurring not less than 30 days after the
22 date of completing the application.

23 (J) ~~(k)~~ A space to indicate the applicant's last place of
24 registration, if any.

25 (K) ~~(l)~~ A statement authorizing the cancellation of regis-
26 tration at the applicant's last place of registration.

1 (1) ~~(m)~~ A space for the applicant to sign and certify to
2 the truth of the statements on the application.

3 (2) The applicant shall sign the application. Upon receipt
4 of the application, the agent shall sign the application, stamp
5 the application with a validation stamp, and provide the appli-
6 cant with a receipt verifying the registration application. The
7 agent shall promptly forward the application to the county clerk
8 of the applicant's residence or to a city or township clerk des-
9 ignated by the secretary of state.

10 Sec. 501a. The election commission of a city, village, or
11 township may authorize the clerk of the city, village, or town-
12 ship to create a registration list. The registration list shall
13 be alphabetically arranged and shall contain the name of each
14 registered elector in a precinct. The name shall be followed by
15 the address and date of birth of the elector. ~~and, for the pur-~~
16 ~~pose of voting in a presidential primary election, the party~~
17 ~~preference or declaration of no party preference of the elector,~~
18 ~~if any.~~ The election commission may also provide that the regis-
19 tration list may be used instead of the precinct registration
20 file ~~wherever~~ WHEN this act provides for the use of a precinct
21 registration file. A school district or an intermediate school
22 district may also use a registration list instead of the precinct
23 registration file ~~whenever~~ WHEN a precinct registration file is
24 required. A city, village, or township shall maintain a file
25 containing the signature of each elector registered in the city,
26 village, or township.

1 Sec. 523. (1) At each election, before being given a
2 ballot, each registered elector offering to vote shall identify
3 himself or herself by executing an application showing his or her
4 signature or mark and address of residence in the presence of an
5 election official. If the voter registration cards are used in
6 the precinct, the election official in charge of the precinct
7 registration file shall compare the signature upon the applica-
8 tion with the signature upon the registration card. If voter
9 registration lists are used in the precinct, the election inspec-
10 tor shall determine if the name on the application to vote
11 appears on the voter registration list. If the name appears on
12 the voter registration list, the elector shall provide further
13 identification by giving his or her date of birth or other infor-
14 mation stated upon the voter registration list. In precincts
15 using voter registration lists, the date of birth may be required
16 to be placed on the application to vote. If the signature or an
17 item of information does not correspond, the vote of the person
18 shall be challenged, and the same procedure shall be followed as
19 provided in this act for the challenging of an elector. If the
20 person offering to vote has signed the registration card or
21 application by making a mark, the person shall identify himself
22 or herself by giving his or her date of birth, which shall be
23 compared with the date of birth stated upon the registration card
24 or voter registration list, or shall give other identification as
25 may be referred to upon the registration card or voter registra-
26 tion list.

1 (2) If, upon a comparison of the signature or other
2 identification, it is found that the applicant is entitled to
3 vote, the election officer having charge of the registration list
4 shall approve the application and write his or her initials on
5 the application, after which the number on the ballot issued
6 shall be noted on the application. The application shall serve
7 as 1 of the 2 poll lists required to be kept as a record of a
8 person who has voted. The application shall be filed with the
9 township, city, or village clerk. If voter registration cards
10 are used in the precinct, the date of the election shall be noted
11 by 1 of the election officials upon the precinct registration
12 card of each elector voting at an election. If voter registra-
13 tion lists are used in the precinct, the election official shall
14 clearly indicate upon the list each elector voting at that
15 election. The clerk of a city, village, or township shall main-
16 tain a record of voting participation for each registered
17 elector.

18 ~~(3) In addition to the requirements of subsection (1), the~~
19 ~~election official in a presidential primary election shall only~~
20 ~~allow an elector to vote the presidential primary ballot of the~~
21 ~~party preference shown on the precinct registration file of that~~
22 ~~elector under section 495a. If an elector is registered with no~~
23 ~~party preference shown on the precinct registration file of that~~
24 ~~elector, the elector shall not be allowed to vote a presidential~~
25 ~~primary ballot.~~

26 ~~(4) The record maintained by the clerk of a city or township~~
27 ~~under subsection (2) shall contain the name of the party ballot~~

1 ~~voted under subsection (3) by the elector at the presidential~~
2 ~~primary election.~~

3 Sec. 615a. (1) Except as provided in this section, the sec-
4 retary of state shall cause to be printed on the ~~ballots~~ BALLOT
5 for the presidential primary under the appropriate political
6 party heading the name of a presidential candidate notified by
7 the secretary of state under section 614a who has filed with the
8 secretary of state an affidavit indicating his or her party pref-
9 erence and willingness to have his or her name printed on ~~that~~
10 ~~party's~~ THE PRESIDENTIAL PRIMARY ballot. The affidavit shall be
11 filed with the secretary of state no later than 4 p.m. on the
12 second Friday in January in a presidential election year.

13 (2) The name of an individual who is not listed as a poten-
14 tial presidential candidate under section 614a shall be printed
15 on the ballot for the presidential primary ~~for~~ UNDER the appro-
16 priate political party HEADING if he or she files an affidavit as
17 required in subsection (1) and files a nominating petition with
18 the secretary of state no later than 4 p.m. on the second Friday
19 in January in a presidential election year. The nominating peti-
20 tion shall contain valid signatures of registered and qualified
21 electors equal to not less than 1/2 of 1% of the total votes cast
22 in the state at the previous presidential election for the presi-
23 dential candidate of the political party for which the individual
24 is seeking this nomination. However, the total number of signa-
25 tures required on a nominating petition under this subsection
26 shall not exceed 1,000 times the total number of ~~Congressional~~
27 CONGRESSIONAL districts in this state. A signature on a

1 nominating petition is not valid if obtained before November 1 of
2 the year before the presidential election year in which the indi-
3 vidual seeks nomination. The nominating petitions shall conform
4 to the requirements of this act regarding nominating petitions,
5 which requirements are not inconsistent with this subsection.

6 (3) The names of the presidential candidates UNDER EACH
7 POLITICAL PARTY HEADING shall be rotated on the ballot. The
8 ballot shall contain a space for an elector to vote uncommitted.