

# Legislative Analysis

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## PRE-REGISTRATION TO VOTE AT AGE 16

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**House Bill 4261 (Substitute H-2)**  
**Sponsor: Rep. Lesia Liss**

**House Bill 4337 (Substitute H-2)**  
**Sponsor: Rep. Robert Jones**  
**Committee: Ethics and Elections**

### First Analysis (5-13-09)

**BRIEF SUMMARY:** The bills would allow young people to pre-register to vote beginning at age 16 when they apply for a driver's license.

**FISCAL IMPACT:** The bills would have no significant fiscal impact on the State of Michigan or local units of government. Any fiscal impact would be related to increased administrative workload and computer programming changes that would be necessary under the provisions of the bill.

### **THE APPARENT PROBLEM:**

Most states in the United States set five or six conditions on voter registration. Generally, voters must be U.S. citizens, 18 years of age by Election Day, not be in jail, never been convicted of a felony or declared "mentally incompetent," and not claim the right to vote in another state.

The majority of states allow young citizens to register to vote at age 17 1/2, or a few weeks before their 18th birthdays. However, in two states--Florida and Hawaii--young people can pre-register to vote at age 16; the issue is pending in Rhode Island and Wisconsin. In an additional five states--Louisiana, Maine, Ohio, Oregon, and West Virginia--advance registration is possible at age 17. Usually, pre-registration occurs when a young person applies for a driver's license. (In Rhode Island, pre-registration is also part of the state's high school civics curriculum.) Then when their 18th birthday nears, the secretary of state forwards to them a voter registration card, allowing them to vote in the next election.

Among voters nationwide, those aged 18 to 24 years of age have the lowest percentage of voter registration. According to FairVote, a non-partisan, non-profit based in Washington D.C. and operating since 1992 as the Center for Voting and Democracy, "the oft-repeated myth is that young people don't vote. But it's not quite true. Young people vote when they're registered, but they tend to be registered at much lower rates." As evidence they note that "2004 was a high turnout [election] year for all demographics, and that included 18 to 24 year olds: 81 percent of registered 18-24 years voted in the 2004 election. But, while the national registration rate was 72 percent, only 58 percent of

youth voters were registered." FairVote's study demonstrates that there is more of a registration gap than a participation gap. See Background Information.

The connection between voter registration and participation is, of course, clear since only registered voters can vote. Further, past participation is a major factor in determining future participation, since studies show that voting is, in part, a gradually acquired habit.

To better ensure that more Michigan residents can acquire the habit of voting, legislation has been introduced to allow voter pre-registration at age 16 in Michigan when a person applies for a driver's license.

### ***THE CONTENT OF THE BILL:***

House Bills 4261 (H-2) and 4337 (H-2) would amend the Michigan Election Law (MCL 168.496a and 168.496b) to allow young people to pre-register to vote beginning at age 16. The bills are tie-barred to each other so that neither could go into effect unless both are enacted into law. A detailed explanation of each bill follows.

House Bill 4261 (H-2) specifies that a person could pre-register to vote at a secretary of state office, if he or she met all of the following requirements:

- Was at least 16 years of age but less than 17 1/2 of age.
- Had been issued either a graduated license to operate a motor vehicle or an official state personal identification card.
- Was a citizen of the United States.

The bill authorizes the secretary of state to create a pre-registration to vote application, and requires that a person pre-register using that form.

Under House Bill 4337 (H-2), a person who pre-registered would become a registered elector at age 17 1/2, and would become eligible to vote at the first election after turning 18 years of age.

The bill requires that immediately upon receipt, the secretary of state transmit the pre-registration to vote application to the appropriate city or township clerk, and also transmit the electronic data for the pre-registration to the qualified voter file. The pre-registration application would be held in a separate file, and could not be moved to the master file until the person who filed the application became 17-1/2 years old.

The qualified voter file could not include the name of a person who pre-registered to vote on a precinct voter list before the person became 18 years old.

If a person who pre-registered to vote changed the address that appeared on his or her driver license or personal identification card, then the pre-registration to vote address would also be changed.

When a person who pre-registered to vote became 17-1/2 years old, the secretary of state would send a notice through the qualified voter file to the appropriate city or township clerk, directing the clerk to send a voter identification card to the person who had pre-registered.

The city or township clerk who received the notice from the secretary of state would then send a voter identification card to the person who had pre-registered, and add that person to the master file.

### ***BACKGROUND INFORMATION:***

To read in its entirety the "Policy Briefing: Advance Voter Registration in Rhode Island" published by the Center for Voting and Democracy, visit the website of FairVote at [www.fairvote.org](http://www.fairvote.org)

### ***ARGUMENTS:***

#### ***For:***

Proponents of the bill argue that pre-registration for 16-year-olds promotes a "culture of participation" among younger citizens, a phenomenon corroborated by studies in political science. Registering 16- and 17-year olds before they are eligible to vote at age 18 significantly increases their likelihood of voting later. Proponents say that since past participation is a major factor in determining future participation, and because voting behavior is a gradually acquired habit, it is important to help young citizens form that habit early.

According to FairVote, electoral analyses indicate that there is a registration gap, not a participation gap; that is, young voters do vote when they are registered. FairVote also notes that "researchers who study turnout have identified a period of transition between non-voters and habitual voters, in which they register, participate, and then continue a pattern of participation. The numbers show that young, registered voters vote, and repeat voters tend to vote for a lifetime. Consequently, the cumulative effect of pre-registration, combined with early voter education, could narrow the registration gap, and foster the culture of lifelong participation to which our democracy aspires."

#### ***Against:***

Some opponents fear the voter pre-registration policy will increase voter fraud. They say that those who pre-register may not be American citizens. And, they observe that the time that elapses between pre-registration and entry into Michigan's master voter file--a period of 18 months, from age 16 to age 17-1/2--is a long time during which those who are pre-registered are apt to be extremely mobile. Consequently, their voter registration cards could be mailed to addresses where they no longer live.

Further, some opponents of the bills have also argued that this pre-registration policy may well result in a surge of young registered voters, and that those voters will not be adequately informed to vote. A preponderance of young and undereducated voters

having little life experience could threaten the stability of the communities where they vote.

Finally, some opponents of the bills express the partisan fear that voters when young tend to vote for more liberal candidates and policies than they do when they grow older.

***Response:***

A spokesman for the Elections Bureau in the Department of State points out that the most secure place for voter registration is at a secretary of state branch office while applying for a driver's license. There, an applicant must provide a birth certificate noting age, nationality, and residency. Further, since Michigan's driver license database is linked to the state's Qualified Voter File, all changes of address made to drivers' licenses are automatically made to their voter registration cards.

***POSITIONS:***

The Secretary of State supports the bills. (5-6-09)

The Michigan Campaign Finance Network supports the bills. (5-6-09)

The Michigan Association of County Clerks supports the bills. (5-6-09)

The Michigan Association of Municipal Clerks and the Council of Election Officials supports the bills. (5-6-09)

The Michigan Municipal League supports the bills. (5-6-09)

The Michigan Nonprofit Association supports the bills. (5-6-09)

The Michigan Townships Association supports the bills. (5-6-09)

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.