

# HOUSE BILL No. 4794

June 20, 2017, Introduced by Reps. Chang, Pagel, LaGrand, Rabhi, Hoadley, Pagan, Guerra, Geiss, Wittenberg, Sneller, Ellison, Hammoud, Sabo, Yanez, Moss and Howrylak and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending sections 51a and 307 (MCL 257.51a and 257.307), section  
51a as amended by 2008 PA 7 and section 307 as amended by 2016 PA  
451, and by adding section 307c.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 51a. "Resident" means every person who resides in this  
2 state. ~~and establishes that he or she is legally present in the~~  
3 ~~United States.~~ This definition applies to the provisions of this  
4 act only.

5       Sec. 307. (1) If an applicant for an operator's license or  
6 chauffeur's license to operate a noncommercial motor vehicle is a  
7 citizen of the United States, the applicant shall supply a  
8 photographic identity document, a birth certificate, or other  
9 sufficient documents as the secretary of state may require, to

1 verify the identity and citizenship of the applicant. ~~If~~**EXCEPT AS**  
2 **PROVIDED IN SECTION 307C, IF** an applicant for an operator's or  
3 chauffeur's license is not a citizen of the United States, the  
4 applicant shall supply a photographic identity document and other  
5 sufficient documents to verify the identity of the applicant and  
6 the applicant's legal presence in the United States under  
7 subdivision (b). The documents required under this subsection shall  
8 include the applicant's full legal name, date of birth, and address  
9 and residency and demonstrate that the applicant is a citizen of  
10 the United States or is legally present in the United States. If  
11 the applicant's full legal name differs from the name of the  
12 applicant that appears on a document presented under this  
13 subsection, the applicant shall present documents to verify his or  
14 her current full legal name. The secretary of state shall accept as  
15 1 of the required identification documents an identification card  
16 issued by the department of corrections to prisoners who are placed  
17 on parole or released from a correctional facility, containing the  
18 prisoner's legal name, photograph, and other information  
19 identifying the prisoner as provided in section 37(4) of the  
20 corrections code of 1953, 1953 PA 232, MCL 791.237. An application  
21 for an operator's or chauffeur's license shall be made in a manner  
22 prescribed by the secretary of state and shall contain all of the  
23 following:

24 (a) The applicant's full legal name, date of birth, residence  
25 address, height, sex, eye color, signature, intent to make an  
26 anatomical gift, other information required or permitted on the  
27 license under this chapter, and, only to the extent required to

1 comply with federal law, the applicant's social security number.  
2 The applicant may provide a mailing address if the applicant  
3 receives mail at an address different from his or her residence  
4 address.

5 (b) ~~If~~**EXCEPT AS PROVIDED IN SECTION 307C, IF** the applicant is  
6 not a citizen of the United States, the applicant shall provide,  
7 and the department shall verify, documents demonstrating his or her  
8 legal presence in the United States. Nothing in this act shall  
9 obligate or be construed to obligate this state to comply with  
10 title II of the real ID act of 2005, Public Law 109-13. The  
11 secretary of state may adopt rules under the administrative  
12 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, as are  
13 necessary for the administration of this subdivision. A  
14 determination by the secretary of state that an applicant is not  
15 legally present in the United States may be appealed under section  
16 631 of the revised judicature act of 1961, 1961 PA 236, MCL  
17 600.631.

18 (c) The following notice shall be included to inform the  
19 applicant that under sections 509o and 509r of the Michigan  
20 election law, 1954 PA 116, MCL 168.509o and 168.509r, the secretary  
21 of state is required to use the residence address provided on this  
22 application as the applicant's residence address on the qualified  
23 voter file for voter registration and voting:

24 "NOTICE: Michigan law requires that the same address  
25 be used for voter registration and driver license  
26 purposes. Therefore, if the residence address  
27 you provide in this application differs from your

1 voter registration address as it appears on the  
2 qualified voter file, the secretary of state  
3 will automatically change your voter registration  
4 to match the residence address on this application,  
5 after which your voter registration at your former  
6 address will no longer be valid for voting purposes.  
7 A new voter registration card, containing the  
8 information of your polling place, will be provided  
9 to you by the clerk of the jurisdiction where your  
10 residence address is located."

11 (d) For an original or renewal operator's or chauffeur's  
12 license with a vehicle group designation or indorsement, the names  
13 of all states where the applicant has been licensed to drive any  
14 type of motor vehicle during the previous 10 years.

15 (e) For an operator's or chauffeur's license with a vehicle  
16 group designation or indorsement, the following certifications by  
17 the applicant:

18 (i) The applicant meets the applicable federal driver  
19 qualification requirements under 49 CFR parts 383 and 391 or meets  
20 the applicable qualifications of the department of state police  
21 under the motor carrier safety act of 1963, 1963 PA 181, MCL 480.11  
22 to 480.25.

23 (ii) The vehicle in which the applicant will take the driving  
24 28 skills tests is representative of the type of vehicle the  
25 applicant operates or intends to operate.

26 (iii) The applicant is not subject to disqualification by the  
27 United States Secretary of Transportation, or a suspension,

1 revocation, or cancellation under any state law for conviction of  
2 an offense described in section 312f or 319b.

3 (iv) The applicant does not have a driver's license from more  
4 than 1 state or jurisdiction.

5 (f) An applicant for an operator's or chauffeur's license with  
6 a vehicle group designation and a hazardous material indorsement  
7 shall provide his or her fingerprints as prescribed by state and  
8 federal law.

9 (2) An applicant for an operator's or chauffeur's license may  
10 have his or her image and signature captured or reproduced when the  
11 application for the license is made. The secretary of state shall  
12 acquire equipment purchased or leased under this section under  
13 standard purchasing procedures of the department of technology,  
14 management, and budget based on standards and specifications  
15 established by the secretary of state. The secretary of state shall  
16 not purchase or lease equipment until an appropriation for the  
17 equipment has been made by the legislature. A digital photographic  
18 image and signature captured under this section shall appear on the  
19 applicant's operator's license or chauffeur's license. A person's  
20 digital photographic image and signature shall be used as follows:

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

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

25 (c) By the secretary of state for forwarding to the department  
26 of state police the images of persons required to be registered  
27 under the sex offenders registration act, 1994 PA 295, MCL 28.721

1 to 28.736, upon the department of state police providing the  
2 secretary of state an updated list of the names of those persons.

3 (d) As necessary to comply with a law of this state or of the  
4 United States.

5 (3) An application shall contain a signature or verification  
6 and certification by the applicant, as determined by the secretary  
7 of state, and shall be accompanied by the proper fee. The secretary  
8 of state shall collect the application fee with the application.  
9 The secretary of state shall refund the application fee to the  
10 applicant if the license applied for is denied, but shall not  
11 refund the fee to an applicant who fails to complete the  
12 examination requirements of the secretary of state within 90 days  
13 after the date of application for a license.

14 (4) In conjunction with the application for an original or  
15 renewal operator's license or chauffeur's license, the secretary of  
16 state shall do all of the following:

17 (a) If the applicant is not a participant in the anatomical  
18 gift donor registry program, specifically inquire, either orally or  
19 in writing, whether the applicant wishes to participate in the  
20 anatomical gift donor registry program under part 101 of the public  
21 health code, 1978 PA 368, MCL 333.10101 to 333.10123. If the  
22 secretary of state or an employee of the secretary of state fails  
23 to inquire whether an applicant wishes to participate in the  
24 anatomical gift donor registry program as required by this  
25 subdivision, neither the secretary of state nor the employee is  
26 civilly or criminally liable for the failure to make the inquiry.

27 (b) Provide the applicant with all of the following:

1           (i) Information explaining the applicant's right to make an  
2 anatomical gift in the event of death in accordance with section  
3 310.

4           (ii) Information describing the anatomical gift donor registry  
5 program under part 101 of the public health code, 1978 PA 368, MCL  
6 333.10101 to 333.10123. The information required under this  
7 subparagraph includes the address and telephone number of  
8 Michigan's federally designated organ procurement organization as  
9 that term is defined in section 10102 of the public health code,  
10 1978 PA 368, MCL 333.10102, or its successor organization.

11           (iii) Information giving the applicant the opportunity to be  
12 placed on the donor registry described in subparagraph (ii).

13           (c) Provide the applicant with the opportunity to specify on  
14 his or her operator's or chauffeur's license that he or she is  
15 willing to make an anatomical gift in the event of death in  
16 accordance with section 310.

17           (d) Inform the applicant that, if he or she indicates to the  
18 secretary of state under this section a willingness to have his or  
19 her name placed on the donor registry described in subdivision  
20 (b) (ii), the secretary of state will mark the applicant's record  
21 for the donor registry.

22           (5) The secretary of state may fulfill the requirements of  
23 subsection (4) by 1 or more of the following methods:

24           (a) Providing printed material enclosed with a mailed notice  
25 for an operator's or chauffeur's license renewal or the issuance of  
26 an operator's or chauffeur's license.

27           (b) Providing printed material to an applicant who personally

1 appears at a secretary of state branch office, or inquiring orally.

2 (c) Through electronic information transmittals for operator's  
3 and chauffeur's licenses processed by electronic means.

4 (6) The secretary of state shall maintain a record of an  
5 individual who indicates a willingness to have his or her name  
6 placed on the donor registry described in subsection (4) (b) (ii) .  
7 Information about an applicant's indication of a willingness to  
8 have his or her name placed on the donor registry that is obtained  
9 by the secretary of state under subsection (4) and forwarded under  
10 subsection (14) is exempt from disclosure under section 13(1) (d) of  
11 the freedom of information act, 1976 PA 442, MCL 15.243. The  
12 secretary of state is not required to maintain a record of an  
13 individual who does not indicate a willingness to have his or her  
14 name placed on the donor registry described in subsection  
15 (4) (b) (ii) or an individual who does not respond to an inquiry  
16 under subsection (4) (a) .

17 (7) If an application is received from a person previously  
18 licensed in another jurisdiction, the secretary of state shall  
19 request a copy of the applicant's driving record and other  
20 available information from the National Driver Register. When  
21 received, the driving record and other available information become  
22 a part of the driver's record in this state.

23 (8) If a person applies for a commercial learner's permit for  
24 an original vehicle group designation or indorsement to operate a  
25 commercial motor vehicle, the secretary of state may verify the  
26 person's identity, may require proof of Michigan domicile under 49  
27 CFR 383.5, and may verify the person's proof of United States



1 citizenship or proof of lawful permanent residency as required  
2 under 49 CFR 383.71 and 383.73, if that information is not on the  
3 person's Michigan driving record. If a person applies for a renewal  
4 of an operator's or chauffeur's license to operate a commercial  
5 motor vehicle, the secretary of state may verify the person's  
6 identity, may require proof of Michigan domicile under 49 CFR  
7 383.5, and may verify the person's proof of citizenship or lawful  
8 permanent residency under 49 CFR 383.71 and 383.73, if that  
9 information is not on the person's Michigan driving record. If a  
10 person applies for an upgrade of a vehicle group designation or  
11 indorsement, the secretary of state may verify the person's  
12 identity, may require proof of Michigan domicile under 49 CFR  
13 383.5, and may verify the person's proof of citizenship or lawful  
14 permanent residency under 49 CFR 383.71 and 383.73, if that  
15 information is not on the person's Michigan driving record. The  
16 secretary of state shall request the person's complete driving  
17 record from all states where the applicant was previously licensed  
18 to drive any type of motor vehicle over the last 10 years before  
19 issuing a vehicle group designation or indorsement to the  
20 applicant. If the applicant does not hold a valid commercial motor  
21 vehicle driver license from a state where he or she was licensed in  
22 the last 10 years, this complete driving record request must be  
23 made not earlier than 24 hours before the secretary of state issues  
24 the applicant a vehicle group designation or indorsement. For all  
25 other drivers, this request must be made not earlier than 10 days  
26 before the secretary of state issues the applicant a vehicle group  
27 designation or indorsement. If the application is for the renewal

1 of a vehicle group designation or indorsement, and if the secretary  
2 of state enters on the person's driving record maintained under  
3 section 204a a notation that the request was made and the date of  
4 the request, the secretary of state is required to request the  
5 applicant's complete driving record from other states only once  
6 under this section. The secretary of state shall also check the  
7 applicant's driving record with the National Driver Register and  
8 the federal Commercial Driver's License Information System before  
9 issuing that group designation or indorsement.

10 (9) Except for a vehicle group designation or indorsement or  
11 as provided in this subsection or section 314(5), the secretary of  
12 state may issue a renewal operator's or chauffeur's license for 1  
13 additional 4-year period or until the person is no longer  
14 determined to be legally present under this section by mail or by  
15 other methods prescribed by the secretary of state. The secretary  
16 of state may check the applicant's driving record through the  
17 National Driver Register and the Commercial Driver's License  
18 Information System before issuing a license under this section. The  
19 secretary of state shall issue a renewal license only in person if  
20 the person is a person required under section 5a of the sex  
21 offenders registration act, 1994 PA 295, MCL 28.725a, to maintain a  
22 valid operator's or chauffeur's license or official state personal  
23 identification card. If a license is renewed by mail or by other  
24 method, the secretary of state shall issue evidence of renewal to  
25 indicate the date the license expires in the future. The department  
26 of state police shall provide to the secretary of state updated  
27 lists of persons required under section 5a of the sex offenders

1 registration act, 1994 PA 295, MCL 28.725a, to maintain a valid  
2 operator's or chauffeur's license or official state personal  
3 identification card.

4 (10) Upon request, the secretary of state shall provide an  
5 information manual to an applicant explaining how to obtain a  
6 vehicle group designation or indorsement. The manual shall contain  
7 the information required under 49 CFR part 383.

8 (11) The secretary of state shall not disclose a social  
9 security number obtained under subsection (1) to another person  
10 except for use for 1 or more of the following purposes:

11 (a) Compliance with 49 USC 31301 to 31317 and regulations and  
12 state law and rules related to this chapter.

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

16 (c) To check an applicant's driving record through the  
17 National Driver Register and the Commercial Driver's License  
18 Information System when issuing a license under this act.

19 (d) With the department of health and human services, for  
20 comparison with vital records maintained by the department of  
21 health and human services under part 28 of the public health code,  
22 1978 PA 368, MCL 333.2801 to 333.2899.

23 (e) As otherwise required by law.

24 (12) The secretary of state shall not display a person's  
25 social security number on the person's operator's or chauffeur's  
26 license.

27 (13) A requirement under this section to include a social

1 security number on an application does not apply to an applicant  
2 who demonstrates that he or she is exempt under law from obtaining  
3 a social security number.

4 (14) As required in section 10120 of the public health code,  
5 1978 PA 368, MCL 333.10120, the secretary of state shall maintain  
6 the donor registry in a manner that provides electronic access,  
7 including, but not limited to, the transfer of data to this state's  
8 federally designated organ procurement organization or its  
9 successor organization, tissue banks, and eye banks, in a manner  
10 that complies with that section.

11 (15) The secretary of state, with the approval of the state  
12 administrative board created under 1921 PA 2, MCL 17.1 to 17.3, may  
13 enter into agreements with the United States government to verify  
14 whether an applicant for an operator's license or a chauffeur's  
15 license under this section who is not a citizen of the United  
16 States is authorized under federal law to be present in the United  
17 States.

18 (16) The secretary of state shall not issue an operator's  
19 license or a chauffeur's license to a person holding an operator's  
20 license or chauffeur's license issued by another state without  
21 confirmation that the person is terminating or has terminated the  
22 operator's license or chauffeur's license issued by the other  
23 state.

24 (17) The secretary of state shall do all of the following:

25 (a) Ensure the physical security of locations where operator's  
26 licenses and chauffeur's licenses are produced and the security of  
27 document materials and papers from which operator's licenses and

1 chauffeur's licenses are produced.

2 (b) Subject all persons authorized to manufacture or produce  
3 operator's licenses or chauffeur's licenses and all persons who  
4 have the ability to affect the identity information that appears on  
5 operator's licenses or chauffeur's licenses to appropriate security  
6 clearance requirements. The security requirements of this  
7 subdivision and subdivision (a) may require that licenses be  
8 manufactured or produced in this state.

9 (c) Provide fraudulent document recognition programs to  
10 department of state employees engaged in the issuance of operator's  
11 licenses and chauffeur's licenses.

12 (18) The secretary of state shall have electronic access to  
13 prisoner information maintained by the department of corrections  
14 for the purpose of verifying the identity of a prisoner who applies  
15 for an operator's or chauffeur's license under subsection (1).

16 **SEC. 307C. (1) NOTWITHSTANDING SECTION 307, THE DEPARTMENT**  
17 **SHALL ISSUE AN OPERATOR'S LICENSE TO OPERATE A NONCOMMERCIAL**  
18 **VEHICLE TO AN APPLICANT WHO IS UNABLE TO SUBMIT SUFFICIENT**  
19 **DOCUMENTS TO VERIFY HIS OR HER IDENTITY AND LEGAL PRESENCE IN THE**  
20 **UNITED STATES AS REQUIRED UNDER SECTION 307 OR WHO CHOOSES NOT TO**  
21 **OBTAIN AN OPERATOR'S LICENSE THAT MEETS THE CRITERIA UNDER THE REAL**  
22 **ID ACT OF 2005, PUBLIC LAW 109-13, IF THE APPLICANT SATISFIES ALL**  
23 **OTHER REQUIREMENTS OF THIS SECTION, THE REQUIREMENTS OF SECTION 307**  
24 **OTHER THAN LEGAL PRESENCE IN THE UNITED STATES, AND THE RULES**  
25 **PROMULGATED BY THE DEPARTMENT UNDER SUBSECTION (2).**

26 (2) THE DEPARTMENT SHALL, IN CONSULTATION WITH APPROPRIATE  
27 INTERESTED PARTIES INCLUDING, BUT NOT LIMITED TO, LAW ENFORCEMENT

1 AND IMMIGRANTS' RIGHTS REPRESENTATIVES, PROMULGATE RULES UNDER THE  
2 ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO  
3 24.328, FOR ALL OF THE FOLLOWING PURPOSES:

4 (A) IDENTIFYING DOCUMENTS THAT ARE ACCEPTABLE TO THE  
5 DEPARTMENT FOR THE PURPOSE OF PROVING IDENTITY OR MICHIGAN  
6 RESIDENCY, SUBJECT TO SUBSECTION (3).

7 (B) ESTABLISHING PROCEDURES FOR VERIFYING THE AUTHENTICITY OF  
8 THE DOCUMENTS DESCRIBED IN SUBDIVISION (A).

9 (C) ISSUING A TEMPORARY OPERATOR'S LICENSE PENDING THE  
10 VERIFICATION OF ANY DOCUMENT'S AUTHENTICITY.

11 (D) ESTABLISHING A HEARING PROCESS FOR AN APPLICANT TO APPEAL  
12 THE DENIAL OF AN OPERATOR'S LICENSE OR TEMPORARY OPERATOR'S LICENSE  
13 UNDER THIS SECTION.

14 (3) ACCEPTABLE DOCUMENTS FOR PURPOSES OF PROVING IDENTITY OR  
15 MICHIGAN RESIDENCY SHALL INCLUDE, BUT ARE NOT LIMITED TO, ALL OF  
16 THE FOLLOWING:

17 (A) A VALID UNEXPIRED CONSULAR IDENTIFICATION DOCUMENT ISSUED  
18 BY A CONSULATE FROM THE APPLICANT'S COUNTRY OF CITIZENSHIP OR A  
19 VALID UNEXPIRED PASSPORT FROM THE APPLICANT'S COUNTRY OF  
20 CITIZENSHIP.

21 (B) AN ORIGINAL BIRTH CERTIFICATE OR OTHER PROOF OF AGE. IF AN  
22 ORIGINAL BIRTH CERTIFICATE IS IN A LANGUAGE OTHER THAN ENGLISH, THE  
23 APPLICANT SHALL PROVIDE A CERTIFIED TRANSLATION OF THE BIRTH  
24 CERTIFICATE.

25 (C) A HOME UTILITY BILL, LEASE OR RENTAL AGREEMENT, OR OTHER  
26 PROOF OF MICHIGAN RESIDENCE.

27 (D) ONE OR MORE OF THE FOLLOWING DOCUMENTS WHICH, IF IN A

1 LANGUAGE OTHER THAN ENGLISH, SHALL BE ACCOMPANIED BY A CERTIFIED  
2 TRANSLATION OR AN AFFIDAVIT OF TRANSLATION INTO ENGLISH:

3 (i) A MARRIAGE LICENSE OR DIVORCE CERTIFICATE.

4 (ii) A FOREIGN FEDERAL ELECTORAL PHOTO CARD ISSUED ON OR AFTER  
5 JANUARY 1, 1991.

6 (iii) A FOREIGN DRIVER LICENSE.

7 (E) A RECEIPT FOR A UNITED STATES DEPARTMENT OF HOMELAND  
8 SECURITY FORM I-589, APPLICATION FOR ASYLUM AND FOR WITHHOLDING OR  
9 REMOVAL.

10 (F) AN OFFICIAL SCHOOL OR COLLEGE TRANSCRIPT THAT INCLUDES THE  
11 APPLICANT'S DATE OF BIRTH, OR A FOREIGN SCHOOL RECORD THAT BEARS AN  
12 OFFICIAL SEAL AND INCLUDES A PHOTOGRAPH OF THE APPLICANT AT THE AGE  
13 THE RECORD WAS ISSUED.

14 (G) A UNITED STATES DEPARTMENT OF HOMELAND SECURITY FORM I-20  
15 OR FORM DS-2019.

16 (H) A DEED OR TITLE TO REAL PROPERTY.

17 (I) A PROPERTY TAX BILL OR STATEMENT ISSUED WITHIN THE 12  
18 MONTHS PRECEDING THE DATE OF APPLICATION.

19 (J) AN INCOME TAX RETURN.

20 (4) AN OPERATOR'S LICENSE ISSUED UNDER THIS SECTION, INCLUDING  
21 A TEMPORARY OPERATOR'S LICENSE, SHALL INCLUDE A RECOGNIZABLE  
22 FEATURE ON THE FRONT OF THE LICENSE INDICATING THAT IT IS NOT VALID  
23 FOR OFFICIAL FEDERAL PURPOSES, AND SHALL ALSO CONTAIN AN INDICATION  
24 THAT THE LICENSE IS NOT VALID FOR OFFICIAL FEDERAL PURPOSES IN  
25 ELECTRONIC OR MACHINE READABLE CODES.

26 (5) A PERSON SHALL NOT DISCRIMINATE AGAINST AN INDIVIDUAL  
27 BECAUSE THAT INDIVIDUAL HOLDS OR PRESENTS AN OPERATOR'S LICENSE OR

1 A TEMPORARY OPERATOR'S LICENSE ISSUED UNDER THIS SECTION.

2 (6) A POLICE OFFICER SHALL NOT DETAIN, ARREST, PENALIZE, OR  
3 DISCRIMINATE AGAINST AN INDIVIDUAL BASED SOLELY ON THAT  
4 INDIVIDUAL'S PRESENTATION OF AN OPERATOR'S LICENSE OR A TEMPORARY  
5 OPERATOR'S LICENSE ISSUED UNDER THIS SECTION.

6 (7) EXCEPT WHEN NECESSARY TO COMPLY WITH A JUDICIALLY ISSUED  
7 WARRANT OR SUBPOENA, INFORMATION COLLECTED UNDER THIS SECTION IS  
8 NOT SUBJECT TO DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT,  
9 1976 PA 442, MCL 15.231 TO 15.246.

10 (8) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, INFORMATION  
11 REGARDING AN APPLICANT'S SOCIAL SECURITY NUMBER OR INELIGIBILITY  
12 FOR A SOCIAL SECURITY NUMBER OBTAINED BY THE DEPARTMENT UNDER THIS  
13 SECTION IS NOT SUBJECT TO DISCLOSURE UNDER THE FREEDOM OF  
14 INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246.

15 (9) AS USED IN THIS SECTION, "MICHIGAN RESIDENCY" MEANS THAT  
16 AN INDIVIDUAL MAINTAINS A SETTLED HOME OR DOMICILE IN THIS STATE AT  
17 WHICH THE INDIVIDUAL RESIDES AND THAT MEETS THE DEFINITION OF  
18 RESIDENCE AS DEFINED IN SECTION 11 OF THE MICHIGAN ELECTION LAW,  
19 1954 PA 116, MCL 168.11, EXCEPT FOR A TEMPORARY ABSENCE. MICHIGAN  
20 RESIDENCY DOES NOT REQUIRE THAT THE INDIVIDUAL BE A UNITED STATES  
21 CITIZEN OR LAWFULLY PRESENT IN THE UNITED STATES.

22 Enacting section 1. This amendatory act takes effect 90 days  
23 after the date it is enacted into law.