

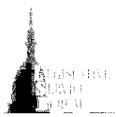
HOUSE BILL NO. 5989

July 23, 2020, Introduced by Reps. Manoogian, Hammoud, Stone, Pohutsky, Sowerby, Shannon, Guerra, Brenda Carter, Camilleri, Bolden, Brixie, Pagan, Yancey, Hope, Gay-Dagnogo and Koleszar and referred to the Committee on Elections and Ethics.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 662 (MCL 168.662), as amended by 2004 PA 92.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 662. (1) The legislative body in each city ~~, village,~~ and
2 township shall designate and prescribe the place or places of
3 holding an election for a city, village, or township election, and
4 shall provide a suitable polling place in or for each precinct
5 located in the city ~~, village,~~ or township for use at each
6 election. Except as otherwise provided in this section, school



buildings, fire stations, police stations, and other publicly owned or controlled buildings ~~shall~~**must** be used as polling places. If it is not possible or convenient to use a publicly owned or controlled building as a polling place, the legislative body of the city ~~, or~~ township ~~, or village~~ may use as a polling place a building owned or controlled by an organization that is exempt from federal income tax as provided by section 501(c), other than 501(c)(4), (5), or (6), of the internal revenue code of 1986, ~~or any successor~~

~~statute.~~ **26 USC 501.** The legislative body of a city ~~, or~~ township ~~, or village~~ shall not designate as a polling place a building that is owned by a person ~~who~~**that** is a sponsor of a political committee or independent committee. A city ~~, or~~ township ~~, or village~~ shall not use as a polling place a building that does not meet the requirements of this section. As used in this subsection, "sponsor of a political committee or independent committee" means a person ~~who~~**that** is described as being a sponsor under section 24(3) of the Michigan campaign finance act, 1976 PA 388, MCL 169.224, and includes a subsidiary of a corporation or a local of a labor organization, if the corporation or labor organization is considered a sponsor under section 24(3) of the Michigan campaign finance act, 1976 PA 388, MCL 169.224.

(2) The legislative body in each city ~~, village,~~ and township shall make arrangements for the rental or erection of suitable buildings for use as polling places if publicly owned or controlled buildings are not available, and shall have the polling places equipped with the necessary facilities for lighting and with adequate facilities for heat and ventilation. The legislative body may establish a central polling place or places for 6 precincts or less if it is possible and convenient for the electors to vote at

1 the central polling place. The legislative body may abolish other
2 polling places not required as a result of the establishment of a
3 central polling place.

4 (3) The legislative body of a city ~~, village,~~ or township may
5 establish a polling place at a for profit or nonprofit residence or
6 facility in which 150 ~~persons~~**individuals** or more aged 62 or older
7 reside or at an apartment building or complex in which 150 ~~persons~~
8 **individuals** or more reside. A township board may provide polling
9 places located within the limits of a city that has been
10 incorporated from territory formerly a part of the township, and
11 the electors of the township may cast their ballots at those
12 polling places. If 2 contiguous townships utilize a combined
13 township hall or other publicly owned or controlled building within
14 1 of the township's boundaries and outside of the other township's
15 boundaries, and there is not another publicly owned or controlled
16 building or a building owned or controlled by an organization that
17 is exempt from federal income tax, as provided by section 501(c),
18 other than 501(c)(4), (5), or (6), of the internal revenue code of
19 1986, **26 USC 501**, available or suitable for a polling place within
20 the other township, then each township board may provide a polling
21 place in that publicly owned building for 1 or more election
22 precinct.

23 (4) ~~The~~**Except as otherwise provided in subsection (5), the**
24 legislative body of a city ~~, village,~~ or township shall not
25 establish, move, or abolish a polling place less than 60 days
26 before an election unless necessary because a polling place has
27 been damaged, destroyed, or rendered inaccessible or unusable as a
28 polling place.

29 (5) **Subject to subsection (6), if not less than 15 days or**

1 more than 60 days before an election any of the following occur or
2 are in place, the legislative body of a city or township may move
3 or relocate a polling place in that city or township:

4 (a) A declared statewide emergency.

5 (b) A declared emergency in the county in which that city or
6 township is located.

7 (c) A declared federal state of emergency.

8 (d) A declared disaster by the Federal Emergency Management
9 Agency.

10 (6) If a polling place in a city or township is moved or
11 relocated under subsection (5), the clerk of that city or township
12 must immediately do all of the following:

13 (a) Notify by first-class mail each qualified and registered
14 elector in that city or township of the new polling place location.

15 (b) Post on the city or township's website information
16 concerning the new polling place location.

17 (c) Conspicuously post on the door to the entrance of the old
18 polling place location a written notice that states the location of
19 the new polling place location.

20 (7) ~~(5)~~ The legislative body of a city ~~, village,~~ or township
21 shall ensure that a polling place established under this section is
22 accessible and complies with the voting accessibility for the
23 elderly and handicapped act and the help America vote act of 2002.

24 (8) ~~(6)~~ As used in this section, "accessible" means the
25 removal or modification of policies, practices, and procedures that
26 deny an individual with a disability the opportunity to vote,
27 including the removal of physical barriers as identified in section
28 261(b) of the help America vote act of 2002, ~~42 USC 15421,~~ **52 USC**
29 **21021**, so as to ensure individuals with disabilities the



1 opportunity to participate in elections in this state.

