SENATE BILL NO. 281

March 24, 2021, Introduced by Senators LASATA, HORN, THEIS, STAMAS, ZORN, BIZON, BARRETT, VICTORY, DALEY, OUTMAN and VANDERWALL and referred to the Committee on Elections.

A bill to amend 1954 PA 116, entitled

"Michigan election law,"

by amending section 509o (MCL 168.509o), as amended by 2018 PA 126.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 509o. (1) The secretary of state shall direct and
2 supervise the establishment and maintenance of a statewide
3 qualified voter file. The secretary of state shall establish the
4 technology to implement the qualified voter file. The qualified
5 voter file is the official file for the conduct of all elections

1 held in this state. The secretary of state may direct that all or

2 any part of the city or township **voter** registration files must be

3 used in conjunction with the qualified voter file at the first

4 state primary and election held after the creation of the qualified

5 voter file.

6 (2) Notwithstanding any other provision of law to the

7 contrary, an individual who appears to vote in an election and

8 whose name appears in the qualified voter file for that city,

9 township, or school district is considered a registered voter of

10 that city, township, or school district under this act.

11 (3) The secretary of state, a designated voter registration

12 agency, or a county, city, or township clerk shall not place a name

13 of an individual into the qualified voter file unless that

14 individual signs an application as prescribed in section 509r(3).

15 The secretary of state or a designated voter registration agency

16 shall not allow an individual to indicate a different address than

17 the address in either the secretary of state's or designated voter

18 registration agency's files to be placed in the qualified voter

19 file.

20 (4) The secretary of state shall develop and utilize a process

21 by which information obtained through the United States Social

22 Security Administration's death master file that is used to cancel

23 an operator's or chauffeur's license issued under the Michigan

24 vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or an official

25 state personal identification card issued under 1972 PA 222, MCL

26 28.291 to 28.300, of a deceased resident of this state is also used

27 at least once a month to update the qualified voter file to cancel

28 the voter registration of any elector determined to be deceased.

29 The secretary of state shall make the canceled voter registration

1 information under this subsection available to the clerk of each

2 city or township to assist with the clerk's obligations under

3 section 510.

4   (5) Subject to this subsection, the secretary of state shall

5 participate with other states in 1 or more recognized multistate

6 programs or services, if available, to assist in the verification

7 of the current residence and voter registration status of electors.

8 The secretary of state shall not participate in any recognized

9 multistate program or service described in this subsection that

10 requires this state to promote or adopt legislation as a condition

11 of participation in that program or service. In addition, the

12 secretary of state shall not participate in any recognized

13 multistate program or service described in this subsection if the

14 secretary of state determines that data of that program or service

15 are not being adequately secured or protected. ~~The~~

16   **(6) Not later than March 1 of each year, the secretary of**

17 **state shall request information from each recognized multistate**

18 **program or service that the secretary of state is participating**

19 **with under subsection (5) to verify the current residence and voter**

20 **registration status of electors. Not later than 60 days after**

21 **receiving information from a recognized multistate program or**

22 **service under this subsection, the** secretary of state shall follow

23 the procedures under section 509aa(5) with regard to, ~~any~~ **at a**

24 **minimum, 95% of the** electors affected by information obtained

25 through any multistate program or service. **Not later than 10**

26 **business days after the 60-day deadline under this subsection, the**

27 **secretary of state shall provide a written report to the house and**

28 **senate committees dealing with elections regarding the secretary of**

29 **state's compliance with the requirements under this subsection. If**

1 the secretary of state has not complied with the requirements under

2 this subsection, the secretary of state shall provide in the

3 written report to the house and senate committees dealing with

4 elections the time frame in which the secretary of state will be in

5 compliance with the requirements of this subsection.

6   (7) In addition to the requirements under subsections (5) and

7 (6), not later than 120 days before each general November election,

8 the secretary of state shall request information from each

9 recognized multistate program or service that the secretary of

10 state is participating with under subsection (5) to update data

11 identifying any electors who may have cast improper votes at the

12 preceding general November election. Not later than 30 days after

13 receiving information under this subsection from a recognized

14 multistate program or service, the secretary of state shall

15 commence an investigation into each possible improper vote at the

16 preceding general November election.

17   (8) Not later than August 1 of each year, the secretary of

18 state shall post on the department of state's website all of the

19 following:

20   (a) Pursuant to subsection (6), the total number of electors

21 who the secretary of state mailed a notice under section 509aa(5).

22   (b) Pursuant to subsections (4) and (6), the total number of

23 each of the following:

24   (*i*) Electors who changed residence and moved out-of-state.

25   (*ii*) Electors who changed residence and moved in-state.

26   (*iii*) In-state duplicate voter registration records.

27   (*iv*) Electors who are determined to be deceased.

28   (c) The total number of electors who corrected their voter

29 registration records within 90 days after being mailed a notice by

1   the secretary of state under section 509aa(5).

2   (d) The date the secretary of state notified 95% of the

3   electors affected by information obtained through any recognized

4   multistate program or service.

5   (e) The date the secretary of state notified 100% of the

6   electors affected by information obtained through any recognized

7   multistate program or service.

8   (f) The results of those investigations commenced by the

9   secretary of state under subsection (7) concerning any possible

10 improper votes cast by an elector at the preceding general November

11 election. Subject to this subdivision, the results under this

12 subdivision must include, but not be limited to, the total number

13 of electors initially identified as having cast an improper vote

14 and the total number of electors confirmed to have cast an improper

15 vote. The results under this subdivision must not include the name

16 of any elector or any personal identifying information for that

17 elector.