

MICHIGAN ELECTION LAW (EXCERPT)
Act 116 of 1954

***** 168.523.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 28, 2013 *****

168.523.amended Identification of registered elector; presenting official state identification card, operator's or chauffeur's license, or generally recognized picture identification card; execution of application; challenge; affidavit; approval, initial, and notation of application; application as poll list; filing application; notations on cards or lists; record of voting participation.

Sec. 523. (1) At each election, before being given a ballot, each registered elector offering to vote shall identify himself or herself by presenting an official state identification card issued to that individual under 1972 PA 222, MCL 28.291 to 28.300, an operator's or chauffeur's license issued to that individual under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or other generally recognized picture identification card and by executing an application, on a form prescribed by the secretary of state, in the presence of an election official which includes all of the following:

- (a) The name of the elector.
- (b) The elector's address of residence.
- (c) The elector's date of birth.
- (d) An affirmative statement by the elector that is included in the signature statement indicating that he or she is a citizen of the United States.
- (e) The elector's signature or mark.

(2) If an elector's signature contained in the qualified voter file is available in the polling place, the election official shall compare the signature upon the application with the digitized signature provided by the qualified voter file. If an elector's signature is not contained in the qualified voter file, the election official shall process the application in the same manner as applications are processed when a voter registration list is used in the polling place. If voter registration lists are used in the precinct, the election inspector shall determine if the name on the application to vote appears on the voter registration list. If the name appears on the voter registration list, the elector shall provide further identification or other information stated upon the voter registration list. If the signature or an item of information does not correspond, the vote of the person shall be challenged, and the same procedure shall be followed as provided in this act for the challenging of an elector. If the elector does not have an official state identification card, operator's or chauffeur's license, or other generally recognized picture identification card as required under this subsection, the individual shall sign an affidavit to that effect before an election inspector and be allowed to vote as otherwise provided in this act. However, an elector being allowed to vote without the identification required under this subsection is subject to challenge as provided in section 727.

(3) If, upon a comparison of the signature or other identification as required in this section, it is found that the applicant is entitled to vote, the election officer having charge of the registration list shall approve the application and write his or her initials on the application, after which the number on the ballot issued shall be noted on the application. The application shall serve as 1 of the 2 poll lists required to be kept as a record of a person who has voted. The application shall be filed with the township, city, or village clerk. If voter registration cards are used in the precinct, the date of the election shall be noted by 1 of the election officials upon the precinct registration card of each elector voting at an election. If voter registration lists are used in the precinct, the election official shall clearly indicate upon the list each elector voting at that election. The clerk of a city, village, or township shall maintain a record of voting participation for each registered elector.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1955, Act 271, Imd. Eff. June 30, 1955;—Am. 1961, Act 57, Eff. Sept. 8, 1961;—Am. 1963, 2nd Ex. Sess., Act 10, Imd. Eff. Dec. 27, 1963;—Am. 1964, Act 267, Eff. Aug. 28, 1964;—Am. 1978, Act 338, Imd. Eff. July 11, 1978;—Am. 1988, Act 275, Eff. Sept. 1, 1988;—Am. 1995, Act 87, Imd. Eff. June 20, 1995;—Am. 1996, Act 583, Eff. Mar. 31, 1997;—Am. 2005, Act 71, Eff. Jan. 1, 2007;—Am. 2012, Act 523, Eff. Mar. 28, 2013.

Compiler's note: Enacting section 4 of Act 71 of 2005 provides:

"Enacting section 4. If any portion of this amendatory act or the application of this amendatory act to any person or circumstances is found invalid by a court, the invalidity shall not affect the remaining portions or applications of this amendatory act that can be given effect without the invalid portion or application, if the remaining portions are not determined by the court to be inoperable, and to this end this amendatory act is declared to be severable."

Popular name: Election Code