

STATE OF MICHIGAN
96TH LEGISLATURE
REGULAR SESSION OF 2012

Introduced by Senators Jansen, Green and Robertson

ENROLLED SENATE BILL No. 754

AN ACT to amend 1954 PA 116, entitled "An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act," by amending section 509v (MCL 168.509v), as added by 1994 PA 441, and by adding section 497c.

The People of the State of Michigan enact:

Sec. 497c. (1) Beginning on the effective date of the amendatory act that added this section, a person who applies in person to register to vote at a department of state office, a designated voter registration agency, the office of a county clerk, or the office of the clerk of the city or township in which the applicant resides shall identify himself or herself by presenting an official state identification card issued to that person under 1972 PA 222, MCL 28.291 to 28.300, an operator's or chauffeur's license issued to that person under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or other generally recognized picture identification card.

(2) Except as otherwise provided in this subsection, if a person who applies in person to register to vote as provided in subsection (1) does not present an official state identification card, an operator's or chauffeur's license, or other generally recognized picture identification card as required under subsection (1), that person's voter registration application shall be considered a mail registration application. If a person applies in person to register to vote at a department of state office as part of an operator's or chauffeur's license transaction under section 307 of the Michigan vehicle code, 1949 PA 300, MCL 257.307, or an official state identification card transaction under section 1 of 1972 PA 222, MCL 28.291, and the person presents a birth certificate and at least 1 other approved document to verify the identity of the person as provided under section 307 of the Michigan vehicle code, 1949 PA 300, MCL 257.307, or section 1 of 1972 PA 222, MCL 28.291, that person's voter registration application shall not be considered a mail registration application.

Sec. 509v. (1) A person who is not registered to vote at the address where he or she resides may apply to register to vote by submitting an application at any of the following locations:

(a) The office of the clerk of a county or the office of the clerk of the city or township in which the applicant resides, during regular office hours of that clerk.

(b) A department of state office.

(c) A designated voter registration agency when submitting an application, recertification, renewal, or change of address at the voter registration agency.

(2) A person who is not registered to vote at the address where he or she resides may apply for registration by submitting a completed mail registration application. A person may request a mail registration application from and submit the application to any of the following:

- (a) The secretary of state.
- (b) The clerk of the county, city, or township in which the applicant resides.
- (c) A designated voter registration agency.
- (d) A third-party voter registration organization.

(3) Beginning 30 days after the date the department of state makes registration forms available to third-party voter registration organizations and before engaging in any voter registration activities, a third-party voter registration organization shall register with the department of state on a form prescribed by the department of state. The department of state shall make the registration form for third-party voter registration organizations available within 7 days of the amendatory act that added this subsection. A third-party voter registration organization shall provide to the department of state all of the following information:

- (a) The name and permanent address of the third-party voter registration organization.
- (b) The name of each officer of the third-party voter registration organization.
- (c) The name and address of the third-party voter registration organization's registered agent in this state.

(4) If any of the information provided to the department of state under subsection (3) changes, the third-party voter registration organization shall promptly provide that updated information to the department of state.

(5) The department of state shall maintain a database containing the name and address of each third-party voter registration organization that is registered with this state.

(6) The secretary of state shall develop a voter registration training program for third-party voter registration organizations that teaches the proper procedure for taking a voter registration application. The secretary of state shall provide training to third-party voter registration organizations that is consistent with the voter registration training program, or a county clerk, or a city, township, or village clerk in a city, township, or village with a population of 10,000 or more, may provide training to third-party voter registration organizations that is consistent with the voter registration training program.

(7) Each third-party voter registration organization shall designate at least 1 person to participate in the state's voter registration training program as provided in subsection (6). The person or persons designated by the third-party voter registration organization to receive training under this section shall ensure that training is provided to the registration agents of that third-party voter registration organization before the registration agents conduct voter registration activities in this state.

(8) Each registration agent employed by or volunteering for a third-party voter registration organization shall sign a statement, as prescribed by the department of state, that certifies that the registration agent will comply with all state laws and rules concerning the registration of electors. The statement shall include all of the following:

(a) A provision indicating that the registration agent has received voter registration training as provided in this section.

(b) A notice of applicable penalties for false registration of electors under this act.

(9) A third-party voter registration organization shall keep the signed statements, as provided under subsection (8), on file for not less than 2 years. The signed statements shall be made available to the department of state upon request.

(10) Subject to subsection (11), a third-party voter registration organization has a responsibility to the voter registration applicant, ensuring that the applicant's voter registration application is promptly delivered to the clerk of the county, city, or township where the applicant resides within 15 days after the third-party voter registration organization receives the application.

(11) If a voter registration application is received by a third-party voter registration organization within 7 days before the close of registration for a federal election, the third-party voter registration organization shall transmit that application to the clerk of the county, city, or township where the applicant resides within 2 business days after receiving the application, but not later than the close of registration.

(12) If a third-party voter registration organization wants to withdraw as a registered third-party voter registration organization, the third-party voter registration organization shall submit a withdrawal form, as prescribed by the department of state, with the department of state.

(13) As used in this section:

(a) "Registration agent" means an employee or volunteer of a third-party voter registration organization who is engaged in registration transactions with voter registration applicants.

(b) "Third-party voter registration organization" means an organization that has 2 or more individuals distributing and collecting voter registration applications for delivery to the clerk of the county, city, or township where the applicant resides. A third-party voter registration organization does not include any of the following:

(i) The secretary of state.

(ii) A county, city, township, or village clerk or assistant clerk.

(iii) A designated voter registration agency as defined in section 509m.

(iv) A person who registers voters or who collects voter registration applications as an employee or agent of the secretary of state, a county, city, township, or village clerk, or a designated voter registration agency.

Enacting section 1. This amendatory act takes effect on July 1, 2012.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Ray E. Randall

Clerk of the House of Representatives

Approved

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Governor