

HOUSE BILL NO. 5032

September 25, 2019, Introduced by Rep. Bollin and referred to the Committee on Elections and Ethics.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 658, 659, and 661 (MCL 168.658, 168.659, and 168.661), sections 658 and 661 as amended by 2012 PA 270 and section 659 as amended by 2014 PA 94, and by adding section 759e.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 658. ~~When~~ **If** a city, ward, township, or village is
- 2 divided into 2 or more election precincts, pursuant to law, and it
- 3 appears from an examination of the precinct registration records



1 that there are not more than ~~2,999~~**5,000** active registered electors
 2 in the city, ward, township, or village, ~~using voting machines,~~ the
 3 election commission, or other officials charged with the
 4 performance of the duty by the charter of a city or village, by
 5 resolution, may abolish the division or divisions and after that
 6 time the city, ward, township, or village ~~shall constitute~~
 7 **constitutes** a single election precinct as if a division had not
 8 been made. A consolidation ~~shall~~**must** not be made later than the
 9 120 days before a primary or election.

10 Sec. 659. (1) If a county, city, ward, township, village,
 11 metropolitan district, or school district is divided into 2 or more
 12 election precincts, the county, city, ward, township, or village
 13 election commissioners may, by resolution, consolidate the election
 14 precincts for a particular election that is not a general November
 15 election. ~~, primary election immediately before a general November~~
 16 ~~election, or other statewide or federal election.~~ In making the
 17 determination to consolidate election precincts for a particular
 18 election, the election commission shall take into consideration the
 19 number of choices the ~~voter~~**elector** must make, the percentage of
 20 registered ~~voters~~**electors** who voted at the last similar election
 21 in the jurisdiction, and the intensity of the interest of the
 22 electors in the jurisdiction concerning the candidates and
 23 proposals to be voted upon. Consolidated precincts ~~shall~~**must** not
 24 exceed 5,000 active registered electors.

25 (2) A consolidation under this section ~~shall~~**must** be made not
 26 less than 60 days before a primary, general, or special election.

27 (3) Unless the polling places for the election precincts to be
 28 consolidated are located in the same building, ~~when~~**if** a county,
 29 city, ward, township, or village consolidates election precincts



1 for a particular election under subsection (1), the election
 2 commissioners or other designated election officials shall do both
 3 of the following:

4 (a) Provide notice to the registered electors of the affected
 5 election precincts of the consolidation of election precincts for
 6 the particular election and the location of the polling place for
 7 the election precinct or precincts for that election. Notice may be
 8 provided by mail or other method designed to provide actual notice
 9 to the registered electors.

10 (b) Post a written notice at each election precinct polling
 11 place stating the location of the consolidated election precinct
 12 polling place.

13 (4) If a county, city, ward, township, or village consolidates
 14 election precincts under this section, each affected election
 15 precinct ~~shall~~**must** be treated as a whole unit and ~~shall~~**must** not
 16 be divided during the consolidation.

17 Sec. 661. (1) ~~When~~**If** the voter registration in a precinct
 18 using voting machines is 1,000 or less, there ~~shall~~**must** be not
 19 less than 1 voting machine for each 500 active registered electors
 20 at the general November election and at the primary immediately
 21 preceding that election. ~~When~~**If** the voter registration in a
 22 precinct using voting machines is more than 1,000 and less than
 23 3,000, there ~~shall~~**must** be at least 1 voting machine for each 600
 24 active registered electors at the general November election and at
 25 the primary immediately preceding that election. At other primaries
 26 and elections, the number of voting machines ~~shall be~~**is** at the
 27 discretion of the local election commission. In making this
 28 determination, the local election commission shall take into
 29 consideration the number of choices the ~~voter~~**elector** must make,



1 the percentage of registered ~~voters~~**electors** who voted at the last
 2 similar election in the jurisdiction, and the intensity of the
 3 interest of the electors in the jurisdiction concerning the
 4 candidates and proposals to be voted upon. ~~When~~**If** the voter
 5 registration in a precinct ~~using voting machines~~ exceeds ~~2,999,~~
 6 **5,000**, the precinct ~~shall~~**must** be divided or rearranged.

7 (2) Except as provided in subsection (3), city and township
 8 election commissions shall divide precincts according to law, not
 9 later than 210 days before the primary next preceding the general
 10 November election, and shall immediately notify the county clerk of
 11 the number of registered ~~voters~~**electors** in each precinct in the
 12 city or township. The county clerk shall notify the secretary of
 13 state not later than 200 days before the primary of a precinct in
 14 the clerk's county ~~which~~**that** has not been divided according to
 15 law, and the secretary of state shall proceed to make divisions as
 16 are necessary at the expense of the city or township involved, not
 17 later than 180 days before the primary next preceding the general
 18 November election. If the election commission of a city, village,
 19 or township ~~using voting machines~~ decides to use paper ballots for
 20 a primary or election, the preceding limitations ~~shall~~**must** continue for
 21 that election. A division of precincts ~~shall~~**must** be made effective
 22 not later than 180 days before the primary election next preceding
 23 the general November election.

24 (3) In the second year following each federal **decennial**
 25 census, precincts ~~shall~~**must** be divided pursuant to this
 26 subsection. City and township election commissions shall divide
 27 precincts ~~—~~not later than 120 days before the primary election
 28 next preceding the general November election in order that a
 29 precinct, as far as is practical, is not split between districts



1 and does not exceed ~~2,999~~**5,000** registered ~~voters,~~**electors**, and
 2 shall immediately notify the county clerk of the number of
 3 registered ~~voters~~**electors** in each precinct in each city or
 4 township. The county clerk shall notify the secretary of state not
 5 later than 110 days before the primary of any precincts in the
 6 county ~~which~~**that** have not been divided, and the secretary of state
 7 shall proceed to make the divisions as are necessary, at the
 8 expense of the city or township involved, not later than 90 days
 9 before the primary election next preceding the general November
 10 election. The division of precincts ~~shall~~**must** be made effective
 11 not later than 90 days before the primary election. The secretary
 12 of state may authorize, upon written request by a city or township
 13 election commission, a later division of a precinct ~~which~~**that**
 14 contains portions of more than 1 elective district. All precinct
 15 divisions ~~shall~~**must** be completed not later than 90 days before the
 16 primary election next preceding the general November election. In
 17 determining the number of registered ~~voters~~**electors** for a precinct
 18 under this subsection, a city or township election commission or
 19 the secretary of state, as applicable, may use either of the
 20 following:

21 (a) Only the active registered ~~voters~~**electors** for that city
 22 or township.

23 (b) Both the active registered ~~voters~~**electors** for that city
 24 or township and the ~~voters~~**electors** in the inactive voter file for
 25 that city or township.

26 **Sec. 759e. (1) Each city or township clerk shall maintain a**
 27 **permanent absent voter list.**

28 **(2) A qualified and registered elector may request to be**
 29 **placed on the permanent absent voter list of the city or township**



1 in which the elector is registered to vote. A request by an elector
2 under this subsection must be made to the city or township clerk in
3 person or by telephone, facsimile communication, electronic mail,
4 or first-class mail.

5 (3) The request of each registered and qualified elector to be
6 placed on the permanent absent voter list must be entered in the
7 qualified voter file in the same manner as data are entered for a
8 new elector.

9 (4) The county, city, or township clerk responsible for
10 issuing absent voter ballots for an election shall send to each
11 elector on the permanent absent voter list an application for an
12 absent voter ballot for the election.

13 (5) A qualified and registered elector may request to be
14 removed from the permanent absent voter list of the city or
15 township. A request by an elector under this subsection must be
16 made to the city or township clerk in person or by telephone,
17 facsimile communication, electronic mail, or first-class mail.

18 (6) If an elector is on a permanent absent voter list and the
19 elector changes his or her residence, the elector's request to be
20 on a permanent absent voter list automatically continues and the
21 elector must be listed on the permanent absent voter list of the
22 city or township in which the elector is registered to vote.

