



**House
Legislative
Analysis
Section**

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ELECTION DAY REGISTRATION

House Bill 4445

Sponsor: Rep. Gretchen Whitmer

Committee: Redistricting and Elections

Complete to 5-29-01

A SUMMARY OF HOUSE BILL 4445 AS INTRODUCED 3-8-01

The bill would amend the Michigan Election Law to permit a person who was not registered to vote but who met the qualifications of a voter to register to vote at a polling place on election day. Generally speaking, the law currently says that registrations accepted between the 30th day preceding an election and the day of an election are not valid for that election (although they are valid for subsequent elections).

Under the bill, a city, township, or village clerk or an assistant clerk would have to be present at a polling place while the polling place was open on the day of an election in order to receive applications for registration. An elector entitled to be registered in an election precinct could become registered by applying in person to a clerk or assistant clerk at the polling place on the day of an election. The elector would have to execute in duplicate a registration sworn statement and swear to and sign the sworn statement in the presence of the clerk or assistant clerk. The clerk or assistant clerk would require the applicant for registration to answer under oath a question concerning the elector's qualifications as an elector. The clerk or assistant could administer oaths and swear persons as to the truth of the statements contained in registration sworn statements. The clerk could employ and swear an interpreter to interpret all questions put to an applicant and the answer to those questions. Making a material statement that was false in answer to a question or in the sworn statement would be a misdemeanor.

If the applicant was entitled to registration, the clerk or assistant clerk would have to personally sign the registration card and note on it the acceptance of the registration. If the registration was refused, the clerk or assistant would destroy the card. Cards validated under the bill's provisions would be designated as prescribed by the secretary of state. A clerk or assistant would be prohibited from accepting a fee from an elector applying for registration, either for the registering of the elector or for the taking of the acknowledgment on the sworn statement. A clerk or assistant who took a fee would be guilty of a misdemeanor.

Immediately after approving an application for registration, the clerk or assistant would have to prepare a registration card or an insert to a registration list in a form prescribed by the secretary of state. The card or insert would be transferred to the board of election inspectors at the polling place in order for the newly registered elector to apply to vote. The clerk would have to prepare and send a voter identification card to the newly registered elector as soon as practical after the election.

(Note: The bill would amend the law so that registrations accepted between the 30th day before an election and the day before the election would not be valid for the election (although election-day registrations would be valid). Currently, the election law says that if a person

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registers at a time when registrations are closed for a particular election, the clerk has to provide the person with a form informing him or her that he or she is not eligible to vote in the election and indicating the first date on which he or she is eligible to vote. The bill would amend the provision so that the form would notify the registrant that “unless the person registers at the polling place on the day of the election”, he or she was not eligible to vote.)

MCL 168.491 et al.

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■This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.