

HOUSE BILL No. 5208

October 28, 2003, Introduced by Reps. Garfield, Nofs, Ruth Johnson, Meyer, Brandenburg, Plakas, Stahl, Acciavatti, Robertson, Palmer and Milosch and referred to the Committee on Local Government and Urban Policy.

A bill to amend 1954 PA 116, entitled
 "Michigan election law,"
 by amending sections 10, 11, and 492 (MCL 168.10, 168.11, and
 168.492), section 492 as amended by 1989 PA 142.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 10. The term "qualified elector", as used in this act,
 2 ~~shall be construed to mean any~~ **means a** person who possesses the
 3 qualifications of an elector as prescribed in section 1 of
 4 article ~~2~~ **II** of the state constitution **of 1963** and who has
 5 **either** resided in the city or township 30 days **or, for an**
 6 **election, special election, or primary election on a real**
 7 **property tax issue or a local proposal or local question that**
 8 **affects real property only, who owns, and has paid all assessed**
 9 **ad valorem property taxes on, real property located in the**
 10 **political subdivision to be affected by the result of that**

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1 **election.**

2 Sec. 11. (1) "Residence", as used in this act, for
3 registration and voting purposes means that place at which a
4 person habitually sleeps, keeps his or her personal effects, and
5 has a regular place of lodging. If a person has more than 1
6 residence, or if a ~~wife~~ **person** has a residence separate from
7 that of ~~the husband~~ **his or her spouse**, that place at which the
8 person resides the greater part of the time shall be his or her
9 official residence for the purposes of this act. This section
10 ~~shall not be construed to~~ **does not** affect existing judicial
11 interpretation of the term residence.

12 (2) An elector ~~shall not be deemed to have gained or lost~~
13 **does not gain or lose** a residence ~~by reason of being~~ **while**
14 employed in the service of the United States or of this state,
15 while engaged in the navigation of the waters of this state, ~~or~~
16 of the United States, or of the high seas, while a student at an
17 institution of learning, while kept at any state facility or
18 hospital at public expense, or while confined in a jail or
19 prison. Honorably discharged members of the armed forces of the
20 United States or of this state ~~and~~ who reside in the veterans'
21 facility established by this state may acquire a residence where
22 the facility is located. The residence of a person who is a
23 patient receiving treatment at a hospital or other facility
24 ~~pursuant to Act No. 258 of the Public Acts of 1974, as amended,~~
25 ~~being sections 330.1001 to 330.2106 of the Michigan Compiled~~
26 ~~Laws~~ **under the mental health code, 1974 PA 258, MCL 330.1001 to**
27 **330.2106**, is the village, city, or township where the person

1 resided immediately before admission to the hospital or other
2 facility.

3 (3) A member of the armed forces of the United States ~~shall~~
4 **is** not ~~be deemed~~ a resident of this state ~~in consequence of~~
5 **due to** being stationed in a military or naval ~~place~~ **facility**
6 within ~~the~~ **this** state.

7 (4) **For purposes of registering to vote and voting at an**
8 **election, special election, or primary election on a real**
9 **property tax issue or a local proposal or local question that**
10 **affects real property only, a person is considered a resident of**
11 **any political subdivision to be affected by the result of that**
12 **election in which that person owns, and has paid all assessed ad**
13 **valorem property taxes on, real property.**

14 Sec. 492. ~~Every~~ **Each** person who has the following
15 qualifications of an elector, or who will have those
16 qualifications at the next election or primary election, ~~shall~~
17 ~~be~~ **is** entitled to ~~be registered~~ **register** as an elector in the
18 township, city, or village in which he or she resides. The
19 person shall be a citizen of the United States; not less than 18
20 years of age; a resident of the state for not less than 30 days;
21 and a resident of the township, city, or village on or before the
22 thirtieth day before the next regular or special election or
23 primary election. **For purposes of registering to vote and voting**
24 **at an election, special election, or primary election on a real**
25 **property tax issue or a local proposal or local question that**
26 **affects real property only, a person is considered a resident of**
27 **a political subdivision to be affected by the result of that**

1 election in which that person owns, and has paid all assessed ad
2 valorem property taxes on, real property.

3 Enacting section 1. This amendatory act does not take
4 effect unless Senate Joint Resolution _____ or House Joint
5 Resolution P (request no. 02159'03) of the 92nd Legislature
6 becomes a part of the state constitution of 1963 as provided in
7 section 1 of article XII of the state constitution of 1963.