

Legislative Analysis



VALID FORM OF IDENTIFICATION FOR VOTERS WHO REGISTER BY MAIL

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5739

Sponsor: Rep. Tom Pearce

Committee: Ethics and Elections

Complete to 2-15-08

A SUMMARY OF HOUSE BILL 5739 AS INTRODUCED 2-14-08

House Bill 5739 would amend the Michigan Election Law (MCL 168.509t) to specify that a person who registers to vote by mail could satisfy the identification requirement of the Help America Vote Act of 2002, and the requirement that he or she vote in person if a first-time voter, by presenting a valid form of identification* to any county, city, or township clerk in Michigan not later than eight days before an election.

A clerk who receives the identification and who is not the clerk where the elector is registered to vote would have to transmit to the clerk where the elector (voter) was registered a notice that the elector had satisfied the requirement. The notice would have to be transmitted in a manner prescribed by the Secretary of State. The clerk where the elector was registered would, upon receipt of the notice, be required to update the information in the qualified voter file.

[**Under the federal Help America Vote Act of 2002, Section 303(b) 42 USC 15483, identification requirements can be met when a voter: (1) presents to the appropriate state or local election official a current and valid photo identification; or (2) presents to the appropriate state or local election official a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter. (Under the fail-safe voting provision, an individual who does not meet the requirements may cast a provisional ballot which is counted when the voter's identification is verified.)]

FISCAL IMPACT:

House Bill 5739 would have an indeterminate fiscal impact on local units of government. Any impact would be related to increased administrative costs from the bill's requirement that local clerks who have valid identification presented to them must transmit a notice to the clerk where the elector is registered that the voter has satisfied the identification requirement. Local units of government may also have increased administrative costs related to the requirement that local clerks update the qualified voter file information after each notification.

Legislative Analyst: J. Hunault

Fiscal Analyst: Viola Bay Wild

■ 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.