

HOUSE BILL No. 5739

February 14, 2008, Introduced by Reps. Pearce, Warren, Green, Spade, Polidori, Lahti, Wenke, Mayes, Emmons, Ward and Casperson and referred to the Committee on Ethics and Elections.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 509t (MCL 168.509t), as amended by 2004 PA 92.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 509t. (1) Notwithstanding another provision of law to the
2 contrary, a person who is a qualified elector in this state and who
3 registers to vote in a manner consistent with the national voter
4 registration act of 1993 is considered a registered voter under
5 this act.

6 (2) ~~A~~**EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION AND**
7 **SUBSECTION (3),** A person who registers **BY MAIL** to vote in a
8 jurisdiction in this state ~~by mail~~ shall vote in person and shall
9 provide identification as required under section 303(b) of the help

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1 America vote act of 2002, 42 USC 15483, if that person has not
2 previously voted in person in this state. This subsection does not
3 apply to any of the following registered voters:

4 (a) A person entitled to vote by absentee ballot under the
5 uniformed and overseas citizens absentee voting act.

6 (b) A person who has a disability as defined in section 103 of
7 the persons with disabilities civil rights act, 1976 PA 220, MCL
8 37.1103, or, for purposes of voting in person only, a person who is
9 60 years of age or older.

10 (c) A person who is entitled to vote other than in person
11 under any other federal law.

12 (3) A PERSON WHO REGISTERS BY MAIL TO VOTE MAY SATISFY THE
13 IDENTIFICATION REQUIREMENT OF THE HELP AMERICA VOTE ACT OF 2002 AND
14 THE REQUIREMENT TO VOTE IN PERSON AS PROVIDED IN SUBSECTION (2) IF [
15] HE OR SHE
16 PRESENTS A VALID FORM OF IDENTIFICATION AS PROVIDED IN SECTION
17 303(B) OF THE HELP AMERICA VOTE ACT OF 2002, 42 USC 15483, TO ANY
18 COUNTY, CITY, OR TOWNSHIP CLERK IN THIS STATE. A CLERK WHO RECEIVES
19 A VALID FORM OF IDENTIFICATION AND WHO IS NOT THE CLERK OF THE CITY
20 OR TOWNSHIP WHERE THE ELECTOR IS REGISTERED TO VOTE SHALL TRANSMIT
21 TO THE CLERK OF THE CITY OR TOWNSHIP WHERE THE ELECTOR IS
22 REGISTERED TO VOTE A NOTICE THAT THE ELECTOR HAS SATISFIED THE
23 REQUIREMENT TO VOTE IN PERSON AND THE IDENTIFICATION REQUIREMENT OF
24 THE HELP AMERICA VOTE ACT OF 2002. THE NOTICE SHALL BE TRANSMITTED
25 IN A MANNER PRESCRIBED BY THE SECRETARY OF STATE. THE CLERK OF THE
26 CITY OR TOWNSHIP WHERE THE ELECTOR IS REGISTERED TO VOTE SHALL,
27 UPON RECEIPT OF A NOTICE UNDER THIS SUBSECTION, UPDATE THE

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1 INFORMATION IN THE QUALIFIED VOTE FILE OF THE ELECTOR.

2 (4) ~~(3)~~—This section does not preclude this state from
3 prosecuting a violation of this act that is also a violation of a
4 federal election or voting rights law.

[Enacting section 1. This amendatory act does not take effect
unless House Bill No. 4774 of the 94th Legislature is enacted into law.]