



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 1238 (Substitute S-3 as reported by the Committee of the Whole)
Senate Bill 1239 (Substitute S-1 as reported by the Committee of the Whole)
Senate Bill 1240 (Substitute S-1 as reported by the Committee of the Whole)
Senate Bills 1241 and 1242 (as reported by the Committee of the Whole)
Sponsor: Senator Mike Kowall
Committee: Elections and Government Reform

CONTENT

Senate Bill 1238 (S-3) would amend the Michigan Election Law to do the following:

- Require the Secretary of State (SOS) to prescribe the procedures for election audits.
- Require the SOS to automatically register to vote an individual who met the qualifications of an elector and who submitted an application, or change of address application for a driver license, an official State personal identification (ID) card, an enhanced driver license, or an enhanced State personal ID card.
- Prohibit the SOS from automatically registering to vote an individual who indicated on his or her driver license or ID card application, or change of address application that he or she declined to use the application as a voter registration application.
- Prohibit the SOS from transmitting any information to the qualified voter file regarding an individual who declined to use an application listed above as a voter registration application.
- Allow an individual to register to vote in person, by mail, or online until the 15th day before an election,
- Allow an individual to register in person from the 14th day before an election until election day, and require him or her to provide proof of residency.
- Require the SOS to notify an individual who registered to vote by mail, online, or by automatic registration during the 14 days before an election that he or she would not be allowed to vote unless he or she applied in person.
- Require each township or city clerk to post or publish at least 30 days before election day that he or she would be available at the clerk's office or other designated place for the purpose of receiving voter registration applications.
- Require a clerk or assistant clerk be present at the clerk's office at all times a polling place was open on election day to receive and process voter registration applications.
- Delete a provision allowing a qualified elector to obtain an absent voter ballot if he or she met certain requirements, and allow a qualified absent voter to obtain an absent voter ballot for any reason.
- Allow a qualified absent voter to apply for an absent voter ballot in person beginning 75 days before an election, primary, or special election until 8 p.m. on the day of the election.
- Require each city or township clerk to be available at his or her office during certain specified times to issue and receive absent voter ballots.
- Prohibit a clerk of a city or township from sending by mail an absent voter ballot to an elector after 5 p.m. on the Friday immediately before an election.
- Prohibit a clerk of a city or township from issuing an absent voter ballot to an elector after 4 p.m. on the day immediately before an election.

- Require a city or township clerk to ensure, within seven days after an election, that a qualified voter file was current and included an individual who registered to vote.
- Require the SOS to transmit to the House and Senate committees dealing with elections, within 14 days after an election, a voter registration report that included certain information.

The bill also would repeal Section 524 and 758 of the Election Law. (Section 524 requires each township, village, and city clerk to report to the county clerk, within 15 days after the close of voter registration before all primary and general elections, the total numbers of people eligible to vote in that primary or general election. Section 758 defines "absent voter".)

Senate Bill 1239 (S-1) would amend the Michigan Vehicle Code to require a driver license application or change of address application to include a space for an applicant to indicate whether he or she was a United States citizen, and a space to allow the applicant to indicate that he or she declined to use the application as a voter registration application.

Senate Bill 1240 (S-1) would amend Public Act 222 of 1927, which governs State personal ID cards, to do the following for automatic voter registration purposes:

- Require an applicant for an official State personal ID card to indicate on an application, or change of address application whether he or she was a United States citizen.
- Require an application to allow the applicant to indicate that he or she declined to use the application as a voter registration application.

Senate Bill 1241 would amend the Enhanced Driver License and Enhanced Official State Personal Identification Card Act to specify that an application for an enhanced driver license or enhanced State personal ID card would have to allow the applicant to indicate that he or she declined to use the application as a voter registration application.

Senate Bill 1242 would amend the Michigan Campaign Finance Act to change a citation to a section of the Michigan Compiled Laws that Senate Bill 1238 (S-3) would amend.

Senate Bills 1239 (S-1) through 1242 are tie-barred to Senate Bill 1238.

MCL 168.2 et al. (S.B. 1238)
 257.307 (S.B. 1239)
 28.291 (S.B. 1240)
 28.305 (S.B. 1241)
 169.206 (S.B. 1242)

Legislative Analyst: Nathan Leaman

FISCAL IMPACT

Senate Bill 1238 (S-3) could have a minimal fiscal impact on the Department of State due to the automatic voter registration requirement. The forms used by the Department would need to be adjusted to comply with the bill's requirements; however, the Department has stated that current appropriations should be sufficient to absorb those costs.

Senate Bills 1239 (S-1), 1240 (S-1), 1241 and 1242 would have no fiscal impact on State or local government.

Date Completed: 12-17-18

Fiscal Analyst: Joe Carrasco

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Bill Analysis @ www.senate.michigan.gov/sfa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.