

SUBSTITUTE FOR
HOUSE BILL NO. 4492

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 662 (MCL 168.662), as amended by 2004 PA 92.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 662. (1) The legislative body in each city ~~, village,~~ and
2 township shall designate and prescribe the place or places of
3 holding an election for a city, village, or township election, and
4 shall provide a suitable polling place in or for each precinct
5 located in the city ~~, village,~~ or township for use at each
6 election. Except as otherwise provided in this section, school
7 buildings, fire stations, police stations, and other publicly owned
8 or controlled buildings ~~shall~~**must** be used as polling places. ~~If~~

9 **(2) Subject to this subsection, if** it is not possible or

1 convenient to use a publicly owned or controlled building as a
2 polling place **as described in subsection (1)**, the legislative body
3 of the city ~~, or township, or village~~ may use as a polling place a
4 building owned or controlled by an organization that is exempt from
5 federal income tax as provided by section 501(c), other than
6 501(c)(4), (5), or (6), of the internal revenue code of 1986, ~~or~~
7 ~~any successor statute.~~ **26 USC 501**. The legislative body of a city ~~, or~~
8 **or** township ~~, or village~~ shall not designate as a polling place a
9 building **as described in this subsection** that is owned by a person
10 ~~who~~ **that** is a sponsor of a political committee or independent
11 committee. A city, township, or village shall not use as a polling
12 place a building that does not meet the requirements of this
13 section. As used in this subsection, "sponsor of a political
14 committee or independent committee" means a person who is described
15 as being a sponsor under section 24(3) of the Michigan campaign
16 finance act, 1976 PA 388, MCL 169.224, and includes a subsidiary of
17 a corporation or a local of a labor organization, if the
18 corporation or labor organization is considered a sponsor under
19 section 24(3) of the Michigan campaign finance act, 1976 PA 388,
20 MCL 169.224.

21 ~~(2) The legislative body in each city, village, and township~~
22 ~~shall make arrangements for the rental or erection of suitable~~
23 ~~buildings for use as polling places if publicly owned or controlled~~
24 ~~buildings are not available, and shall have the polling places~~
25 ~~equipped with the necessary facilities for lighting and with~~
26 ~~adequate facilities for heat and ventilation. The legislative body~~
27 ~~may establish a central polling place or places for 6 precincts or~~
28 ~~less if it is possible and convenient for the electors to vote at~~
29 ~~the central polling place. The legislative body may abolish other~~

1 ~~polling places not required as a result of the establishment of a~~
2 ~~central polling place.~~

3 (3) ~~The~~ **Subject to this subsection, if a suitable polling**
4 **place as described in subsections (1) and (2) is not reasonably**
5 **available for use or convenient to use, the** legislative body of a
6 city, ~~village,~~ or township may establish a polling place at a for
7 profit or nonprofit residence or facility in which 150 ~~persons~~
8 **individuals** or more aged 62 or older reside, ~~or at an apartment~~
9 building or complex in which 150 ~~persons~~ **individuals** or more
10 reside, **or any privately owned clubhouse or conference center**
11 **located within an apartment or condominium complex, hotel or motel**
12 **conference center, or recreation clubhouse that includes, but is**
13 **not limited to, a golf course clubhouse or park complex clubhouse.**
14 **The legislative body of a city or township shall not designate as a**
15 **polling place a building described in this subsection that is owned**
16 **by a person that is a sponsor of a political committee or**
17 **independent committee. Before a building that is not publicly owned**
18 **or controlled as described in this subsection is designated as a**
19 **polling place by a city or township, the clerk of the city or**
20 **township in which that building is located must obtain a signed**
21 **affidavit from the owner or manager of the building that certifies**
22 **that the owner of the building is not a person that is a sponsor of**
23 **a political committee or independent committee.**

24 (4) A township board may provide polling places located within
25 the limits of a city that has been incorporated from territory
26 formerly a part of the township, and the electors of the township
27 may cast their ballots at those polling places. If 2 contiguous
28 townships utilize a combined township hall or other publicly owned
29 or controlled building within 1 of the township's boundaries and

1 outside of the other township's boundaries, and there is not
 2 another publicly owned or controlled building or a building owned
 3 or controlled by an organization that is exempt from federal income
 4 tax, as provided by section 501(c), other than 501(c)(4), (5), or
 5 (6), of the internal revenue code of 1986, **26 USC 501**, available or
 6 suitable for a polling place within the other township, then each
 7 township board may provide a polling place in that publicly owned
 8 building for 1 or more election precinct.

9 **(5) A city or township shall not use as a polling place a**
 10 **building that does not meet the requirements of this section.**

11 ~~(6) (4)~~—The legislative body of a city ~~, village,~~ or township
 12 shall not establish, move, or abolish a polling place less than 60
 13 days before an election unless necessary because a polling place
 14 has been damaged, destroyed, or rendered inaccessible or unusable
 15 as a polling place.

16 ~~(7) (5)~~—The legislative body of a city ~~, village,~~ or township
 17 shall ensure that a polling place established under this section is
 18 accessible and complies with the voting accessibility for the
 19 elderly and handicapped act and the help America vote act of 2002.

20 ~~(8) (6)~~—As used in this section: ~~,"accessible"~~

21 **(a) "Accessible"** means the removal or modification of
 22 policies, practices, and procedures that deny an individual with a
 23 disability the opportunity to vote, including the removal of
 24 physical barriers as identified in section 261(b) of the help
 25 America vote act of 2002, ~~42 USC 15421,~~ **52 USC 21021**, so as to
 26 ensure individuals with disabilities the opportunity to participate
 27 in elections in this state.

28 **(b) "Sponsor of a political committee or independent**
 29 **committee"** means a person that is described as being a sponsor

1 under section 24(3) of the Michigan campaign finance act, 1976 PA
2 388, MCL 169.224, and includes a subsidiary of a corporation or a
3 local of a labor organization, if the corporation or labor
4 organization is considered a sponsor under section 24(3) of the
5 Michigan campaign finance act, 1976 PA 388, MCL 169.224.