

HOUSE BILL NO. 4492

March 11, 2021, Introduced by Reps. Bollin and Koleszar and referred to the Committee on Elections and Ethics.

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

1 election. Except as otherwise provided in this section, school
 2 buildings, fire stations, police stations, and other publicly owned
 3 or controlled buildings ~~shall~~**must** be used as polling places. If it
 4 is not possible or convenient to use a publicly owned or controlled
 5 building as a polling place, the legislative body of the city ~~or~~
 6 township ~~or village~~ may use as a polling place a building owned
 7 or controlled by an organization that is exempt from federal income
 8 tax as provided by section 501(c), other than 501(c)(4), (5), or
 9 (6), of the internal revenue code of 1986, ~~or any successor~~
 10 ~~statute.~~**26 USC 501.** The legislative body of a city ~~or~~ township ~~or~~
 11 ~~or village~~ shall not designate as a polling place a building that
 12 is owned by a person ~~who~~**that** is a sponsor of a political committee
 13 or independent committee. **Before a building that is not publicly**
 14 **owned or controlled is designated as a polling place by a city or**
 15 **township, the clerk of the city or township in which that building**
 16 **is located must obtain a signed affidavit from the owner or manager**
 17 **of the building that certifies that the owner of the building is**
 18 **not a person that is a sponsor of a political committee or**
 19 **independent committee.** A city ~~or~~ township ~~or village~~ shall not
 20 use as a polling place a building that does not meet the
 21 requirements of this section. As used in this subsection, "sponsor
 22 of a political committee or independent committee" means a person
 23 ~~who~~**that** is described as being a sponsor under section 24(3) of the
 24 Michigan campaign finance act, 1976 PA 388, MCL 169.224, and
 25 includes a subsidiary of a corporation or a local of a labor
 26 organization, if the corporation or labor organization is
 27 considered a sponsor under section 24(3) of the Michigan campaign
 28 finance act, 1976 PA 388, MCL 169.224.

29 (2) The legislative body in each city ~~or village~~ and township

1 shall make arrangements for the rental or erection of suitable
 2 buildings for use as polling places if publicly owned or controlled
 3 buildings are not available, and shall have the polling places
 4 equipped with the necessary facilities for lighting and with
 5 adequate facilities for heat and ventilation. The legislative body
 6 may establish a central polling place or places for 6 precincts or
 7 less if it is possible and convenient for the electors to vote at
 8 the central polling place. The legislative body may abolish other
 9 polling places not required as a result of the establishment of a
 10 central polling place.

11 (3) ~~The~~ **If a suitable polling place as described in subsection**
 12 **(1) is not reasonably available for use or convenient to use and**
 13 **unless prohibited under subsection (1), the** legislative body of a
 14 city, ~~village,~~ or township may establish a polling place at a for
 15 profit or nonprofit residence or facility in which 150 ~~persons~~
 16 **individuals** or more aged 62 or older reside, ~~or at an~~ apartment
 17 building or complex in which 150 ~~persons~~ **individuals** or more
 18 reside, **or any privately owned clubhouse or conference center**
 19 **located within an apartment or condominium complex, hotel or motel**
 20 **conference center, or recreation clubhouse that includes, but is**
 21 **not limited to, a golf course clubhouse or park complex clubhouse.**
 22 **The entrance to a privately owned facility to be used as a polling**
 23 **place under this section must not be located within 100 yards from**
 24 **the entrance to any building that is owned by a person that is a**
 25 **sponsor of an independent committee or a political committee. A**
 26 township board may provide polling places located within the limits
 27 of a city that has been incorporated from territory formerly a part
 28 of the township, and the electors of the township may cast their
 29 ballots at those polling places. If 2 contiguous townships utilize

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

11 (a) **"Independent committee" means that term as defined in**
12 **section 8 of the Michigan campaign finance act, 1976 PA 388, MCL**
13 **169.208.**

14 (b) **"Political committee" means that term as defined in**
15 **section 11 of the Michigan campaign finance act, 1976 PA 388, MCL**
16 **169.211.**

17 (4) The legislative body of a city ~~, village,~~ or township
18 shall not establish, move, or abolish a polling place less than 60
19 days before an election unless necessary because a polling place
20 has been damaged, destroyed, or rendered inaccessible or unusable
21 as a polling place.

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

26 (6) As used in this section, "accessible" means the removal or
27 modification of policies, practices, and procedures that deny an
28 individual with a disability the opportunity to vote, including the
29 removal of physical barriers as identified in section 261(b) of the

1 help America vote act of 2002, ~~42 USC 15421,~~ **52 USC 21021**, so as to
2 ensure individuals with disabilities the opportunity to participate
3 in elections in this state.