

IDENTIFICATION FOR ELECTION PURPOSES

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House Bill 4698 (H-1) as reported from committee

Sponsor: Rep. Kara Hope

Committee: Elections

Complete to 6-14-23

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4698 would amend the Michigan Election Law to revise the photo identification that can be used for election purposes to comply with section 4 of Article II of the state constitution, approved by voters as Ballot Proposal 2 of 2022. That section provides that a registered voter has the right to prove their identity when voting or applying for an absent voter ballot in person by presenting their photo identification, including photo identification issued by an educational institution or a federal, state, local, or tribal government. The bill would accordingly add to the act photo identification issued by a local government, as well as revising the act's current description of acceptable photo identification from educational institutions.

Under the Michigan Election Law, a person must present *identification for election purposes* to identify themselves when, among other things, voting in person or applying in person for an absent voter ballot.

Currently, the term *identification for election purposes* means any of the following:

- A driver's license or enhanced driver's license issued by the state of Michigan.
- An official state personal identification card or enhanced official state personal identification card issued by the state of Michigan.
- A current driver's license issued by another state.
- A current state personal identification card issued by another state.
- A current state government issued photo identification card.
- A current United States passport or photo identification card issued by the federal government.
- A current military photo identification card.
- A current tribal photo identification card.
- A current student photo identification card issued by a high school in Michigan; a state institution of higher education, junior college, or community college; or another accredited degree- or certificate-granting college or university, junior college, or community college located in Michigan.

Under the bill, *identification for election purposes* would additionally include a current photo identification card issued by a local government, and a current student identification card would have to be issued by an *educational institution* (instead of by an institution listed above).

Educational institution would mean a public or private institution, or a separate school or department of a public or private institution, that is authorized by law or an accrediting body to grant or issue a diploma, degree, certificate, or license, or to grant approval to practice a profession or engage in an enterprise, such as an academy, high school, college, university, community college, junior college, secondary school,

extension course, or a business, nursing, professional, secretarial, technical, or vocational school.

Under both current law and the bill, the photo identification would have to be issued to the individual presenting the card or document and, if presented for voting purposes, the name on the card or document would have to sufficiently match the individual's name in their voter registration record so as to accurately identify the individual as the registered elector. Note that a person registering to vote must prove their residency and eligibility, which requires other kinds of documentation than the photo identification described above.

MCL 168.2

FISCAL IMPACT:

The bill would have no fiscal impact on the state or local units of government.

POSITIONS:

Representatives of the following entities testified in support of the bill: (6-8-23)

- Michigan Association of Municipal Clerks
- Promote the Vote

The following entities indicated support for the bill:

- American Association of University Women of Michigan (6-8-23)
- American Civil Liberties Union of Michigan (6-8-23)
- Campaign Legal Center (6-8-23)
- Common Cause Michigan (6-8-23)
- Detroit Disability Power (6-13-23)
- Detroit Regional Chamber (6-8-23)
- Healthy Democracy Healthy People Michigan (6-8-23)
- League of Women Voters of Michigan (6-13-23)
- Michigan Democratic Party (6-8-23)
- Michigan League of Conservation Voters (6-8-23)
- Michigan League for Public Policy (6-8-23)
- Michigan Nonprofit Association (6-8-23)
- Michigan State Employee Retirees Association (6-8-23)
- NextGen America (6-8-23)
- Protect Democracy (6-8-23)
- Voters Not Politicians (6-13-23)

A representative of Pure Integrity for Michigan Elections testified with concerns about the bill. (6-8-23)

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.