

HOUSE BILL NO. 4473

May 08, 2025, Introduced by Reps. DeSana, Schriver, Fox, Carra and Woolford and referred to Committee on Government Operations.

A bill to amend 1972 PA 222, entitled

"An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes,"

by amending section 1 (MCL 28.291), as amended by 2023 PA 261.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 1. (1) An individual who is a resident of this state may
- 2 apply to the secretary of state for an official state personal

1 identification card. Upon application, the applicant shall ~~supply~~
2 **provide** a photographic identity document, a birth certificate or
3 other nonphotographic identity document, and other sufficient
4 documents as the secretary of state may ~~require~~**allow** to verify the
5 identity and citizenship of the applicant. If an applicant for an
6 official state personal identification card is not a citizen of the
7 United States, the applicant shall ~~supply~~**provide** a photographic
8 identity document and other sufficient documents to verify the
9 identity of the applicant and the applicant's legal presence in the
10 United States under subsection (5). The documents required under
11 this subsection must include the applicant's full legal name, date
12 of birth, address, and residency and demonstrate that the applicant
13 is a citizen of the United States or is legally present in the
14 United States. If the applicant's full legal name differs from the
15 name of the applicant that appears on a document presented under
16 this subsection, the applicant shall present documents to verify
17 the applicant's current full legal name. An application for an
18 official state personal identification card must be made in a
19 manner prescribed by the secretary of state and must contain the
20 applicant's full legal name, date of birth, residence address,
21 height, sex, eye color, signature, intent to be an organ donor,
22 other information required or permitted on the official state
23 personal identification card and, only to the extent to comply with
24 federal law, the applicant's Social Security number. The applicant
25 may provide a mailing address if the applicant receives mail at an
26 address different from the applicant's residence address. ~~Beginning~~
27 ~~June 27, 2021, if~~**If** the applicant is a program participant in the
28 address confidentiality program under the address confidentiality
29 program act, 2020 PA 301, MCL 780.851 to 780.873, the applicant

1 shall ~~present~~**provide** to the secretary of state the applicant's
2 participation card issued under the address confidentiality program
3 act, 2020 PA 301, MCL 780.851 to 780.873. Only for voter
4 registration transactions under section 493a(6) of the Michigan
5 election law, 1954 PA 116, MCL 168.493a, an applicant for an
6 official state personal identification card must indicate on the
7 application or change of address application whether the applicant
8 is a citizen of the United States. Only for voter registration
9 transactions under section 493a(6) of the Michigan election law,
10 1954 PA 116, MCL 168.493a, an application must allow the applicant
11 to indicate that the applicant declines to use the application as a
12 voter registration application.

13 (2) The secretary of state shall accept as 1 of the
14 identification documents required under subsection (1) an
15 identification card issued by the department of corrections to
16 prisoners who are placed on parole or released from a correctional
17 facility, containing the prisoner's legal name, photograph, and
18 other information identifying the prisoner as provided in section
19 37(4) of the corrections code of 1953, 1953 PA 232, MCL 791.237.

20 (3) The secretary of state shall have electronic access to
21 prisoner information maintained by the department of corrections
22 for the purpose of verifying the identity of a prisoner who applies
23 for an official state identification card under subsection (1).

24 (4) The secretary of state shall not issue an official state
25 personal identification card to an individual who holds an
26 operator's or chauffeur's license issued under the Michigan vehicle
27 code, 1949 PA 300, MCL 257.1 to 257.923, unless the license has
28 been suspended, revoked, or restricted.

29 (5) If the applicant is not a citizen of the United States,

the applicant shall provide, and the department shall verify, documents demonstrating the applicant's legal presence in the United States. Nothing in this act obligates this state to comply with title II of the real ID act of 2005, Public Law 109-13. The secretary of state may adopt rules under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, as are necessary for the administration of this subsection. A determination by the secretary of state that an applicant is not legally present in the United States may be appealed under section 631 of the revised judicature act of 1961, 1961 PA 236, MCL 600.631. The secretary of state shall not issue an official state personal identification card to an applicant described in this subsection for a term that exceeds the duration of the applicant's legal presence in the United States. **The secretary of state shall not issue an official state personal identification card that complies with title II of the real ID act of 2005, Public Law 109-13.**

(6) The secretary of state shall not disclose a Social Security number obtained under subsection (1) to another person except ~~for use for~~ **under** 1 or more of the following

~~purposes:~~ **circumstances:**

(a) ~~Compliance~~ **For compliance** with 49 USC 31301 to 31317 and regulations and rules related to this act.

(b) To carry out the purposes of section 466(a) of the social security act, 42 USC 666, in connection with matters relating to paternity, child support, or overdue child support.

(c) ~~To~~ **For** the department of health and human services, ~~for comparison to~~ **compare** with vital records maintained by the department of health and human services under part 28 of the public

1 health code, 1978 PA 368, MCL 333.2801 to 333.2899.

2 (d) As otherwise required by law.

3 (7) The secretary of state shall not display an individual's
4 Social Security number on the individual's official state personal
5 identification card.

6 (8) A requirement under this section to include a Social
7 Security number on an application does not apply to an applicant
8 who demonstrates that the applicant is exempt under law from
9 obtaining a Social Security number.

10 (9) The secretary of state, with the approval of the state
11 administrative board created under 1921 PA 2, MCL 17.1 to 17.3, may
12 enter into agreements with the United States government to verify
13 whether an applicant for an official state personal identification
14 card under this section who is not a citizen of the United States
15 is authorized under federal law to be present in the United States.

16 (10) The secretary of state shall not issue an official state
17 personal identification card to an individual holding an official
18 state personal identification card issued by another state without
19 confirmation that the individual is terminating or has terminated
20 the official state personal identification card issued by the other
21 state.

22 (11) The secretary of state shall do all of the following:

23 (a) Ensure the physical security of locations where official
24 state personal identification cards are produced and the security
25 of document materials and papers from which official state personal
26 identification cards are produced.

27 (b) Subject each person authorized to manufacture or produce
28 official state personal identification cards and each person ~~who~~
29 **that** has the ability to affect the identity information that

1 appears on official state personal identification cards to
2 appropriate security clearance requirements. The security
3 requirements of this subdivision and subdivision (a) may require
4 that official state personal identification cards be manufactured
5 or produced in this state.

6 (c) Provide fraudulent document recognition programs to
7 secretary of state employees engaged in the issuance of official
8 state personal identification cards.

9 (12) If an individual meets the requirements under subsection
10 (13), ~~beginning July 1, 2021,~~ the secretary of state shall allow
11 the individual to elect a communication impediment designation on
12 the application maintained in the central file under section 7 or
13 in another appropriate system that limits access to an individual
14 allowed access to public record information by the criminal justice
15 information policy council under the C.J.I.S. policy council act,
16 1974 PA 163, MCL 28.211 to 28.215, and that allows an individual
17 with access to view a communication impediment designation with an
18 official state personal identification card.

19 (13) An individual seeking an election for a communication
20 impediment designation under subsection (12) shall provide the
21 secretary of state a certification that meets all of the following
22 **requirements:**

23 (a) Is signed by a physician, physician assistant, certified
24 nurse practitioner, audiologist, speech-language pathologist,
25 psychologist, or physical therapist licensed to practice in this
26 state.

27 (b) Identifies the individual for whom the communication
28 impediment designation is being elected.

29 (c) Attests to the nature of the health condition that may

1 impede communication.

2 (14) The secretary of state shall not display an individual's
3 communication impediment designation on the individual's official
4 state personal identification card.

5 (15) An individual who intentionally makes a false statement
6 of material fact or commits or attempts to commit a deception or
7 fraud on a statement described under subsection (13) is guilty of a
8 misdemeanor punishable by imprisonment for not more than 30 days or
9 a fine of not more than \$500.00, or both.

10 (16) Subject to subsection (17), the secretary of state may
11 cancel or revoke a communication impediment designation elected and
12 maintained under this section if either of the following
13 circumstances applies:

14 (a) The secretary of state determines that a communication
15 impediment designation was fraudulently or erroneously elected.

16 (b) The secretary of state determines the communication
17 impediment designation was abused during a traffic stop.

18 (17) The secretary of state shall provide an individual notice
19 and an opportunity to be heard before canceling or revoking a
20 communication impediment designation under subsection (16).

21 (18) As used in this section, "communication impediment" means
22 ~~an individual has a~~ health condition **of an individual** that may
23 impede **the individual's** communication with a police officer,
24 including, but not limited to, any of the following:

25 (a) Deafness or hearing loss.

26 (b) An autism spectrum disorder.