

SUBSTITUTE FOR
HOUSE BILL NO. 4837

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 509o and 509r (MCL 168.509o and 168.509r),
section 509o as amended by 2018 PA 126 and section 509r as amended
by 2018 PA 125.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 509o. (1) The secretary of state shall direct and
2 supervise the establishment and maintenance of a statewide
3 qualified voter file. The secretary of state shall establish the
4 technology to implement the qualified voter file. The qualified
5 voter file is the official file for the conduct of all elections
6 held in this state. The secretary of state may direct that all or
7 any part of the city or township **voter** registration files must be

1 used in conjunction with the qualified voter file at the first
2 state primary and election held after the creation of the qualified
3 voter file.

4 (2) Notwithstanding any other provision of law to the
5 contrary, an individual who appears to vote in an election and
6 whose name appears in the qualified voter file for that city,
7 township, or school district is considered a registered voter of
8 that city, township, or school district under this act.

9 (3) The secretary of state ~~, a designated voter registration~~
10 ~~agency,~~ or a county, city, or township clerk shall not place a name
11 of an individual into the qualified voter file unless that
12 individual signs an application as prescribed in section ~~509r(3).~~
13 **509r(4)**. The secretary of state ~~or a designated voter registration~~
14 ~~agency~~ shall not allow an individual to indicate a different
15 address than the address in either the secretary of state's or **a**
16 designated voter registration agency's files to be placed in the
17 qualified voter file.

18 (4) The secretary of state shall develop and utilize a process
19 by which information obtained through the United States Social
20 Security Administration's death master file that is used to cancel
21 an operator's or chauffeur's license issued under the Michigan
22 vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or an official
23 state personal identification card issued under 1972 PA 222, MCL
24 28.291 to 28.300, of a deceased resident of this state is also used
25 at least once a month to update the qualified voter file to cancel
26 the voter registration of any elector determined to be deceased.
27 The secretary of state shall make the canceled voter registration
28 information under this subsection available to the clerk of each
29 city or township to assist with the clerk's obligations under

1 section 510.

2 (5) Subject to this subsection, the secretary of state shall
3 participate with other states in 1 or more recognized multistate
4 programs or services, if available, to assist in the verification
5 of the current residence and voter registration status of electors.
6 The secretary of state shall not participate in any recognized
7 multistate program or service described in this subsection that
8 requires this state to promote or adopt legislation as a condition
9 of participation in that program or service. In addition, the
10 secretary of state shall not participate in any recognized
11 multistate program or service described in this subsection if the
12 secretary of state determines that data of that program or service
13 are not being adequately secured or protected. The secretary of
14 state shall follow the procedures under section 509aa(5) with
15 regard to any electors affected by information obtained through any
16 multistate program or service.

17 Sec. 509r. (1) The secretary of state shall establish and
18 maintain the computer system and programs necessary to the
19 operation of the qualified voter file. The secretary of state shall
20 allow each county, city, or township access to the qualified voter
21 file. The county, city, and township clerks shall verify the
22 accuracy of the names and addresses of registered electors in the
23 qualified voter file. **Only the following individuals can access the**
24 **qualified voter file:**

25 (a) **The secretary of state.**

26 (b) **Each county, city, and township clerk.**

27 (c) **Any election official who has been issued credentials by**
28 **the secretary of state to access the qualified voter file.**

29 (d) **Any employee of the department of technology, management,**

1 and budget who performs system maintenance and security functions
2 on the qualified voter file.

3 (e) Any employee of a vendor that is contracted to perform
4 system maintenance and security functions on the qualified voter
5 file.

6 (2) Nothing in subsection (1) affects an individual's ability
7 to receive records under section 509ff.

8 (3) ~~(2)~~—Subject to subsection ~~(3)~~, ~~(4)~~, the secretary of state
9 and county, city, and township clerks shall compile the qualified
10 voter file that consists of all qualified electors from the
11 following sources and in the following priority:

12 (a) A driver license or, if there is no driver license, a
13 state personal identification card, including renewals and changes
14 of address with the department of state.

15 (b) An application for benefits or services, including
16 renewals and changes of address, taken by a designated voter
17 registration agency.

18 (c) An application to register to vote taken by a county,
19 city, or township clerk.

20 (4) ~~(3)~~—An individual whose name does not otherwise appear in
21 the qualified voter file must be placed in the qualified voter file
22 only if the individual signs under penalty of perjury an
23 application that contains an attestation that the applicant meets
24 all of the following requirements:

25 (a) Is 17-1/2 years of age or older.

26 (b) Is a citizen of the United States and this state.

27 (c) Is a resident of the city or township where the
28 individual's street address is located.

29 (5) ~~(4)~~—A ~~designated voter registration agency or a county,~~

1 city, **or** township ~~, or village~~ clerk shall not add to, delete from,
2 or change any information contained in the qualified voter file
3 during the period beginning on the seventh day before an election
4 and ending on the day of the election.

5 (6) ~~(5)~~—The secretary of state shall create an inactive voter
6 file.

7 (7) ~~(6)~~—If an elector is sent a notice under section 509aa to
8 confirm the elector's residence information or if an elector does
9 not vote for 6 consecutive years, the secretary of state shall
10 place the registration record of that elector in the inactive voter
11 file. The registration record of that elector must remain in the
12 inactive voter file until 1 of the following occurs:

13 (a) The elector votes at an election.

14 (b) The elector responds to a notice sent under section 509aa.

15 (c) Another voter registration transaction involving that
16 elector occurs.

17 (8) ~~(7)~~—While the registration record of an elector is in the
18 inactive voter file, the elector remains eligible to vote and his
19 or her name must appear on the precinct voter registration list.

20 (9) ~~(8)~~—If the registration record of an elector is in the
21 inactive voter file because the elector was sent a notice under
22 section 509aa to confirm the elector's residence information and
23 that elector votes at an election by absent voter ballot, that
24 absent voter ballot must be marked in the same manner as a
25 challenged ballot as provided in section 727.