SENATE BILL NO. 303

March 24, 2021, Introduced by Senators BARRETT, BUMSTEAD, HORN, THEIS, STAMAS, ZORN, DALEY, OUTMAN, LAUWERS and VANDERWALL and referred to the Committee on Elections.


THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 523. (1) Except as otherwise provided in subsection (2), at each election, before being given a ballot, each registered elector offering to vote must identify himself or herself by
presenting identification for election purposes, and by executing an application, on a form prescribed by the secretary of state, in the presence of an election official that includes all of the following:

(a) The name of the elector.

(b) The elector's address of residence.

(c) The elector's date of birth.

(d) An affirmative statement by the elector that is included in the signature statement indicating that he or she is a citizen of the United States.

(e) The elector's signature or mark.

(2) If an elector's signature contained in the qualified voter file is available in the polling place, the election official shall compare the signature upon the application with the digitized signature provided by the qualified voter file. If an elector's signature is not contained in the qualified voter file, the election official shall process the application in the same manner as applications are processed when a voter registration list is used in the polling place. If voter registration lists are used in the precinct, the election inspector shall determine if the name on the application to vote appears on the voter registration list. If the name appears on the voter registration list, the elector shall provide further identification or other information stated upon the voter registration list. If the signature or an item of information does not correspond, the vote of the person must be challenged, and the same procedure must be followed as provided in this act for the challenging of an elector. If the elector does not have identification for election purposes as required under this section, the individual shall sign an affidavit
to that effect before an election inspector and be allowed to vote as otherwise provided in this act. However, an elector being allowed to vote without identification for election purposes as required under this section is subject to challenge as provided in section 727. must be issued a provisional ballot that is processed according to section 523a(5).

(3) If, upon a comparison of the signature or other identification as required in this section, it is found that the applicant is entitled to vote, the election officer having charge of the registration list shall approve the application and write his or her initials on the application, after which the number on the ballot issued must be noted on the application. The application serves as 1 of the 2 poll lists required to be kept as a record of a person an individual who has voted. The application must be filed with the township, city, or village clerk. If voter registration cards are used in the precinct, the date of the election must be noted by 1 of the election officials upon the precinct registration card of each elector voting at an election. If voter registration lists are used in the precinct, the election official shall clearly indicate upon the list each elector voting at that election. The clerk of a city, village, or township shall must maintain a record of voting participation for each registered elector.

Sec. 813. (1) Within 6 days after an election, for each provisional ballot that was placed in a provisional ballot return envelope, the city or township clerk shall determine whether the individual voting the provisional ballot was eligible to vote a ballot and whether to tabulate the provisional ballot. In making this determination, the city or township clerk shall not open the provisional ballot return envelope. A provisional ballot must only
be tabulated if a valid voter registration record for the elector is located or if the identity and residence of the elector is established using identification for election purposes, along with a current utility bill, bank statement, paycheck, government check, or other government document to establish the voter's current residence address if the identification for election purposes used by the elector does not contain the voter's current residence address. Before the provisional ballot is tabulated, election officials shall process the ballot as a challenged ballot under sections 745 and 746.

(2) Within 7 days after an election, but sooner if practicable, the city or township clerk shall transmit the results of provisional ballots tabulated after the election to the board of county canvassers. The results must be transmitted in a form prescribed by the secretary of state.

(3) Within 7 days after an election, the city or township clerk shall transmit to the county clerk a provisional ballot report for each precinct in the jurisdiction. The report must include for each precinct the number of provisional ballots issued, the number of provisional ballots tabulated on election day, the number of provisional ballots forwarded to the clerk to be determined after the election, the number of provisional ballots tabulated by the clerk after election day, and any additional information concerning provisional ballots as required by the secretary of state.

(4) Within 7 days after an election, the city or township clerk shall transmit to the county clerk an affidavit report that includes the number of affidavits signed by voters under section 523(2). The affidavit report must be transmitted to the county
clerk in a form prescribed by the secretary of state.

(4) Within 7 days after an election, the city or township clerk shall ensure that the qualified voter file is current and includes any individual who registered to vote under section 497(3) and (4).

Sec. 829. (1) The board of county canvassers shall include the results of the tabulated provisional ballots in the canvass of the election following procedures prescribed by the secretary of state designed to maintain the secrecy of the ballot.

(2) Within 14 days after a primary or election, the county clerk shall transmit a county provisional ballot report to the secretary of state. The county provisional ballot report must be in a manner prescribed by the secretary of state. After the secretary of state receives a county provisional ballot report, the county provisional ballot report must be immediately available for public inspection.

(3) Within 14 days after an election, the county clerk shall transmit a county affidavit report to the secretary of state. The county affidavit report must include the number of affidavits signed by voters under section 523(2). The county affidavit report must be transmitted in a form prescribed by the secretary of state. After the secretary of state receives the county affidavit report from the county clerk, the county affidavit report must immediately be available for public inspection.

(3) Within 14 days after an election, the secretary of state shall transmit to the house and senate committees dealing with elections a voter registration application report that includes the number of voter registration applications executed by applicants under section 497(3) and (4).