

Legislative Analysis



ALLOW VOTER PREREGISTRATION AT SIXTEEN

Phone: (517) 373-8080
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House Bill 4569 (S-2) as passed by the Senate

Sponsor: Rep. Betsy Coffia

House Committee: Elections

Senate Committee: Elections and Ethics

Complete to 11-8-23

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

(Enacted as Public Act 258 of 2023)

SUMMARY:

House Bill 4569 would amend the Michigan Election Law to allow eligible individuals who are at least 16 years of age to preregister to vote. Currently, individuals can register to vote at 17.5 years old but are not eligible to cast a ballot until they turn 18.

Under the bill, an individual who meets all of the following requirements would be eligible to preregister to vote and would automatically become a registered elector when they become 17.5 years old:

- The individual is between 16 and 17.5 years old.
- The individual is a United States citizen.
- The individual is a resident of Michigan and the city or township in which they are applying for preregistration.

A preregistered individual would be eligible to vote in the first election that occurs on or after the date they turn 18. They could participate in early in-person or absentee voting for an election, as long as they will be 18 on or before the date of that election.

Preregistration applications

An individual could preregister using any method available for standard voter registration. On an application for preregistration, an individual would have to include a statement attesting that they are at least 16 years old, have lived in Michigan for at least 30 days, and have established residence for at least 30 days in the city or township in which they are applying for preregistration.

A completed application submitted by an eligible individual would have to be approved.

Voter registration applications

Currently, voter registration applications require a statement that the applicant is or will be a qualified elector of the city or township on the date of the next election. Under House Bill 4569, voter registration applications would instead require a statement that the applicant is or will be 18 on or before the date of an election to vote in that election.

Qualified Voter File

If an individual preregisters to vote at a secretary of state (SOS) office or on the Department of State website, the SOS would have to transmit the applicant's electronic data to the Qualified Voter File (QVF). (Preregistered individuals would have to be explicitly designated as such in the QVF.) If an individual preregisters at a different location or in a different manner, the individual processing the application would have to transmit the application in a manner prescribed by the SOS.

When a preregistered individual becomes 17.5 years old, the QVF would have to generate a notification to the appropriate township or city clerk that directs the clerk to send a voter identification card to that individual. The city or township clerk would then have to send the voter identification card and add that individual to the master file.

For each election, the QVF would have to include the names of all registered individuals who will be 18 on or before the date of that election on precinct voter registration lists, including those used at early voting sites. Individuals in the QVF who are preregistered to vote would not be considered registered voters and could not be included on a precinct voter registration list for an election.

The bill would also remove the requirement that a designated voter registration agency or a municipal clerk cannot add to, delete from, or change any information contained in the QVF between the seventh day before an election and the day of the election.

Outreach

The SOS and the Michigan Department of Education (MDE) would have to coordinate an annual public education and outreach campaign to ensure that eligible individuals are informed of the opportunity to preregister to vote and the methods by which they could do so. MDE would also have to ensure that voter registration and preregistration materials are available to students at each public high school in Michigan.

By June 1, 2024, and then by March 1 of each following year, the SOS would have to identify the individuals who are between 16 and 18 years old and who have applied for a Michigan driver's license or an official state personal identification card that are eligible to preregister or register to vote but have not done so. By July 1, 2024, and then by each following April 1, the SOS would have to contact each of these individuals and provide them with information about the opportunity to preregister or register to vote and the methods by which they could do so.

Records

All records kept for preregistered individuals would have to be maintained, updated, and canceled in accordance with the procedures for records of individuals who are registered voters. If a preregistered individual changes the address that is listed on their driver's license or official state personal identification card, the SOS would have to change the individual's voter preregistration address.

The information in the registration record for an individual who has preregistered to vote would be confidential and not subject to Freedom of Information Act (FOIA) disclosure or release by a designated voter agency, a clerk, or the SOS until the individual becomes 17.5 years old, at which point all information contained in their record would be subject to the Michigan Election Law's current FOIA exemptions.

Tie-bar

The bill is tie-barred to House Bill 4983, a bill that would automatically preregister eligible individuals to vote, meaning that it could not go into effect unless HB 4983 is also enacted.¹

MCL 168.495 et seq.

¹ For a summary of House Bill 4983, see: <http://www.legislature.mi.gov/documents/2023-2024/billanalysis/House/pdf/2023-HLA-4983-8E5528AF.pdf>.

BACKGROUND:

Twenty-five states and Washington, D.C., allow individuals to preregister to vote before they turn 18.² Sixteen of these states, in addition to D.C., allow preregistration at 16.

FISCAL IMPACT:

The bill would result in additional costs to the Department of State associated with annually notifying eligible individuals with a state driver's license or state identification card of their opportunity to preregister or register to vote. The Department of Technology, Management, and Budget charges the Department of State 32 cents per postcard. The U.S. Department of Transportation reports that in 2021 there were 170,300 drivers older than 16 and younger than 18 in Michigan. Data on the number of individuals with state ID cards by age was not available at the time of this analysis. For estimating purposes, the cost of sending postcards to 200,000 individuals would be approximately \$64,000 each year.

It is not yet determined if there would be any additional costs to the Department of State related to implementing an annual public education and outreach campaign with MDE or related to IT programming costs related to transmitting and storing registration data in the Qualified Voter File.

MDE has noted the bill would result in administrative costs to the department to oversee the initiative and coordinate with local school districts, public school academies (PSAs, or charter schools), and intermediate school districts (ISDs) to add the initiative to their current mandates. MDE also noted an indeterminate cost for learning materials, voting materials, and transportation costs for field trips for preregistration (if applicable).

The bill could result in administrative costs for districts, PSAs, and ISDs to ensure that registration materials are available in each high school. These costs would likely be absorbed using existing staff time.

POSITIONS:

Representatives of the following entities testified in support of the bill:

- Canton Township (5-23-23)
- City of Ann Arbor (5-23-23)
- City of Lansing (5-23-23)
- Pride at Work Michigan (6-6-23)
- Promote the Vote (5-23-23)
- Voters Not Politicians (5-23-23)

The following entities indicated support for the bill:

- Michigan Department of State (5-23-23)
- Michigan Department of Education (6-6-23)
- American Civil Liberties Union (ACLU) of Michigan (5-23-23)

² The full list of states can be found here: <https://www.ncsl.org/elections-and-campaigns/preregistration-for-young-voters>.

- Anti-Defamation League Michigan (5-23-23)
- Campaign Legal Center (5-23-23)
- Common Cause Michigan (6-6-23)
- Fair Election Center Campus Vote Project (5-23-23)
- League of Women Voters of Michigan (5-23-23)
- Michigan Association of County Clerks (5-23-23)
- Michigan Association of Municipal Clerks (5-23-23)
- Michigan Democratic Party (6-6-23)
- Michigan League of Conservation Voters (6-6-23)
- Michigan League for Public Policy (6-6-23)
- Michigan Organization on Adolescent Sexual Health (5-23-23)
- NextGen America (6-6-23)
- Protect Democracy (5-23-23)
- Secure Democracy (5-23-23)

The following entities indicated opposition to the bill:

- Heritage Action for America (5-23-23)
- Pure Integrity for Michigan Elections (6-6-23)

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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.