



Senate Fiscal Agency
P.O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bill 4569 (as passed by the House)
Sponsor: Representative Betsy Coffia
House Committee: Elections
Senate Committee: Elections and Ethics

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INTRODUCTION

The bill would allow individuals who were between 16 and 17 and a half years old to preregister to vote and specify the eligibility requirements to do so. It would require an eligible individual to fill out a voter registration application containing identifying information similar to general voter registration applications and require the receiving entities of such information to file the registration information in an appropriate manner. The bill also would require the Secretary of State (SOS) and the Department of Education (MDE) to coordinate an information campaign concerning preregistration for applicable individuals.

FISCAL IMPACT

The bill could have a negative fiscal impact on the Department of State. Costs for the Department to notify eligible teens ages 16 to 17 and half years old who apply for a State operator's license or State identification card should be minimal and absorbable within Department appropriations.

The average cost to mail a postcard is estimated at 32 cents per parcel. According to the Federal Highway Administration, there were 173,000 licensed Michigan drivers between the ages of 16 and 18, and these would be eligible for the mailing. Thus, the estimated cost to mail notifications to 173,000 individuals would be \$55,400. The number of individual ages 16 through 18 with only a State identification card is not available but the number should be substantially below the 173,000 licensed drivers of the same age and thus would be a marginal addition to the estimated mailing cost.

The bill would increase administrative costs for the MDE to coordinate with the SOS to provide outreach and ensure preregistration materials are made available to eligible pupils. This would likely require additional staff for coordinating and appropriations for producing materials. The final costs would depend on how costs would be shared between the SOS and the MDE.

Local high schools would experience a minimal fiscal impact to ensure that preregistration materials were made available to eligible students. Costs would be supported with existing appropriations and staff.

MCL 168.495 et al.

Legislative Analyst: Abby Schneider
Fiscal Analyst: Joe Carrasco Jr.
Cory Savino, PhD

CONTENT

The bill would amend the Michigan Election Law to do the following:

- Modify the voter registration process to allow for preregistration of an applicant that was at least 16 years old but no older than 17 and a half.**
- Specify the eligibility requirements for preregistration to vote.**
- Prescribe the process for certain entities receiving preregistrations to transmit such information to the Qualified Voter File (QVF).**
- Require the SOS to update and maintain certain preregistration information.**
- Require the SOS and the MDE to annually coordinate outreach and education on preregistration eligibility.**
- Require preregistration information to be confidential.**

Preregistration Eligibility

Under the bill, an individual could preregister to vote if the individual met all the following requirements:

- Was at least 16 years of age but less than 17 and a half years of age.
- Was a citizen of the United States.
- Was a resident of Michigan.
- Was a resident of the city or township in which the applicant was applying for preregistration.

Voter Registration Application

Generally, the Law requires a voting registration application to contain certain identifying information such as the name of the elector, residence, date of birth, and a statement of citizenship, among other information. Specifically, the registration application also must include including the following statements:

- A statement that the elector is at the time of completing the affidavit, or will be on the date of the next election, at least 18 years old.
- A statement that the elector has or will have lived in the State for at least 30 days before the next election.
- A statement that the elector has or will have established his or her residence in the township or city in which the elector is applying for registration at least 30 days before the next election.

Under the bill, the voter register application requirements would apply to an applicant instead of an elector. The statements described above would apply to an application for voter registration and for preregistration to vote, and they would have to be as follows:

- A statement that the applicant was at the time of completing the affidavit at least 16 years old.
- A statement that the applicant had lived in the State for at least 30 days.
- A statement that the applicant had established the applicant's residence in the township or city in which the applicant was applying for preregistration for at least 30 days.

Currently, among the requirements for voting registration the applicant must include a statement that the elector is or will be a qualified elector of the township or city on the date or the next election. The bill would delete this requirement and instead would require a

statement that the applicant would have to be at least 18 years old on or before the date of an election to vote in that election.

If an individual preregistered to vote, the information contained in the registration record would be confidential and not subject to disclosure under the Freedom of Information Act (FOIA) until that individual was 17 and a half years old. Once that individual was 17 and a half years old, the information contained in the record would be subject to the FOIA exemptions of a standard elector. If an individual preregistered to vote, the information in the registration record for that individual would be confidential and would not be open for public inspection until that individual was 17 and a half years old.

Preregistration Method and Records

Under the bill, an individual could preregister to vote using any method of voter registration available. The method of voter registration used by an individual who was at least 16 years old but less than 17 and a half years old would have to be considered an application to preregister to vote rather than the application for voter registration and, if the individual were eligible, the individual would have to be preregistered to vote.

If an individual preregistered to vote at a SOS's office or the Department of State's website, the SOS would have to transmit the electronic data for that individual's application to the QVF.

If an individual preregistered to vote at the city or township clerk's office or by mail, the city or township clerk would have to transmit the electronic data for that individual's application to preregister to vote to the QVF immediately after receiving the application.

If an individual preregistered to vote at a location or manner not described above, the individual processing the preregistration application would have to transmit that application in the manner prescribed by the SOS. An individual who was preregistered to vote would have to be explicitly designated in the QVF as such.

If an individual who preregistered to vote changed the address that appeared on the individual's driver license, enhanced driver license, or official State personal identification card, the SOS would have to change the preregistration to vote address for that individual. The records for individuals who were preregistered to vote would have to be maintained, updated, and canceled in accordance with the procedures for maintaining, updating, and canceling records of individuals who were registered to vote.

Generally, an individual whose name does not otherwise appear in the QVF must be placed in the QVF only if the individual signs an application that contains an attestation that the application meets the following requirements:

- Is 17 and a half years old or older.
- Is a citizen of the United States and the State.
- Is a resident of the city or township where the individual's street address is located.

The bill would reduce the required age from 17 and a half years old or older to 16 years old.

Under the Law, a designated voter registration agency or a county, city, township, or village clerk is prohibited from adding to, deleting from, or changing any information contained in the QVF during the period beginning on the seventh day before an election and ending on the day of the election. The bill would delete this prohibition.

Election Procedures

Under the bill, an individual who was preregistered to vote would become a registered elector at 17 and a half years old and would be eligible to vote in the first election that occurred on or after the date that the individual became 18 years old. If an individual would be 18 years old on or before the date of the election, the individual could use any method of voting in that election, including any method of voting that occurred before election day.

At each election, the QVF would have to include on the precinct voter registration lists, including lists used at early voting sites, the names of all registered individuals who would be 18 years old on or before the date of the election. The QVF could not include the name of an individual who would not be 18 years old before the date of the election on a precinct voter registration list.

When an individual who was preregistered to vote became 17 and a half years old, the QVF would have to generate a notification to the appropriate clerk of the city or township where the individual was preregistered to vote directing the clerk to send a voter identification card to that individual. The city or township clerk who received the notification would have to send a voter identification card to the individual who was preregistered to vote and would have to add that individual to the master file.

Generally, notwithstanding any law to the contrary, an individual who appears to vote in an election and whose name appears in the QVF for that city, township, or school district is considered a registered voter. The bill would specify that the individual could not be designated in the QVF as preregistered to vote.

Public Education and Outreach

The bill would require the SOS and MDE to annually coordinate a public education and outreach campaign to ensure that individuals who were at least 16 years old but less than 18 years old, and who were eligible to preregister to vote or who were eligible to register to vote, were informed of the opportunity and available methods to preregister or register to vote. Additionally, the MDE would have to ensure that the materials for voter registration and preregistration to vote were available to pupils in each public high school in the State.

"Public high school" would mean a public school that offers at least one of grades nine to 12.

"Public school" would mean a public elementary or secondary educational entity or agency that is established under the Revised School Code or under other law of the State, has as its primary mission the teaching and learning of academic and vocational-technical skills and knowledge, and is operated by a school district, intermediate school district, school of excellence corporation, public school academy corporation, strict discipline academy corporation, urban high school academy corporation, or by the MDE, the State board, or another public body. The term also would include laboratory school or other elementary or secondary school that was controlled and operated by a State public university.

By March 1, of each year, the SOS would have to identify individuals who were at least 16 years old and less than 18 years old who had applied for an operator's or chauffer's license, an official State personal identification card, or enhanced versions of such, and who were not registered or preregistered to vote but who were otherwise eligible. By April 1 of each year, the SOS would have to contact each of the individuals described above and provide those individuals with the opportunity and available methods to preregister or register to vote.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.