

SENATE BILL NO. 374

June 06, 2023, Introduced by Senators MOSS, MCMORROW, POLEHANKI, MCCANN, GEISS, SHINK and BRINKS and referred to the Committee on Elections and Ethics.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending sections 658 and 661 (MCL 168.658 and 168.661), as
amended by 2012 PA 270.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 658. ~~When~~**If** a city, ward, township, or village is
2 divided into 2 or more election precincts, pursuant to law, and it
3 appears from an examination of the precinct registration records
4 that there are not more than ~~2,999~~**5,000** active registered electors
5 in the city, ward, township, or village, ~~using voting machines,~~ the
6 election commission, or other officials charged with the

1 performance of the duty by the charter of a city or village, by
 2 resolution, may abolish the division or divisions and after that
 3 time the city, ward, township, or village ~~shall constitute~~
 4 **constitutes** a single election precinct as if a division had not
 5 been made. A consolidation ~~shall~~**must** not be made later than the
 6 120 days before a primary or election.

7 Sec. 661. ~~(1) When the voter registration in a precinct using~~
 8 ~~voting machines is 1,000 or less, there shall be not less than 1~~
 9 ~~voting machine for each 500 active registered electors at the~~
 10 ~~general November election and at the primary immediately preceding~~
 11 ~~that election. When the voter registration in a precinct using~~
 12 ~~voting machines is more than 1,000 and less than 3,000, there shall~~
 13 ~~be at least 1 voting machine for each 600 active registered~~
 14 ~~electors at the general November election and at the primary~~
 15 ~~immediately preceding that election. At other primaries and~~
 16 ~~elections, the number of voting machines shall be at the discretion~~
 17 ~~of the local election commission. In making this determination, the~~
 18 ~~local election commission shall take into consideration the number~~
 19 ~~of choices the voter must make, the percentage of registered voters~~
 20 ~~who voted at the last similar election in the jurisdiction, and the~~
 21 ~~intensity of the interest of the electors in the jurisdiction~~
 22 ~~concerning the candidates and proposals to be voted upon. When the~~
 23 ~~voter registration in a precinct using voting machines exceeds~~
 24 ~~2,999, the precinct shall be divided or rearranged.~~

25 **(1)** ~~(2)~~ Except as provided in subsection ~~(3)~~, **(2)**, city and
 26 township election commissions shall divide precincts according to
 27 law, not later than 210 days before the primary next preceding the
 28 general November election, and shall immediately notify the county
 29 clerk of the number of registered ~~voters~~**electors** in each precinct

1 in the city or township. The county clerk shall notify the
 2 secretary of state not later than 200 days before the primary of a
 3 precinct in the clerk's county ~~which~~**that** has not been divided
 4 according to law, and the secretary of state shall proceed to make
 5 divisions as are necessary at the expense of the city or township
 6 involved, not later than 180 days before the primary next preceding
 7 the general November election. ~~If the election commission of a~~
 8 ~~city, village, or township using voting machines decides to use~~
 9 ~~paper ballots for a primary or election, the preceding limitations~~
 10 ~~shall continue for that election.~~ A division of precincts shall
 11 **must** be made effective not later than 180 days before the primary
 12 election next preceding the general November election.

13 (2) ~~(3)~~—In the second year following each federal **decennial**
 14 census, precincts ~~shall~~**must** be divided ~~pursuant to~~**under** this
 15 subsection. City and township election commissions shall divide
 16 precincts ~~not~~ later than 120 days before the primary election
 17 next preceding the general November election in order that a
 18 precinct, as far as is practical, is not split between districts
 19 and does not exceed ~~2,999~~**5,000** registered ~~voters,~~**electors**, and
 20 shall immediately notify the county clerk of the number of
 21 registered ~~voters~~**electors** in each precinct in each city or
 22 township. The county clerk shall notify the secretary of state not
 23 later than 110 days before the primary of any precincts in the
 24 county ~~which~~**that** have not been divided, and the secretary of state
 25 shall proceed to make the divisions as are necessary, at the
 26 expense of the city or township involved, not later than 90 days
 27 before the primary election next preceding the general November
 28 election. The division of precincts ~~shall~~**must** be made effective
 29 not later than 90 days before the primary election. The secretary

1 of state may authorize, ~~upon~~**on** written request by a city or
2 township election commission, a later division of a precinct ~~which~~
3 **that** contains portions of more than 1 elective district. All
4 precinct divisions ~~shall~~**must** be completed not later than 90 days
5 before the primary election next preceding the general November
6 election. In determining the number of registered voters for a
7 precinct under this subsection, a city or township election
8 commission or the secretary of state, as applicable, ~~may~~**must** use
9 ~~either of the following:~~

10 ~~(a) Only~~**only** the active registered ~~voters~~**electors** for that
11 city or township.

12 ~~(b) Both the active registered voters for that city or~~
13 ~~township and the voters in the inactive voter file for that city or~~
14 ~~township.~~