

Act No. 258  
Public Acts of 2023  
Approved by the Governor  
November 30, 2023  
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**STATE OF MICHIGAN  
102ND LEGISLATURE  
REGULAR SESSION OF 2023**

**Introduced by Reps. Coffia, Rogers, Tsernoglou, Price, Rheingans, Byrnes, Andrews, Wilson, Hood, Pohutsky, Conlin, Hoskins, Brixie, McFall, Mentzer, Hope, Breen, Arbit, MacDonell, Wegela, Skaggs, Miller, Dievendorf, Morgan, Scott, Young, Koleszar, Weiss, Farhat, Paiz, Brabec, McKinney, Steckloff, Edwards, O'Neal, Neeley, Grant, Martus and Whitsett**

## **ENROLLED HOUSE BILL No. 4569**

AN ACT to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,” by amending sections 495, 509o, 509q, 509r, 509gg, and 516 (MCL 168.495, 168.509o, 168.509q, 168.509r, 168.509gg, and 168.516), section 495 as amended by 2018 PA 603, section 509o as amended by 2022 PA 195, section 509q as amended by 2020 PA 302, sections 509r and 516 as amended by 2018 PA 125, and section 509gg as amended by 2014 PA 94, and by adding section 496a.

*The People of the State of Michigan enact:*

Sec. 495. The registration application must contain all of the following:

- (a) The name of the applicant.
- (b) The residence address of the applicant, including the street and number or rural route and box number and the apartment number, if any.

- (c) The city or township and county of residence of the applicant.
- (d) The date of birth of the applicant.
- (e) The driver license or state personal identification card number of the applicant, if available.
- (f) A statement that the applicant is a citizen of the United States.
- (g) For voter registration, a statement that the applicant is at the time of completing the affidavit, or will be on the date of the next election, not less than 18 years of age, and for preregistration to vote, a statement that the applicant is at the time of completing the affidavit at least 16 years of age.
- (h) For voter registration, a statement that the applicant has or will have lived in this state not less than 30 days before the next election, and for preregistration to vote, a statement that the applicant has lived in this state for at least 30 days.
- (i) For voter registration, a statement that the applicant has or will have established the applicant's residence in the township or city in which the applicant is applying for registration not less than 30 days before the next election, and for preregistration to vote, a statement that the applicant has established the applicant's residence in the township or city in which the applicant is applying for preregistration for at least 30 days.
- (j) A statement that the applicant must be at least 18 years of age on or before the date of an election to vote in that election.
- (k) A space in which the applicant must state the place of the applicant's last registration, if any.
- (l) A statement that the registration is not effective until processed by the clerk of the city or township in which the applicant resides.
- (m) A statement that the applicant, if qualified, may vote at an election occurring on or after the date of completing the application.
- (n) A statement authorizing the cancellation of registration at the applicant's last place of registration.
- (o) A space for the applicant to sign and certify to the truth of the statements on the application.

Sec. 496a. (1) An individual may preregister to vote if the individual meets all of the following requirements:

- (a) Is at least 16 years of age but less than 17-1/2 years of age.
  - (b) Is a citizen of the United States.
  - (c) Is a resident of this state.
  - (d) Is a resident of the city or township in which the applicant is applying for preregistration.
- (2) An individual may preregister to vote using any method of voter registration available. The method of voter registration used by an individual who is at least 16 years of age but less than 17-1/2 years of age must be considered an application to preregister to vote rather than an application for voter registration, and the individual, if eligible, must be preregistered to vote.
- (3) If an individual preregisters to vote at a secretary of state's office or on the department of state's website, the secretary of state shall transmit the electronic data for that individual's application to preregister to vote to the qualified voter file. If an individual preregisters to vote at the city or township clerk's office or by mail, the city or township clerk shall, immediately after receiving the application to preregister to vote, transmit the electronic data for that individual's application to preregister to vote to the qualified voter file. If an individual preregisters to vote at a location or in a manner not provided for in this subsection, the individual processing that application to preregister to vote must transmit that application to preregister to vote in the manner prescribed by the secretary of state. An individual who is preregistered to vote must be explicitly designated in the qualified voter file as preregistered to vote.
- (4) If an individual who preregisters to vote changes the address that appears on that individual's driver license, enhanced driver license, official state personal identification card, or enhanced official state personal identification card, the secretary of state must change the preregistration to vote address for that individual.
- (5) The records for individuals who are preregistered to vote under this section must be maintained, updated, and canceled in accordance with the procedures for maintaining, updating, and canceling records of individuals who are registered to vote.
- (6) An individual who is preregistered to vote becomes a registered elector at 17-1/2 years of age and is eligible to vote in the first election that occurs on or after the date the individual becomes 18 years of age. If an individual will be 18 years of age on or before the date of an election, the individual may use any method of voting in that election, including any method of voting that occurs before election day.

(7) At each election, the qualified voter file must include on the precinct voter registration lists, including those precinct voter registration lists used at early voting sites, the names of all registered individuals who will be 18 years of age on or before the date of the election. The qualified voter file must not include on a precinct voter registration list for an election the name of an individual who will not be 18 years of age on or before the date of the election.

(8) When an individual who is preregistered to vote becomes 17-1/2 years of age, the qualified voter file must generate a notification to the appropriate city or township clerk of the city or township where that individual is preregistered to vote directing the city or township clerk to send a voter identification card to that individual who is preregistered to vote. The city or township clerk who receives a notification under this subsection must send a voter identification card to the individual who is preregistered to vote and must add that individual to the master file.

(9) The secretary of state and the department of education shall annually coordinate a public education and outreach campaign to ensure that individuals who are at least 16 years of age but less than 18 years of age, and who are eligible to preregister to vote under this section or who are eligible to register to vote under section 492, are informed of the opportunity and available methods to preregister to vote or register to vote. In addition, the department of education shall ensure that materials for voter registration and preregistration to vote are available to pupils in each public high school in this state. As used in this subsection:

(a) "Public high school" means a public school that offers at least 1 of grades 9 to 12.

(b) "Public school" means that term as defined in section 5 of the revised school code, 1976 PA 451, MCL 380.5.

(10) No later than June 1, 2024, and no later than March 1 of each year after 2024, the secretary of state shall identify individuals who are at least 16 years of age and less than 18 years of age who have applied for an operator's or chauffeur's license under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, an official state personal identification card under 1972 PA 222, MCL 28.291 to 28.300, or an enhanced driver license or enhanced official state personal identification card under the enhanced driver license and enhanced official state personal identification card act, 2008 PA 23, MCL 28.301 to 28.308, and who are not registered or preregistered to vote, but who are eligible to preregister to vote under this section or eligible to register to vote under section 492. No later than July 1, 2024, and no later than April 1 of each year after 2024, the secretary of state shall contact each individual identified in this subsection and provide information to that individual on the opportunity and available methods to preregister to vote or register to vote.

Sec. 509o. (1) The secretary of state shall direct and supervise the establishment and maintenance of a statewide qualified voter file. The secretary of state shall establish the technology to implement the qualified voter file. The qualified voter file is the official file for the conduct of all elections held in this state. The secretary of state may direct that all or any part of the city or township voter registration files must be used in conjunction with the qualified voter file at the first state primary and election held after the creation of the qualified voter file.

(2) Notwithstanding any other provision of law to the contrary, an individual who appears to vote in an election and whose name appears in the qualified voter file for that city, township, or school district, and who is not designated in the qualified voter file as preregistered to vote as provided under section 496a, is considered a registered elector of that city, township, or school district under this act.

(3) The secretary of state, a designated voter registration agency, or a county, city, or township clerk shall not place a name of an individual into the qualified voter file unless that individual signs an application as prescribed in section 509r(3), or is registered to vote or preregistered to vote under section 493a or 493b. The secretary of state or a designated voter registration agency shall not allow an individual to indicate a different address than the address in either the secretary of state's or designated voter registration agency's files to be placed in the qualified voter file.

(4) The secretary of state shall develop and utilize a process by which information obtained through the United States Social Security Administration's death master file that is used to cancel an operator's or chauffeur's license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or an official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300, of a deceased resident of this state is also used at least once a month to update the qualified voter file to cancel the voter registration of any elector determined to be deceased. The secretary of state shall make the canceled voter registration information under this subsection available to the clerk of each county, city, or township to assist with the clerk's obligations under section 510.

(5) Subject to this subsection, the secretary of state shall participate with other states in 1 or more recognized multistate programs or services, if available, to assist in the verification of the current residence and voter registration status of electors. The secretary of state shall not participate in any recognized multistate program

or service described in this subsection that requires this state to promote or adopt legislation as a condition of participation in that program or service. In addition, the secretary of state shall not participate in any recognized multistate program or service described in this subsection if the secretary of state determines that data of that program or service are not being adequately secured or protected. The secretary of state shall follow the procedures under section 509aa(5) with regard to any electors affected by information obtained through any multistate program or service.

Sec. 509q. (1) Subject to subsection (2), the qualified voter file must contain all of the following information for each qualified voter:

(a) The name; residence address including house number and street name or rural route and box number, and the apartment number, if any; city; state; zip code; and date of birth.

(b) The driver license number or state personal identification card number or similar number issued by a designated voter registration agency.

(c) Jurisdictional information including county and city or township; village, if any; metropolitan district, if any; and school district.

(d) Precinct numbers and ward numbers, if any.

(e) Any other information that the secretary of state determines is necessary to assess the eligibility of qualified electors or to administer voter registration or other aspects of the election process.

(f) Voting history for a 5-year period.

(g) Before June 30, 2025, the most recent digitized signature of an elector if captured or reproduced by the secretary of state or a county, city, or township clerk from a voter registration application under section 509hh, or captured or reproduced by the secretary of state under section 307 of the Michigan vehicle code, 1949 PA 300, MCL 257.307. Beginning June 30, 2025, and subject to section 493b(7), the digitized signatures of an elector if captured or reproduced by the secretary of state or a county, city, or township clerk from a voter registration application under section 509hh, or captured or reproduced by the secretary of state under section 307 of the Michigan vehicle code, 1949 PA 300, MCL 257.307.

(2) If a qualified voter is a program participant, as that term is defined in section 3 of the address confidentiality program act, 2020 PA 301, MCL 780.853, the qualified voter file must also contain the program participant's unique identification number issued by the department of the attorney general.

(3) Except as otherwise provided in this subsection, if a qualified voter is a program participant, as that term is defined in section 3 of the address confidentiality program act, 2020 PA 301, MCL 780.853, the information contained in the qualified voter file for that program participant, including the program participant's unique identification number issued by the department of the attorney general, is confidential and not subject to disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246. The information contained in the qualified voter file for a program participant, as that term is defined in section 3 of the address confidentiality program act, 2020 PA 301, MCL 780.853, may be used by an election official during the normal course of the election official's duties as an election official.

(4) Subject to section 509gg, if an individual preregisters to vote under section 496a, the information contained in the qualified voter file for that individual is confidential and not subject to disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, until that individual is 17-1/2 years of age.

Sec. 509r. (1) The secretary of state shall establish and maintain the computer system and programs necessary to the operation of the qualified voter file. The secretary of state shall allow each county, city, or township access to the qualified voter file. The county, city, and township clerks shall verify the accuracy of the names and addresses of registered electors in the qualified voter file.

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

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

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

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

(3) An individual whose name does not otherwise appear in the qualified voter file, or whose name has not been added to the qualified voter file under section 493a or 493b, must be placed in the qualified voter file only if the individual signs under penalty of perjury an application that contains an attestation that the applicant meets all of the following requirements:

- (a) Is 16 years of age or older.
- (b) Is a citizen of the United States and this state.
- (c) Is a resident of the city or township where the individual's street address is located.
- (4) The secretary of state shall create an inactive voter file.

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

- (a) The elector votes at an election.
- (b) The elector responds to a notice sent under section 509aa.
- (c) Another voter registration transaction involving that elector occurs.

(6) While the registration record of an elector is in the inactive voter file, the elector remains eligible to vote and the elector's name must appear on the precinct voter registration list.

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

Sec. 509gg. (1) Subject to subsection (3), the information described in this subsection that is contained in a registration record is exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246. The secretary of state, a designated voter registration agency, or a county, city, township, or village clerk shall not release a copy of that portion of a registration record that contains any of the following:

- (a) The record that an individual declined to register to vote.
- (b) The office that received a registered elector's application.
- (c) A registered elector's driver license or state personal identification card number.
- (d) The month and day of birth of a registered elector.
- (e) The telephone number provided by a registered elector.

(f) The digitized signature of an elector that is captured or reproduced and transmitted to the qualified voter file by the secretary of state or a county, city, or township clerk under section 509hh or by the secretary of state under section 307 of the Michigan vehicle code, 1949 PA 300, MCL 257.307.

(2) Except as otherwise provided in this subsection, the last 4 digits of a registered elector's Social Security number contained in a registration record are exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246. The last 4 digits of a registered elector's Social Security number contained in a registration record may only be used by the secretary of state to verify a registered elector's data as provided by the help America vote act of 2002 and to verify a registered elector's status under this act, and must not be used or released for any other purpose.

(3) If an individual preregisters to vote under section 496a, the information contained in the registration record for that individual is confidential and not subject to disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, until that individual is 17-1/2 years of age. Once that individual is 17-1/2 years of age, the information contained in the registration record for that individual is subject to the exemptions provided in subsection (1).

Sec. 516. (1) Except as otherwise provided in subsection (2) and section 509gg, the registration record must be open for public inspection.

(2) If an individual preregisters to vote under section 496a, the information contained in the registration record for that individual is confidential and must not be open for public inspection as provided under subsection (1) until that individual is 17-1/2 years of age.

Enacting section 1. This amendatory act does not take effect unless House Bill No. 4983 of the 102nd Legislature is enacted into law.

  
Clerk of the House of Representatives

  
Secretary of the Senate

Approved \_\_\_\_\_

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Governor