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Senate Bill 277 (as introduced 3-24-21)  
Sponsor: Senator Michael D. MacDonald  
Committee: Elections

Date Completed: 4-19-21

### **CONTENT**

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

- **Require the Secretary of State (SOS) to make canceled voter registration information available to county clerks.**
- **Require a county clerk, at least once every two weeks, to send by email the list of individuals over the age of 18 who had died in the county to the clerk of each city or township within that county.**
- **Require city or township clerks to compare the list from a county clerk to the voter registration records in that city or township and cancel the voter registration of all deceased electors.**
- **Allow county clerks to access the qualified voter file to flag, but not remove, the voter registration record of any deceased elector in his or her county.**
- **Prescribe timeframes by which a county clerk would have to carry out certain duties regarding voter registration records.**
- **Require a county clerk to keep records of the total number of voter registration records that the clerk flagged in the qualified voter file and the total number of death certificates sent by email to another county clerk, and to post those number, monthly, on the county's website.**
- **Require the SOS to collect all information concerning flagged voter registration records posted on each county website.**
- **Require the SOS to post on the Department of State's website the total number of voter registration records flagged by county clerks, broken down by county, city, and township.**

Under the Law, the SOS must develop and use a process by which information obtained through the United States Social Security Administration's death master file that is used to cancel and operator's or chauffeurs' license issued under the Michigan Vehicle Code, or an official State personal identification card, of a deceased Michigan resident also is 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 SOS must make the canceled voter registration information available to the clerk of each city or township to assist with the clerk's obligations under the Law. The bill also would require the SOS to make the canceled voter registration information to the clerk of each county.

Under the Law, at least once a month, the count clerk must forward a list of the last known address and birth date of all individuals over the age of 18 who have died in the county to the clerk of each city or township in the county. The city or township clerk must compare this list with the registration records and cancel the registration of all deceased electors. Under the

bill, at least once every two weeks, the county clerk would have to send by email the list of individuals over the age of 18 who had died in the county to the clerk of each city or township within the county. The city or township clerk would have to compare this list with the voter registration records in that city or township, and within the voter registration records flagged by the county clerk in the qualified voter file and cancel the voter registration of all deceased electors.

Each county clerk would be authorized to access the qualified voter file to flag, but not remove, the voter registration record of any deceased elector in his or her county. Each county would have to do the all the following:

- At least once every two weeks (and more often if necessary) use the list and information provided by the SOS to flag in the qualified voter file the voter registration record of any deceased elector in the county.
- At least once a week (and more often if necessary) during the 45 days before a regular election date, use the list and the information provided by the SOS to flag in the qualified voter file the voter registration record of any deceased elector in the county.
- At least once every two weeks (and more often if necessary) if the county clerk received the death certificate of an individual who was a resident of another county, the clerk would have to send by email that death certificate to the proper county clerk so that clerk could flag in the qualified voter file the voter registration record of that individual if he or she were a registered elector.
- At least once a week (and more often if necessary) during the 45 days before a regular election, if the county clerk received the death certificate of an individual who was a resident of another county, the clerk would have to send by email that death certificate to the proper county clerk so that clerk could flag in the qualified voter file the voter registration record of that individual if he or she were a registered elector.
- Keep records of the total number of voter registration records that the county clerk flagged in the qualified voter file under the first two requirements of this list and post those numbers each month on the county website; the posting could not include the name or any identifying information of an elector, and would have to be broken down to show the total number of electors from each city and township in that county whose records were flagged by the county clerk in the qualified voter file.
- Keep records of the total number of death certificates sent by email to another county clerk and post those numbers each month on the county website; the posting could not include the name or any identifying information of an individual.

At least once a month, the SOS would have to do both of the following:

- Collect all the information that concerned flagged voter registration records posted on each county website.
- Post on the Department of State website the total number of voter registration records flagged by county clerks, the total number of voter registrations records flagged by county clerks broken down by county, and the total number of voter registration records flagged by county clerks broken down by city and township.

MCL 168.509o et al.

Legislative Analyst: Dana Adams

### **FISCAL IMPACT**

The bill could have a negative fiscal impact on State and local units of government. The costs are indeterminate and would depend on a county's ability to comply with the requirements proposed in the bill.

The proposed requirement for county clerks to post monthly on the county's website information regarding flagged voter registration records and the biweekly requirement for county clerks to forward the death certificates of individuals who reside in another county to that county could require counties to hire additional staff. Depending on a county's administrative resource capabilities, additional FTEs could be required. The average total cost for salary, benefits, and retirement for a State civil servant is an estimated \$121,600 Gross, \$65,900 General Fund/General Purpose; however these costs may vary widely between counties.

Additionally, the Department of State could incur costs for the proposed monthly reporting of the aggregated county data on flagged voter registration records collected from all the State's counties. Any additional costs likely would be absorbed within the Department's annual appropriations; however, should the Department need to hire additional staff, the costs per employee would be the same as those noted above.

Fiscal Analyst: Joe Carrasco

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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.