



# Michigan

## *Voter Registration & Voter List Maintenance Guide*

*Provided by*

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# State Guide to Voter Registration & Voter List Maintenance Statutes

This is a guide to your state's laws relating to voter registration and voter list maintenance.

The statutes/codes cited in this guide may not be the most recent version. States may have more current or accurate information. We make no warranties or guarantees about the accuracy, completeness, or adequacy of the information contained in the individual state guides or the information linked to on the state site.

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# Who can I contact with election related questions?

## [Link to Elections Official](#)

<b>Chief Elections Office:</b>	Secretary of State, Bureau of Elections <u><a href="#">Elections Division</a></u>
<b>Physical Address:</b>	430 W. Allegan St. Richard H. Austin Building—1st Floor Lansing, MI 48918
<b>Mailing Address:</b>	Michigan Department of State Bureau of Elections P.O. Box 20126 Lansing, MI 48901-0726
<b>Phone Number:</b>	517-335-3234
<b>Online Contact:</b>	<u><a href="mailto:Elections@Michigan.gov">Elections@Michigan.gov</a></u>



## How do I register to vote?

[Link to Register](#)  
[Link to Statutes](#)

### [168.492 Qualifications for registration as elector.](#)

Each individual who has the following qualifications of an elector is entitled to register as an elector in the township or city in which he or she resides. The individual must be a citizen of the United States; not less than 17-1/2 years of age; a resident of this state; and a resident of the township or city.

### [168.492a Registration of persons confined in jail.](#)

An individual who is confined in a jail and who is otherwise a qualified elector may, before trial or sentence, register to vote. The individual is considered a resident of the city or township, and address, at which he or she resided before confinement. An individual who is confined in a jail after being convicted and sentenced is not eligible to register to vote.



## How do I cancel my voter registration?

[Link to Statutes](#)

Voters who wish to cancel their registrations can make a written request to their [city or township clerk](#) that their registration record be cancelled.

### [168.511 Cancellation of registration; authorization from elector.](#)

Upon the receipt of an authorization of cancellation of registration from the elector, the clerk shall cancel said registration.

# How is voter list maintenance handled?

## 168.509o Qualified voter file; establishment and maintenance; individuals considered registered voters; signed application; development and use of process to update qualified voter file; availability of canceled voter registration information; participation in multistate programs or services; limitations.

(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 is considered a registered voter 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). 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.

## 168.509r.amended Qualified voter file; establishment and maintenance of computer system and programs; access; verification of accuracy; compilation of electors; sources; person whose name does not appear in file; requirements; inactive voter file.

(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.

### 168.509r.amended Cont.

(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.

### 168.509aa.amended Updating registration upon receipt of certain information; duties of clerk; instruction by clerk to challenge elector; cancellation of registration; notice that registered elector has moved out of state.

(1) A clerk may use change of address information supplied by the United States Postal Service or other reliable information received by the clerk that identifies registered electors whose addresses may have changed as provided in this section.

(2) On receipt of reliable information that a registered elector has moved the elector's residence within the city or township, the clerk shall send by forwardable mail all of the following to the elector:

- (a) A notice that the clerk has received information indicating that the elector has moved the elector's residence within the city or township.
- (b) A postage prepaid and preaddressed return card on which the elector may verify or correct the address information.
- (c) A notice explaining that, if the address information is correct and the elector has moved the elector's residence within the city or township, the elector should complete and return the card to the clerk with a postmark of 30 days or more before the date of the next election. If the elector has moved the elector's residence within the city or township and does not complete and return the card to the clerk with a postmark of 30 days or more before the date of the next election, the elector will be required to vote in the elector's former precinct of residence in the city or township. The elector will also be required to submit an address correction before being permitted to vote.

168.509aa.amended Cont.

(3) On the receipt of reliable information that a registered elector has moved the elector's residence to another city or township, the clerk shall send by forwardable mail all of the following to the elector:

(a) A notice that the clerk has received information indicating that the elector has moved the elector's residence to another city or township.

(b) A postage prepaid and preaddressed return card on which the elector may verify or correct the address information.

(c) A notice containing all of the following information:

(i) If the address information is incorrect and the elector has not moved to another city or township and wishes to remain registered to vote, the elector should complete and return the card to the clerk with a postmark of 30 days or more before the date of the next election. If the card is not completed and returned with a postmark of 30 days or more before the date of the next election, the elector may be required to affirm the elector's current address before being permitted to vote. Further, if the elector does not vote in an election within the period beginning on the date of the notice and ending on the first business day immediately following the second November general election that is held after the date on the notice, the registration of the elector will be canceled and the elector's name will be removed from the registration record of that city or township.

(ii) If the elector has moved the elector's residence to another city or township, information on how the elector can become registered to vote at the next election in the elector's new city or township.

(4) If a notice sent under subsection (2) or (3) is returned to the clerk by the post office as undeliverable, the clerk shall identify the registration record of an elector as challenged as provided in this act. The clerk shall instruct the board of election inspectors to challenge that elector at the first election at which the elector appears to vote. In response to the challenge the elector indicates that the elector resides at the registration address or has changed addresses within the city or township, the elector must be permitted to vote a regular ballot rather than a challenged ballot. The elector shall complete a change of address form at the polling place, if applicable. If the elector does not appear to vote in an election within the period beginning on the date of the notice and ending on the first business day immediately following the second November general election that is held after the date of the notice, the clerk shall cancel the registration of the elector and remove the elector's name from the registration record of the city or township.

(5) If the department of state receives notice that a registered elector has moved out of state by receiving a surrendered Michigan driver license of that registered elector, the secretary of state shall send by forwardable mail all of the following to the elector:

(a) A notice that the secretary of state has received information indicating that the elector has moved the elector's residence to another state.

(b) A postage prepaid and preaddressed return card on which the elector may verify or correct the address information.

(c) A notice providing that if the address information is incorrect and the elector has not moved to another state and wishes to remain registered to vote, the elector should complete and return the card to the secretary of state with a postmark of 30 days or more before the date of the next election. If the card is not completed and returned with a postmark of 30 days or more before the date of the next election, the elector may be required to affirm the elector's current address before being permitted to vote. Further, if the elector does not vote in an election within the period beginning on the date of the notice and ending on the first business day immediately following the second November general election that is held after the date on the notice, the registration of the elector will be canceled and the elector's name will be removed from the qualified voter file.

(6) A notice sent to an elector under subsection (2), (3), or (5) must include a warning to the elector that any prior absent voter ballot application submitted by the elector for all future elections is rescinded and the elector will not be sent an absent voter ballot for any future elections unless the elector submits a new absent voter ballot application.

### **168.509cc Challenge of registration; response by voter; duties of clerk.**

- (1) If a registration is challenged under this act and the challenged voter does not respond in the manner provided in this act, the registration record of that voter remains challenged and election officials shall not allow the challenged voter to vote until he or she answers the grounds of the challenge in the manner provided in this act. If a registration is challenged under this act and an election official determines, based upon the response of the challenged voter, that the voter is qualified to vote, the election official shall allow the voter to vote and the clerk shall remove the identification as challenged from the registration record of that voter.
- (2) If a clerk does not independently determine that a challenged voter is qualified to vote or if the challenged voter does not respond to the challenge or fails to prove in his or her response to the challenge that he or she is qualified to vote during the period beginning on the date of the notice of challenge under this act and ending on the first business day immediately following the second November general election that is held after the date of the notice, the clerk shall cancel the registration of the voter and remove his or her name from the registration record of the city or township.

### **168.509dd Program to register voters or remove names.**

- (1) A clerk may conduct a program to register qualified electors or to remove names of registered voters who are no longer qualified to vote in the city or township from the registration records of that city or township. A clerk who conducts a program to register voters or to remove names under this section shall administer the program in a uniform manner to the entire city or township. The clerk shall use nondiscriminatory procedures that comply with the requirements of the voting rights act of 1965, Public Law 89-110, 79 Stat. 437.
- (2) The clerk shall complete any program to remove names conducted under this section 90 days or more before the date of a federal election. The 90-day deadline under this subsection does not apply to the removal of names from the registration records of a city or township under 1 of the following circumstances:
- (a) At the request or authorization of a voter.
  - (b) Upon the death of a voter.
  - (c) Upon notice that a voter has moved from the city or township and has completed an application at the new address.
- (3) Subject to the requirements of this section, a clerk may use 1 or more of the following to conduct a program to register voters or remove names under this section:
- (a) A house-to-house canvass.
  - (b) A general mailing to voters for address verifications.
  - (c) Participation in the national change of address program established by the postal service.
  - (d) Other means the clerk considers appropriate.

### **168.510 Deceased electors; cancellation of registration; notification requirements; updating of qualified voter file; removal of absent voter ballot return.**

- (1) Until December 31, 2022, at least once a month, the county clerk shall forward a list of the last known address and birth date of all individuals over 17-1/2 years of age who have died in the county to the clerk of each city or township in the county. The city or township clerk shall compare this list with the registration records and cancel the registration of the deceased electors.
- (2) Beginning January 1, 2023, and except as otherwise provided in subsections (6) and (7), at least once a month, and not later than the second business day of each month, each county clerk shall update the qualified voter file to initiate the cancellation of the voter registration of all individuals over 17-1/2 years of age who have died in the county.
- (3) Beginning January 1, 2023, each time a county clerk updates the qualified voter file under subsection (2), (6), or (7), the secretary of state shall, within 24 hours after the qualified voter file is updated, send an electronic notification to the appropriate city or township clerk regarding each initiated cancellation of voter registration in that city or township.



### **168.510 Cont.**

- (4) Beginning January 1, 2023, upon receiving an electronic notification under subsection (3), the city or township clerk shall compare the electronic notification with the voter registration records in that city or township and complete the cancellation of the voter registration of each deceased elector in that city or township.
- (5) Beginning January 1, 2023, if the secretary of state updates the qualified voter file to cancel the voter registration of any deceased elector, the secretary of state shall, within 24 hours after the qualified voter file is updated, send an electronic notification to the appropriate city or township clerk regarding each canceled voter registration in that city or township. The secretary of state shall notify each appropriate city or township clerk of any voter registration that needs to be canceled after 4 p.m. on the day before an election so that the city or township clerk can cancel the voter registration.
- (6) Beginning January 1, 2023, on the first Friday in July before an August election and continuing until 16 days before that August election, each county clerk shall update the qualified voter file by the close of business each Friday before that August election to initiate the cancellation of the voter registration of all individuals over 17-1/2 years of age who have died in the county. Beginning January 1, 2023, on the first Friday in October before a November election and continuing until 16 days before that November election, each county clerk shall update the qualified voter file by the close of business each Friday before that November election to initiate the cancellation of the voter registration of all individuals over 17-1/2 years of age who have died in the county.
- (7) Beginning January 1, 2023, 15 days before each August and November election and continuing until the day before each August and November election, each county clerk shall update the qualified voter file by the close of business each business day before the August or November election to initiate the cancellation of the voter registration of all individuals over 17-1/2 years of age who have died in the county. Each county clerk shall notify each appropriate city or township clerk in the county of any voter registration that needs to be canceled after 4 p.m. on the day before an August or November election so that the city or township clerk can cancel the voter registration.
- (8) Upon receiving notice that an elector in the city or township has died and determining that the elector was issued an absent voter ballot, the clerk of that city or township shall make the clerk's best effort to remove the absent voter ballot return envelope or any ballot returned by that elector from processing and spoil the ballot for that elector.

### **168.511 Cancellation of registration; authorization from elector.**

Upon the receipt of an authorization of cancellation of registration from the elector, the clerk shall cancel said registration.

### **168.512 Challenge of elector; affidavit, contents; answering affidavit; cancellation of registration; indiscriminate challenge, penalty.**

Any elector of the municipality may challenge the registration of any registered elector by submitting to the clerk of that municipality a written affidavit that such elector is not qualified to vote, which affidavit shall specify the grounds upon which the challenged elector is disqualified. Upon receipt of such affidavit, the clerk shall forthwith send by registered or certified mail to the challenged elector at his registered or last known address a notification of the challenge, which shall include the grounds for such challenge as stated in the affidavit. The challenged elector may within 30 days appear before the clerk and answer the questions and take the oath required of persons challenged on the same grounds at election, or in lieu of appearing in person the challenged elector, within a like period of time, may elect to file with the clerk an affidavit setting forth specifically his qualifications as an elector of the municipality and answering the grounds of the challenge. If within the 30-day period the person challenged shall fail to appear and be sworn or to file an affidavit, or if his statements do not show him to be a qualified elector of the municipality, the clerk shall forthwith cancel his registration. The 30-day period referred to in this section shall be the 30 days immediately following the date of mailing the notice to the challenged elector.

Any person who shall challenge under the provisions of this section, indiscriminately and without good cause or for the purpose of harassment, shall be guilty of a misdemeanor.

### **168.514 Cancellation of registration; reinstatement prohibited.**

If the registration of an elector is canceled, the clerk shall make a proper entry on the master registration card, indicating the date and the cause for cancellation, and shall affix his or her signature to the entries. All copies of the canceled registration cards must be filed in the office of the clerk. All duplicates of the master registration card canceled may be destroyed 2 years after the registration is canceled. The clerk may also destroy the master registration card of an elector 5 years after the date of cancellation of the elector's registration. The clerk may also destroy any canceled master registration cards 2 years after the date of cancellation if the canceled registration cards are reproduced under the records reproduction act, 1992 PA 116, MCL 24.401 to 24.406, and the reproductions are on file in the office of the clerk. The reproductions may be destroyed after the expiration of the statutory retention date of the reproduced records. A voter registration that has been canceled due to an elector moving out of the jurisdiction must not be reinstated if the elector moves back to the jurisdiction and a new voter registration is required for that elector.

### **168.515 Registration records; verification by house-to-house canvass.**

The several township, city and village clerks may conduct a house-to-house canvass or use such other means of checking the correctness of registration records as may seem expedient.

### **168.516.amended Registration records; public inspection.**

(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.

### **168.505 Authorization to cancel previous registration; signature; form; notice of cancellation; effect of previous address in another state; duties of clerk; authorization to cancel or notice received from another state.**

(1) At the time an elector is applying for registration, the registration officer shall ascertain if the elector is already registered as an elector. If the elector is previously registered, the elector shall at the time of applying for registration sign an authorization to cancel a previous registration. The secretary of state shall prescribe forms for this purpose. The form may be a part of the application or a separate form.

(2) An authorization to cancel that indicates a previous address in a state other than this state must be forwarded to the chief election officer of that state. Notice may be made by forwarding the separate cancellation form, by forwarding the portion of an application listing a previous place of registration, or by forwarding a list certified by the clerk containing the names of people authorizing cancellation.

(3) An authorization to cancel a voter registration signed by the elector and received from another state or a notice from an election official of another state that an elector has registered in that state has the same force and effect as the notice of authorization to cancel of this state.

### **168.506 Change of residence within township or city; transfer of registration by clerk.**

A registered elector may, upon change of residence within the township or city, update his or her registration address by sending to the clerk a signed request stating his or her present address, the date he or she moved to that address, and the address from which he or she was last registered, or by updating his or her address in person. The clerk shall strike through the last address, ward, and precinct number and record the new address, ward, and precinct number on the master registration card. Transfers must not be made after the thirtieth day next preceding a regular or special election or primary election, unless the thirtieth day falls on a Saturday, Sunday, or legal holiday, in which event registration transfers must be accepted during the following day.

## [The National Voter Registration Act of 1993](#)

Congress enacted the National Voter Registration Act of 1993 (also known as the “NVRA” and the “Motor Voter Act”), to enhance voting opportunities for every American. The Act has made it easier for all Americans to register to vote and to maintain their registration. Section 8 of the NVRA contains requirements with respect to the administration of voter registration by States and requires States to implement procedures to maintain accurate and current voter registration lists.

For more information about the NVRA, please visit the [Department of Justice website](#).

# List of voter registration statuses and their definitions

## [Link to Statutes](#)

Registration Statuses	
<b>Active</b> - a “qualified elector” possesses the qualifications of an elector as prescribed in section 1 of article II of the state constitution of 1963 and who has resided in the city or township for 30 days.	<a href="#">Section 168.10</a>
<b>Challenged</b> - An elector whose eligibility to vote has been challenged. The challenged elector has 30 days to appear in person or file an affidavit affirming qualifications. If the elector fails to appear or the statements do not show evidence of qualification to vote, the clerk shall cancel the registration.	<a href="#">Section 168.512</a>
<b>Inactive</b> - 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.  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.	<a href="#">Section 168.509r.amended</a>
<b>Verify</b> - On receipt of reliable information that a registered elector has moved the elector's residence within the city or township, the clerk shall send a notice by forwardable mail.	<a href="#">Section 168.509aa.amended</a>

# **How do I file a HAVA complaint?**

## **[Link to HAVA Complaint Process](#)**

A person who believes that an election authority has violated or will violate a provision of Title III of the Help America Vote Act (42 U.S.C. 15512) that concerns an election for federal office may file a complaint with the Michigan Department of State's Bureau of Elections. A complaint filed under these guidelines shall be in writing, notarized, signed and sworn by the person filing the complaint. The complaint shall allege, with specificity, the following:

- a) The election authority that has violated Title III
- b) The Title III provision the election authority violated
- c) An explanation of how the election authority named in (III)(2)(a) violated the Title III provision listed in (III)(2)(b)
- d) A statement that the complainant either witnessed or possesses first-hand knowledge of the conduct alleged in (III)(2)(c)

# **How do I file a non-HAVA election complaint?**

## **[Link to Election Crimes Manual](#)**

County prosecuting attorneys and law enforcement agencies have a statutory duty to investigate alleged criminal violations of Michigan election law. Every prosecuting attorney, upon receipt of credible information that any such offense has been committed, has the duty to prosecute the offender.

Questions or concerns may be addressed by calling the Bureau of Elections during business hours at (517) 335-3234.

## Who can I contact regarding an election related complaint?

<b>Secretary of State, Bureau of Elections</b>	
<b>Physical Address:</b>	Michigan Department of State Bureau of Elections Richard H. Austin Building—First Floor 430 W. Allegan St. Lansing, MI 48918
<b>Mailing Address:</b>	Michigan Department of State Bureau of Elections P.O. Box 20126 Lansing, MI 48901-0726
<b>Phone Number:</b>	517-335-3234
<b>Fax Number:</b>	517-335-3235
<b>Email Address:</b>	<a href="mailto:Elections@michigan.gov">Elections@michigan.gov</a>

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