



Michigan Department of State

Policy Changes to Implement 2023 Public Acts Public Act 119 of 2023 Sec. 222

Prepared for the Michigan House and Senate Appropriations Committees, Appropriations Subcommittees on General Government, Fiscal Agencies, Policy Offices, the Joint Committee on Administrative Rules, and the State Budget Office.

April 1, 2024

Executive Summary

As required by Section 222 of Public Act 119 of 2023, the Michigan Department of State (MDOS) has prepared this legislative report, which details policy changes made to implement public acts that affect the department and took effect in 2023. Section 222 of Public Act 119 of 2023 states:

“The departments and agencies receiving appropriations in part 1 shall report not later than April 1 on each specific policy change made to implement a PA affecting the department that took effect during the prior calendar year to the senate and house appropriations committees, the joint committee on administrative rules, and to the report recipients required in section 205 of this part.”

The 12 public acts summarized in this report, which became law in calendar year 2023, have a direct relation to certain department activities. Although no official policy changes were required by these public acts, the department did undertake the necessary actions to fulfill its obligation to comply with the public acts. The following charts list the changes the department made to implement each act.

Questions or requests for more information should be directed to the Michigan Department of State’s Office of Policy Initiatives at MDOS-OPI@Michigan.gov or 517-335-1676.

2023 Public Act	Bill	Act description	Departmental changes
25	Senate Bill 259	<p>Senate Bill 259 allows absent voter ballots with or without a postmark from absent uniformed services and overseas voters to be tabulated so long as the postmark, the return envelope, or the voter certificate is dated on or before Election Day and the ballot is received by a clerk within six days of Election Day. Within seven days after Election Day, local clerks would be required to forward to county clerks the unopened absent voter ballots they received after Election Day for the purposes of identifying those ballots timely received. Absent voter ballots timely received would be tabulated by the county clerk in a meeting of the board of county canvassers.</p> <p>Lastly, the bill defines postmark and modifies the absent voter ballot instructions to reflect the bill's changes.</p>	<p>The six-day grace period was added to the Constitution by Proposal 2022-2, so the bill itself did not require a policy change.</p> <p>In order to address the provisions of PA 25 of 2023, the MDOS Bureau of Elections revised its guidance documents for clerks and absent voter ballot instructions for Military and Overseas Voters (MOVE).</p>

2023 Public Act	Bill	Act description	Departmental changes
226 and 227	Senate Bills 572 and 573	<p>Senate Bill 572 — Allows local election commissions to consolidate precincts so long as the maximum number of registered electors in a precinct does not exceed 4,999.</p> <p>Senate Bill 573 — Clarifies that when local election commissions divide precincts after a federal census, the divided precincts must not include more than 4,999 registered electors.</p>	In order to address the provisions of PAs 226 and 227 of 2023, the MDOS Bureau of Elections supports and assists clerks in making changes to precinct boundaries and ensures that any changes to precincts are reflected in the Qualified Voter File (QVF).

2023 Public Act	Bill	Act description	Departmental changes
129, 130, and 140	House Bills 4990, 4991, and 5007	<p>House Bill 4990 — Increases the fee for individual driver/vehicle record lookups to \$15 per record and extends the sunset to Oct. 1, 2027, for the following fees assessed or collected by MDOS.</p> <ul style="list-style-type: none"> - Individual record look-up fees, - Bulk record look-up fees, - 30- and 60-day permits, - Expedited title fees, - Fundraising service fees, - Graphic plate fees, - Personalized plate service fees, - Registration transaction fees, - Registration transfer fees, - Replacement plate fees, and - Title service fees. <p>Lastly, the bill added several clarifications and removed certain outdated language.</p> <p>House Bill 4991 — Increases the fee for individual state ID record lookups to \$15 per record and extended the associated sunset to Oct. 1, 2027.</p> <p>House Bill 5007 — Increases the fees for individual watercraft, snowmobile, and ORV record lookups to \$15 per record and extends the associated sunsets to Oct. 1, 2027.</p>	<p>In order to address the provisions of PAs 129, 130, and 140 of 2023, the MDOS Bureau of Financial Services made minimal information technology (IT) programming changes to existing department systems.</p>

<i>2023 Public Act</i>	<i>Bill</i>	<i>Act description</i>	<i>Departmental changes</i>
39, 40, and 41	House Bills 4250, 4251, and 4252	<p>House Bill 4250 — Enhances penalties for operating a vehicle, a commercial vehicle, and school buses, while holding or using a mobile electronic device. Several specific exceptions are allowed under the bill. The bill requires courts to order an individual to complete a Basic Driver Improvement Course (BDIC) if the individual is responsible for three or more civil infractions under the bill within a 3-year period.</p> <p>House Bill 4251 — Requires that individuals ordered by a court to complete a Basic Driver Improvement Course (BDIC) must take the course regardless of their eligibility to take the course under current law. Violators that use or hold a mobile electronic device would be assessed points based on how many violations occurred. Points assessed for these violations would be entered on an individual’s driving record.</p> <p>House Bill 4252 — Individuals issued a Level 1 or 2 Graduated License are prohibited from using a cell phone while operating a vehicle. Violators would be assessed civil fines of up to \$250 for violations not causing an accident and up to \$500 for violations causing an accident.</p>	<p>In order to address the provisions of PAs 39, 40, and 41 of 2023, MDOS provided directions and guidance to developers who updated the Customer and Automotive Records System (CARS) application and the department’s online services.</p> <p>For PAs 39 and 41 of 2023, implementation included development and programming for systematic features and communicating with the courts and BDIC sponsors.</p> <p>For PA 40 of 2023, implementation included developing driver assessment sanctions for Graduated Driver Licensing (GDL) drivers.</p>

2023 Public Act	Bill	Act description	Departmental changes
100, 101, and 102	House Bills 4362, 4363, and 4364	<p>House Bill 4362 — Provides an opt-in option for individuals to participate in the organ donor registry when filing their taxes. The bill creates a donor registry schedule that may be filed with a taxpayer’s annual tax return. Requires certain information on the donor registry schedule including a disclaimer that notes that all individuals who complete the schedule will have their information forwarded to MDOS, the organ procurement organization, or both, for placement as a donor on the donor registry. Under the bill, every donor registry schedule filed with an annual return will be forwarded to MDOS.</p> <p>House Bill 4363 — The Department of Treasury is required to forward, in a manner and frequency as determined by the Department of Treasury and MDOS, each donor registry schedule filed with a tax return. So long as the donor registry schedule includes a driver’s license or state ID number, MDOS will maintain a record of each donor registry schedule received from Treasury and add the individual to the donor registry. If a donor registry schedule does not include a driver’s license or state ID number, MDOS must provide the information contained on that schedule to the organ procurement organization.</p> <p>House Bill 4364 — Allows disclosure of certain information from a donor registry schedule to organizations responsible for administering the donor registry program.</p>	<p>In order to address the provisions of PAs 100, 101, and 102 of 2023, MDOS provided directions and guidance to developers who updated the CARS application.</p> <p>For PAs 100 and 101 of 2023, implementation included developing a new interface for both the Department of Treasury and Gift of Life.</p> <p>For PA 102 of 2023, implementation included the creation of new reports and modification of existing reports.</p>