



House Elections and Ethics Committee
November 2, 2021

Promote the Vote submits the below written testimony in opposition to HBs 5474 and 4923.

Promote the Vote Opposes HB 5474 Because it Would Make Our Electoral Process Less Transparent.

Promote the Vote supports expanding transparency in our electoral process. By preventing clerks from posting unofficial election results on their websites, HB 5474 would do the opposite. Therefore, Promote the Vote opposes the bill.

Michigan has historically allowed voters, the media, and the public to see unofficial results as they come in on election night on the websites of county clerks. Making this information available on such websites allows interested individuals to follow along as the unofficial election results come in. By prohibiting clerks from posting “on any website the unofficial result of a precinct . . . until all of the precinct ballot returns and absent voter ballot returns . . . are complete,” HB 5474 would prevent voters, the media, and the public from accessing such information on clerk websites for at least seven days after an election.¹

Promote the Vote is well aware of the confusion that can occur when voters misunderstand unofficial election results. For example, if one candidate is in the lead immediately after the polls close but later loses the election after absentee ballots are counted, it can lead to confusion and false allegations of wrongdoing. However, the solution to this problem is to provide voters with more - not less - information. Voters should be informed, for example, that any unofficial results are unofficial and subject to change as additional votes are counted. Indeed, voters should be educated about the election administration process as a whole, and the need for the Michigan Legislature to provide more pre-processing time for absentee ballots, in order to streamline the reporting of unofficial results.

Moreover, HB 5474 only prohibits clerks from publishing unofficial results on websites - it does not prohibit them from making such unofficial results public. Therefore, clerks remain free to provide results in all other manners not prohibited by the statute. This means that those who have the time or ability to utilize other methods will have access to such results, while others will not.

¹ Those who vote provisional ballots have until six days after an election to verify their eligibility to vote. MCL 168.813. Therefore, precinct returns are not complete until after this point and are not official until certified.

For these reasons, Promote the Vote opposes the bill.

Promote the Vote Opposes HB 4923 Because It Will Make Voting More Accessible for Only a Select Group.

To ensure that voting is accessible, Promote the Vote supports expanding the list of IDs that constitute “identification for election purposes” under MCL 168.2(k). However, adding only “a current concealed pistol license” to the list of acceptable IDs is not an equitable way to do so. Therefore, Promote the Vote opposes the bill.

Under current law, when a voter votes in person - either at the polls on Election Day or at their clerk’s office or satellite office before Election Day - they are asked for “identification for election purposes.”² Under current law, all voters are required to verify their identity prior to voting, and providing “identification for election purposes” is one option for doing so. However, Michigan’s current list of acceptable “identification[s] for election purposes” is relatively limited, as it only includes a small subset of photo IDs.³

Promote the Vote supports expanding the list of acceptable photo IDs. In addition, according to the National Conference of State Legislatures, eighteen states allow voters to verify their identity with non-photo identification.⁴ Michigan should do the same. For example, a number of other states, such as [Ohio](#) and [Arizona](#), allow voters to present non-photo identification such as a bank statement, a lease, a utility bill, or a paycheck.⁵

As explained above, Promote the Vote supports expanding the options for voters to verify their identity to include a robust list of acceptable IDs - both photo IDs and non-photo IDs - to ensure we have a voting system that works for all of us. We do not support expanding the list in select ways to benefit only a narrow group of voters. Therefore, Promote the Vote opposes this bill.

² MCL 168.523 & 168.761.

³ MCL 168.2(k).

⁴ National Conference of State Legislatures, “Voter Identification Requirements - Voter ID Laws” (<https://www.ncsl.org/research/elections-and-campaigns/voter-id.aspx>).

⁵ See e.g., Ohio Secretary of State, “Identification Requirements,” (https://www.ohiosos.gov/elections/voters/id-requirements/?_cf_chl_jschl_tk=_pmd_Aape2AbAKkenNljXm21d88ibVSrON7BjLflqQgTmkO4-1635699634-0-gqNtZGzNAnujcnBszQil); Arizona Secretary of State, “Voting in this Election,” (<https://azsos.gov/elections/voting-election>).