

Legislative Analysis



AMENDMENTS TO ELECTION LAW

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Senate Bill 513 (Substitute H-1)

Sponsor: Sen. Bev Hammerstrom

House Committee: House Oversight, Elections, and Ethics

Senate Committee: Government Operations

Complete to 6-13-05

A SUMMARY OF SENATE BILL 513 AS REPORTED BY HOUSE COMMITTEE 6-8-05

The bill would amend the Michigan Election Law (MCL 168.301 et al) to do the following:

- allow a school district to change its regular election date to various elections other than the odd-year general election, including the general November election, the November regular election in both odd and even years, and the odd-year May regular election.
- require certain information to appear on a petition for a school district to borrow money, increase a millage, or establish a bond; this information would include the proposed date of the special election, the amount of the millage increase or the bond or loan, and the purpose for the millage increase or bond or loan.
- designate that the election commission would be responsible for establishing a school district's precincts and polling places if the county clerk was the school district election coordinator.
- establish procedures for a school board to obtain a temporary change in the terms of office of board members when a ballot question was proposed to change the number of board members or their terms of office; a ballot question could not be submitted to the school district election coordinator until a proposed transition plan for terms of office was approved by the secretary of state. [If a school district had approved a plan before January 1, 2004 to change the number and terms of board members, and if this legislation made implementation of the changes impossible, the school board could adopt by resolution at a public hearing a transition plan to bring the district back into compliance, without getting approval from the secretary of state.]
- require the published notice of a ballot proposal to include a caption or brief description of the proposal, along with the location where an elector could get the full text. The publication of the notice would have to be made not less than seven days before the election. (Currently, the requirement is 10 days.)
- provide for a county clerk, rather than the governor, to call a special election to fill a vacancy in a township office if a township board or board of county election commissioners have not filled the vacancy; the township party committee for each political party would submit a nominee, and the special election would be held on the

next regular election date not less than 60 days after the deadline for submitting nominees (or not less than 70 days if the next regular election is the even-year August primary or the general November election).

- allow the secretary of state to electronically transmit to the qualified voter file, a voter registration application received from a registered voter who was changing the address on his or her operator's or chauffeur's license. Further, the secretary of state would not be required to transmit the paper copy of an elector's voter registration application, if the elector's signature was already captured or reproduced digitally, and had been transmitted to the qualified voter file. This section would apply to address changes made within a city or township, and to address changes made from one city or township to another.
- require that the qualified voter file contain the digitized signature of an elector if captured or reproduced by the secretary of state, or by a county, city, or township clerk from a voter registration application, or pursuant to the vehicle code.
- allow the secretary of state, and all county, city, or township clerks to capture or reproduce the signature of an elector from a voter registration application, and transmit that signature to the qualified voter file. The secretary of state could also capture or reproduce the signature, pursuant to the vehicle code. The signature could then be used by an election official with a signature comparison was required to verify an elector's identity for an election matter, involving but not limited to voter registration, a petition, an affidavit, an absent voter ballot application, or an absent voter ballot.
- increase the minimum time between the filing of a recall petition and the recall election from 70 to 95 days.
- set a deadline for the filing of nominating petitions and withdrawal notices for village offices when a village holds its regular election at the September primary election; nominating petitions would be due with the village clerk by 4 p.m. on the 12th Tuesday before the September primary, and a candidate could not withdraw after 4 p.m. of the third day after the last day for filing a nominating petition.
- expand the offices listed in the nonpartisan section of a ballot to specifically refer to city officers, local school district board members, community college board of trustee members, intermediate school board members, and district library board members.
- specify that if any portion of the legislation were found invalid by a court, that invalidity would not affect the remaining portions of the act.

FISCAL IMPACT:

The bill would have an indeterminate impact on local units of government.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.