

SENATE BILL No. 976

January 24, 2006, Introduced by Senators CROPSEY, HAMMERSTROM, BISHOP, BROWN, KUIPERS, JELINEK, McMANUS, BIRKHOLZ, PATTERSON, SANBORN, GILBERT, TOY, CASSIS, GARCIA, STAMAS, GEORGE, GOSCHKA, JOHNSON and ALLEN and referred to the Committee on Government Operations.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
by amending section 476 (MCL 168.476), as amended by 2005 PA 71.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 476. (1) ~~Upon receiving notification of the filing of~~
2 ~~the petitions, the board of state canvassers~~ **THE STATE DIRECTOR OF**
3 **ELECTIONS** shall canvass the petitions to ascertain if the petitions
4 have been signed by the requisite number of qualified and
5 registered electors. The qualified voter file shall be used to
6 determine the validity of petition signatures by verifying the
7 registration of signers and the genuineness of signatures on
8 petitions when the qualified voter file contains digitized

1 signatures. If the qualified voter file indicates that, on the date
2 the elector signed the petition, the elector was not registered to
3 vote, there is a rebuttable presumption that the signature is
4 invalid. If the qualified voter file indicates that, on the date
5 the elector signed the petition, the elector was not registered to
6 vote in the city or township designated on the petition, there is a
7 rebuttable presumption that the signature is invalid. If the ~~board~~
8 **STATE DIRECTOR OF ELECTIONS** is unable to verify the genuineness of
9 a signature on a petition using the digitized signature contained
10 in the qualified voter file, the ~~board~~ **STATE DIRECTOR OF**
11 **ELECTIONS** may cause any doubtful signatures to be checked against
12 the registration records by the clerk of any political subdivision
13 in which the petitions were circulated, to determine the
14 authenticity of the signatures or to verify the registrations. Upon
15 request, the clerk of any political subdivision shall cooperate
16 fully with the ~~board~~ **STATE DIRECTOR OF ELECTIONS** in determining
17 the validity of doubtful signatures by rechecking the signature
18 against registration records in an expeditious and proper manner.

19 (2) The ~~board of state canvassers~~ **STATE DIRECTOR OF**
20 **ELECTIONS** may hold hearings upon any complaints filed or for any
21 purpose considered necessary by the ~~board~~ **STATE DIRECTOR OF**
22 **ELECTIONS** to conduct investigations of the petitions. To conduct a
23 hearing, the ~~board~~ **STATE DIRECTOR OF ELECTIONS, WITH THE APPROVAL**
24 **OF THE STATE BOARD OF CANVASSERS,** may issue subpoenas and
25 administer oaths. The ~~board~~ **STATE DIRECTOR OF ELECTIONS** may also
26 adjourn from time to time awaiting receipt of returns from
27 investigations that are being made or for other necessary purposes,

1 but shall complete the canvass at least 2 months before the
2 election at which the proposal is to be submitted.

3 (3) At least 2 business days before the ~~board of state~~
4 ~~canvassers meets to make~~ **STATE DIRECTOR OF ELECTIONS MAKES** a final
5 determination on challenges to and sufficiency of a petition, the
6 bureau of elections shall make public its staff report concerning
7 disposition of challenges filed against the petition. Beginning
8 with the receipt of any document from local election officials
9 pursuant to subsection (1), the ~~board of state canvassers~~ **STATE**
10 **DIRECTOR OF ELECTIONS** shall make that document available to
11 petitioners and challengers on a daily basis.

12 Enacting section 1. This amendatory act does not take effect
13 unless all of the following bills of the 93rd Legislature are
14 enacted into law:

15 (a) Senate Bill No. 973.

16
17 (b) Senate Bill No. 974.

18
19 (c) Senate Bill No. 975.

20
21 (d) House Bill No. 5650.

22
23 (e) House Bill No. 5648.

24
25 (f) House Bill No. 5649.