

SENATE BILL No. 1350

June 29, 2006, Introduced by Senators CROPSEY and SIKKEMA and referred to the Committee on Judiciary.

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~~ **THE**
2 **RECEIPT** of the petitions, the **BUREAU OF ELECTIONS, ON BEHALF OF THE**
3 board of state canvassers, shall canvass the petitions to ascertain
4 if the petitions have been signed by the requisite number of
5 qualified and registered electors. The qualified voter file shall
6 be used to determine the validity of petition signatures by
7 verifying the registration of signers and the genuineness of

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

21 (2) The board of state canvassers may hold hearings upon any
22 complaints filed or for any purpose considered necessary by the
23 board to conduct investigations of the petitions. To conduct a
24 hearing, the board may issue subpoenas and administer oaths. The
25 board may also adjourn from time to time awaiting receipt of
26 returns from investigations that are being made or for other
27 necessary purposes, but shall complete the canvass at least 2

1 months before the election at which the proposal is to be
2 submitted.

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

11 (4) **BASED ON THE RESULTS OF THE CANVASS AND THE DISPOSITION OF**
12 **ANY CHALLENGES FILED AGAINST THE PETITION, THE DIRECTOR OF**
13 **ELECTIONS SHALL MAKE A RECOMMENDATION TO THE BOARD OF STATE**
14 **CANVASSERS CONCERNING THE SUFFICIENCY OR INSUFFICIENCY OF THE**
15 **PETITION. THE RECOMMENDATION OF THE DIRECTOR OF ELECTIONS**
16 **CONCERNING THE SUFFICIENCY OR INSUFFICIENCY OF THE PETITION SHALL**
17 **BE CONSIDERED APPROVED BY THE BOARD OF STATE CANVASSERS UNLESS THE**
18 **RECOMMENDATION OF THE DIRECTOR OF ELECTIONS IS DISAPPROVED BY A**
19 **MAJORITY VOTE OF THE MEMBERS APPOINTED TO AND SERVING ON THE BOARD**
20 **OF STATE CANVASSERS.**