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Senate Bill 757 (Substitute S-1 as reported)

Sponsor: Senator Ruth Johnson

Committee: Elections and Government Reform

CONTENT

The bill would amend the Michigan Election Law to do the following:

- -- Require the manufacturer or distributor of an absent voter ballot secrecy envelope container to submit the container to the Secretary of State for approval before it was sold to a city or township.
- -- Require a board of county canvassers to examine absent voter ballot secrecy containers and designate them as compliant or noncompliant with the bill.
- -- Specify that a city or township clerk who used or permitted the use of a noncompliant container would be guilty of a misdemeanor.
- -- Allow a clerk in a city or township with at least 10,000 active registered electors to perform absent voter ballot preprocessing activities on the day before election day if notice had been given to the Secretary of State at least 40 days before election day.
- -- Require the Secretary of State to post a notice received from a city or township clerk for this purpose on the Department's website.
- -- Authorize a city or township clerk, or his or her designee, to open voter ballot return envelopes and remove the ballot stubs on the day before election day but would not authorize removing them from the secrecy envelopes.
- -- Allow challengers to be present during preprocessing activities.
- -- Allow an elector who returned an absent voter ballot to appear in person before 10 AM, instead of 4 PM, on the day before the election to spoil his or her ballot and vote a new ballot.

MCL 168.765 et al. Legislative Analyst: Dana Adams

FISCAL IMPACT

The bill would have a minor negative fiscal impact on the Department of State and on local units of government. The bill would allow city or township clerks to procure absent voter ballot secrecy envelope containers at the expense of their respective cities or townships. The costs incurred through this provision would depend on the number of purchases made and the price of the containers. The containers would have to be approved for sale to local units by the Secretary of State before the sale, and every four years, each board of county canvassers would have to examine the containers to ensure they met the bill's requirements. These additional costs would be covered within existing appropriations.

A city or township clerk who used or permitted the use of an absent voter ballot secrecy envelope container that was not approved by the Secretary of State would be guilty of a misdemeanor. An increase in misdemeanor arrests and convictions could increase resource demands on law enforcement, court systems, community supervision, and jails. Any additional fine revenue would be dedicated to public libraries.

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The costs associated with providing a written notice to the Secretary of State and the posting of those notices likely would be covered by existing appropriations

Date Completed: 2-19-20 Fiscal Analyst: Elizabeth Raczkowski

Bill Analysis @ www.senate.michigan.gov/sfa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

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