

## PROHIBIT ACCEPTANCE OF ELECTION-RELATED GIFTS

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**House Bill 5253 (H-1) as reported from committee**

**Sponsor: Rep. Sarah Lightner**

**Committee: Elections and Ethics**

**Complete to 3-10-22**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

House Bill 5253 would amend the Michigan Election Law to prohibit the state and local units of government from accepting gifts from individuals or nongovernmental entities for election-related activities, equipment, or staff. The bill also would provide exceptions to the prohibition.

Under the bill, the state or a state department, agency, commission, or board could not accept from an individual or nongovernmental entity, directly or indirectly, a gift of money or other consideration to be used for an *election-related activity*, for *election-related equipment*, or for any *election-related staff*.

*Election-related activity* would include such activities as voter registration, voter eligibility review, mailing of election materials, sharing of voter registration information, creation or dissemination of advertisements about an election, and recruiting and hiring precinct election inspectors.

*Election-related equipment* would include such equipment as tabulators, signs, tents, communication devices, and absent voter ballot drop boxes.

*Election-related staff* would include such persons as clerk assistants and election inspectors.

The above prohibition also would apply to a county, city, or township—except that it would not apply to any of the following:

- A city or township for establishing and providing a suitable polling place location for each precinct in the city or township as required under the act.
- A city or township for establishing and providing an absent voter counting board location as provided under the act.
- A city or township for establishing and providing a combined absent voter counting board location as provided under the act.
- A county for establishing and providing an absent voter counting board location as provided under the act.

Proposed MCL 168.946

### FISCAL IMPACT:

The bill would not result in any direct ongoing fiscal change to the state or local units of government. However, the bill could potentially prevent one-time cost savings to both the state and local units of government if ongoing costs of election equipment are avoided by the

acquisition of donated equipment used for the same purposes. Savings would correspond to the indeterminate costs of forgone purchases from acquiring donated equipment.

While state and local governments have not often received significant election-related donations, prior to the 2020 general election, the nonprofit organization, Center for Tech and Civic Life, awarded 467 grants of widely varying amounts, up to \$420,000, to Michigan cities, townships, and counties. Top reported expenditures from the grant funding were temporary staffing, mailings, absentee equipment and supplies, poll workers, personal protective equipment, and election equipment. The amount of savings from each would be based on what expenditures these entities would have spent from their own budgets otherwise and what expenditures they would have otherwise deferred. The Department of State did not receive grant money from the Center for Tech and Civic Life.

## **POSITIONS:**

A representative of Pure Integrity for Michigan Elections testified in support of the bill. (10-26-21)

The following entities indicated opposition to the bill:

- Department of State (2-22-22)
- Michigan Municipal League (2-22-22)
- League of Women Voters of Michigan (2-22-22)
- Voters Not Politicians (10-26-21)
- ACLU of Michigan (10-26-21)
- Michigan League of Conservation Voters (2-22-22)
- SEIU Michigan (10-26-21)
- Michigan Democratic Party (2-22-22)
- Episcopalians of Southwest Michigan Committed to Social Justice (10-26-21)
- Promote the Vote (2-22-22)

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