

PROHIBIT ACCEPTANCE OF ELECTION-RELATED EQUIPMENT OR GIFTS

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House Bills 5253 and 5254 as introduced

Sponsor: Rep. Sarah Lightner
Committee: Elections and Ethics
Complete to 10-25-21

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

SUMMARY:

House Bill 5253 would amend the Michigan Election Law to provide that the secretary of state (SOS) could not accept from an individual or entity, either directly or indirectly, a *gift involving election-related equipment*, including a gift involving that equipment to be distributed by any means to a county, city, village, or township clerk or any other local election official.

Likewise, a county, city, village, or township clerk, or any other local election official, could not accept a gift involving election-related equipment.

Gift involving election-related equipment would mean either of the following:

- A gift of property or goods involving *election-related equipment*.
- A gift of money or other consideration to be used for obtaining election-related equipment.

Election-related equipment would mean any materials, machines, or products that may be used to facilitate any tasks related to an election, including tabulators, voting booths, and absent voter ballot drop boxes.

Proposed MCL 168.946

House Bill 5254 would amend 1973 PA 196, which prescribes standards of conduct for public officials and employees, to provide that the SOS could not accept a gift of money or goods from a nongovernmental agency.

MCL 15.342

FISCAL IMPACT:

The bills would not result in any direct ongoing fiscal change to the state or local units of government. However, the bills 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.

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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.