



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 5420 (Substitute S-2 as reported)
Sponsor: Representative Beverly Hammerstrom
House Committee: Local Government
Senate Committee: Government Operations

CONTENT

The bill would amend the Michigan Election Law in a number of ways, including the following:

- Establish procedures for the provision of information in the qualified voter file (as described below).
- Delete current provisions that prescribe the selection of delegates to national party conventions, and specify that delegate selection would be done according to procedures established by a party.
- Require a candidate for delegate to a county or district convention of a political party to file an affidavit of identity with the county, city, or township clerk of the county, city, or township in which the candidate resided. The clerk would have to receive affidavits of identity up to 4 p.m. on the 12th Tuesday preceding the primary election in the county.
- Specify that any person (not just the candidate) who represented that a candidate was an incumbent when that was not true would be guilty of a misdemeanor.
- Lower to 1.5% the maximum number of signatures that may be submitted to election officials on nominating petitions to obtain a candidate's place on the ballot. Currently, candidates for various offices may submit signatures totaling up to 4% of the number of votes cast for Secretary of State at the prior election.
- Prohibit a person from threatening or intimidating a poll challenger while he or she was performing his or her duties.
- Allow an election inspector to be registered anywhere in the county that he or she was working on election day (rather than requiring election inspectors to be registered in the city, township, or village where they serve); and prohibit an election inspector from allowing any portion of a ballot (including a ballot stub) to be removed by anyone other than the inspector.
- Require at least one voting station for each 200 registered voters. Currently, there must be one station for each 400 voters.

Under the Law, the Secretary of State must direct the establishment of a Statewide qualified voter file, for the conduct of all elections held after December 31, 1997; the Law lists the information that the file must contain for each qualified voter. The bill provides that the Secretary of State or a local clerk would have to provide access to information contained in the qualified voter file to a campaign committee or a governmental agency (neither of which could use the information for a commercial purpose), or to any person (who could use the information for a commercial purpose). The Secretary of State could establish fees sufficient to cover the costs of providing the information: Fees for information provided to a governmental agency or campaign committee could include an additional amount to represent the value of the access and related services; fees for information provided to a person could include an additional amount that reflected fair market value. Information on the qualified voter file that was exempt from disclosure under the Freedom of Information Act could not be included in the information provided by the Secretary of State or a local clerk.

MCL 168.607 et al.

Legislative Analyst: G. Towne

FISCAL IMPACT

The bill would require city and township clerks to forward to the county clerk affidavits of identity for candidates for delegate to county or district conventions. The Michigan Township Association and the Michigan Municipal League report that the fiscal impact would be minimal.

The bill also would require the Secretary of State and local clerks to provide access to information contained in the Qualified Voter File and Statewide Street Address Index and would allow a fee for those services, which would offset costs. The level of revenue that would result from the fees is not determinate.

Date Completed: 12-5-96

Fiscal Analyst: B. Bowerman

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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.