

Legislative Analysis



AMENDMENTS TO MICHIGAN ELECTION LAW

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Senate Bill 751 (S-1), with House committee amendments
Sponsor: Sen. Dave Robertson

Senate Bill 752 (S-1), reported without amendment
Sponsor: Sen. Goeff Hansen

House Committee: Redistricting and Elections
Senate Committee: Local Government and Elections

Complete to 5-28-12

A SUMMARY OF SENATE BILLS 751 & 752 AS REPORTED BY HOUSE COMMITTEE 5-22-12

Senate Bill 751 (S-1, as amended) would amend the Michigan Election Law to do the following:

- Take effect June 1, 2012.
- Require the Secretary of State to create an inactive voter file of registered electors, made up of those voters who do not vote for six consecutive years, or who have received a notice to confirm residence information from the SOS under Section 509aa. (Under that section, a clerk who has received reliable information that an individual has moved must contact the voter.)
- Require the absent voter ballot of an individual whose registration record is in the inactive file to be marked as a challenged ballot.
- Specify that a voter remains in the inactive file until the voter votes at an election, responds to a notice under Section 509aa, or engages in some other voter registration transaction.
- Specify that a voter whose name is entered in the inactive file is (1) eligible to vote and (2) will remain on the precinct voter registration list.
- Establish procedures for the confirmation of residence information of a registered elector when the Department of State receives a surrendered Michigan driver license.
- Refer to "active" registered electors, rather than registered electors, in requirements pertaining to the consolidation of election precincts.
- Allow the use of either active registered voters, or both active and inactive voters, in determining the number of registered voters for precinct division purposes.
- Require a clerk to use the state's ballot tracker program, if possible, to allow voters to track their absent voter ballots online.

Senate Bill 752 (S-1) would amend the Michigan Election Law to do the following:

- Take effect June 1, 2012.
- Revise procedures applicable to an absent voter counting board, as follows:
 - If a city, township, or village decides to use absent voter counting boards, the local board of election commissioners would have to establish an absent voter counting board for each election day precinct, and the ballot form of a counting board must correspond to the ballot form of the election day precinct for which it is established.
 - After the polls close on election day, the local clerk responsible for producing the accumulation report of the election results must format the report to clearly indicate (1) the election day precinct returns; (2) the corresponding absent voter counting board returns; and (3) a total of each election day precinct return and each corresponding counting board return.
 - If a municipality has 250 or more precincts and absent voter counting boards are used, each ballot form that contains identical offices and names could be considered a separate precinct.
- Delete provisions related to a board of canvassers conducting a recount in a precinct that uses paper ballots or voting machines.
- Require a political party, other than a major political party, to notify the SOS and the Elections Bureau before holding its county caucus or state convention.

FISCAL IMPACT:

Senate Bill 751 would impose certain costs on the Department of State associated with the requirement that it create an inactive voter file. The department has indicated that they may be able to absorb the costs associated with the creation of an inactive voter file with current appropriation levels. All other requirements of the bill could be absorbed by current appropriation levels.

Senate Bill 752 would have no fiscal impact on the Department of State.

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