



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 5062 (Substitute H-2 as reported by the Committee of the Whole)

Sponsor: Representative Anthony Forlini

House Committee: Redistricting and Elections

Senate Committee: Local Government and Elections

CONTENT

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

- Require the Secretary of State (SOS) to establish a continuing election education program for all county, city, township, and village clerks.
- Require a clerk to complete the training every two years to maintain accreditation.
- Authorize the SOS to audit election precincts after each election.
- Require the SOS to develop an election audit program.
- Allow the SOS to train county clerks to conduct audits.
- Revise the retention and release period for certain election records, documents, and equipment.
- Extend from two to three years the statute of limitations on prosecution for an Election Law violation.

The bill would take effect on August 15, 2012.

MCL 168.31 et al.

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

State: The bill would result in an indeterminate increase in costs to the SOS associated with the requirements to establish a continuing education program for all local government election clerks. Currently, the SOS provides training to local election clerks; however, the bill would require that clerks be trained every two years, thus increasing the costs for these trainings for the SOS. Local governments would receive the trainings at no cost to them.

Also, requiring the SOS to develop an election audit program and train local election clerks, and to supervise each county clerk in the performance of election audits, would lead to an indeterminate increase in costs for the SOS.

In addition, requiring poll lists to be preserved for six years instead of the current two years, and requiring ballots to be held for 30 days instead of seven days following an election before they are destroyed, could result in an indeterminate cost to the SOS associated with storing these documents.

Local: There would be an indeterminate cost to local units of government associated with the election audit requirements of the bill. Local election clerks' offices would incur costs associated with training time, administrative costs for conducting the audits, and the purchase of the equipment needed to conduct the audits.

Date Completed: 6-12-12

Fiscal Analyst: Joe Carrasco