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BILL ANALYSIS



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Senate Bills 809, 810, and 811 (as introduced 2-13-18)
Sponsor: Senator Dave Robertson
Committee: Elections and Government Reform

Date Completed: 2-21-18

CONTENT

Senate Bill 809 would repeal sections of the Michigan Election Law that provide for the standardization of paper voting ballots, as well as chapters of the Law that govern elections for county auditors and municipal judges. The bill would amend the Law to do the following:

- Delete provisions under which a person convicted of cheating on a classified civil service examination is not eligible for election to certain offices for 20 years.
- Require a special primary to be held at least 45 days, rather than at least 20 days, before a special election.
- Revise the requirements for a person circulating a recall petition.

Senate Bills 810 and 811 would amend the Revised Judicature Act and the Revised School Code, respectively, to reflect changes proposed by Senate Bill 809.

Senate Bills 810 and 811 are tie-barred to Senate Bill 809. Each bill would take effect 90 days after enactment.

Senate Bill 809 is described in detail below.

The Law provides that a person who has been convicted of providing or possessing a copy of a classified service examination or answers is not eligible to the following offices for a period of 20 years after the conviction:

- Governor or Lieutenant Governor.
- United States Senator.
- Representative in Congress.
- County clerk, register of deeds, prosecuting attorney, sheriff, drain commissioner, surveyor, or coroner.
- Membership on the State Board of Education, the board of regents of the University of Michigan, the board of trustees of Michigan State University, or the board of governors of Wayne State University.
- A township office.
- An elective or appointive village office.
- Justice of the Supreme Court.
- Judge of the circuit court.
- Judge of probate.
- Judge of the district court.

The bill would delete these provisions.

The Law provides that if a special election is called to fill a vacancy in any office, the candidates for which are regularly nominated under the provisions of the Law relating to primary nominations, a special primary for all political parties must be held in the county, district, or city in which the vacancy occurs on a day set by the official or legislative body calling the special election, at least 20 days before the date of the special election.

Under the bill, a special primary would have to be held at least 45 days before the date of the special election.

Currently, a person circulating a recall petition must be a qualified and registered elector in the electoral district of the official sought to be recalled and must attach to the petition his or her certificate stating that he or she is a qualified and registered elector in the electoral district of the official sought to be recalled, and must state the city or the township where he or she resides and his or her post office address.

Under the bill, instead, a person circulating a recall petition would have to state in the certificate of circulator his or her residence address and that he or she was 18 years of age or older and a United States citizen.

The bill would repeal Sections 15, 121, 149, 302a, 416a to 416d, 467n, 467p, 613c, 647, 655, 656, 669a, 704, 705, 717a, 739, 761a, 802, 804, 847, and 947 of the Michigan Election Law. The bill would also repeal Chapters IX (County Auditors) and XIXA (Judges of Municipal Courts of Record).

MCL 168.37 et al.

Legislative Analyst: Nathan Leaman

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Joe Carrasco

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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.