

SENATE BILL No. 395

May 23, 2017, Introduced by Senators HERTEL, ANANICH, HOOD, GREGORY,
CONYERS, COLBECK and KNEZEK and referred to the Committee on Elections and
Government Reform.

A bill to amend 1954 PA 116, entitled
"Michigan election law,"
(MCL 168.1 to 168.992) by adding sections 484a and 956a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 484A. (1) AN INDIVIDUAL WHO CIRCULATES OR WHO OBTAINS**
2 **SIGNATURES ON A BALLOT QUESTION PETITION PROPOSING A CONSTITUTIONAL**
3 **AMENDMENT, INITIATION OF LEGISLATION, OR REFERENDUM OF LEGISLATION**
4 **SHALL NOT INTENTIONALLY MAKE A FALSE STATEMENT OR MISREPRESENTATION**
5 **CONCERNING THE CONTENTS, PURPORT, OR EFFECT OF THE BALLOT QUESTION**
6 **PETITION TO ANY OF THE FOLLOWING INDIVIDUALS:**

7 **(A) AN INDIVIDUAL WHO SIGNS THE BALLOT QUESTION PETITION.**

8 **(B) AN INDIVIDUAL WHO DESIRES TO SIGN THE BALLOT QUESTION**

1 PETITION.

2 (C) AN INDIVIDUAL WHO IS REQUESTED TO SIGN THE BALLOT QUESTION
3 PETITION.

4 (D) AN INDIVIDUAL WHO MAKES INQUIRIES WITH REFERENCE TO THE
5 BALLOT QUESTION PETITION.

6 (E) AN INDIVIDUAL TO WHOM THE BALLOT QUESTION PETITION IS
7 PRESENTED FOR SIGNATURE.

8 (2) AN INDIVIDUAL WHO CIRCULATES OR WHO OBTAINS SIGNATURES ON
9 A BALLOT QUESTION PETITION PROPOSING A CONSTITUTIONAL AMENDMENT,
10 INITIATION OF LEGISLATION, OR REFERENDUM OF LEGISLATION SHALL NOT
11 KNOWINGLY AND WILLFULLY CIRCULATE, PUBLISH, OR EXHIBIT A FALSE
12 STATEMENT OR MISREPRESENTATION CONCERNING THE CONTENTS, PURPORT, OR
13 EFFECT OF THE CONSTITUTIONAL AMENDMENT, INITIATIVE, OR REFERENDUM
14 FOR THE PURPOSE OF OBTAINING AN INDIVIDUAL'S SIGNATURE ON THE
15 BALLOT QUESTION PETITION OR FOR THE PURPOSE OF PERSUADING OR
16 INFLUENCING AN INDIVIDUAL TO SIGN THE BALLOT QUESTION PETITION.

17 (3) AN INDIVIDUAL WHO CIRCULATES OR WHO OBTAINS SIGNATURES ON
18 A BALLOT QUESTION PETITION PROPOSING A CONSTITUTIONAL AMENDMENT,
19 INITIATION OF LEGISLATION, OR REFERENDUM OF LEGISLATION SHALL NOT
20 INTENTIONALLY MAKE A FALSE, DECEPTIVE, OR MISLEADING STATEMENT OR
21 REPRESENTATION IN RESPONSE TO AN ELECTOR'S INQUIRY AS TO WHETHER HE
22 OR SHE IS A PAID SIGNATURE GATHERER OR A VOLUNTEER SIGNATURE
23 GATHERER.

24 (4) AN INDIVIDUAL WHO VIOLATES ANY PROVISION OF THIS SECTION
25 IS GUILTY OF A MISDEMEANOR.

26 SEC. 956A. (1) AN INDIVIDUAL WHO CIRCULATES OR WHO OBTAINS
27 SIGNATURES ON A RECALL PETITION SHALL NOT INTENTIONALLY MAKE A

1 FALSE STATEMENT OR MISREPRESENTATION CONCERNING THE CONTENTS,
2 PURPORT, OR EFFECT OF THE RECALL PETITION TO ANY OF THE FOLLOWING
3 INDIVIDUALS:

4 (A) AN INDIVIDUAL WHO SIGNS THE RECALL PETITION.

5 (B) AN INDIVIDUAL WHO DESIRES TO SIGN THE RECALL PETITION.

6 (C) AN INDIVIDUAL WHO IS REQUESTED TO SIGN THE RECALL
7 PETITION.

8 (D) AN INDIVIDUAL WHO MAKES INQUIRIES WITH REFERENCE TO THE
9 RECALL PETITION.

10 (E) AN INDIVIDUAL TO WHOM THE RECALL PETITION IS PRESENTED FOR
11 SIGNATURE.

12 (2) AN INDIVIDUAL WHO CIRCULATES OR WHO OBTAINS SIGNATURES ON
13 A RECALL PETITION SHALL NOT KNOWINGLY AND WILLFULLY CIRCULATE,
14 PUBLISH, OR EXHIBIT A FALSE STATEMENT OR MISREPRESENTATION
15 CONCERNING THE CONTENTS, PURPORT, OR EFFECT OF THE RECALL FOR THE
16 PURPOSE OF OBTAINING AN INDIVIDUAL'S SIGNATURE ON THE RECALL
17 PETITION OR FOR THE PURPOSE OF PERSUADING OR INFLUENCING AN
18 INDIVIDUAL TO SIGN THE RECALL PETITION.

19 (3) AN INDIVIDUAL WHO CIRCULATES OR WHO OBTAINS SIGNATURES ON
20 A RECALL PETITION SHALL NOT INTENTIONALLY MAKE A FALSE, DECEPTIVE,
21 OR MISLEADING STATEMENT OR REPRESENTATION IN RESPONSE TO AN
22 ELECTOR'S INQUIRY AS TO WHETHER HE OR SHE IS A PAID SIGNATURE
23 GATHERER OR A VOLUNTEER SIGNATURE GATHERER.

24 (4) AN INDIVIDUAL WHO VIOLATES ANY PROVISION OF THIS SECTION
25 IS GUILTY OF A MISDEMEANOR.

26 Enacting section 1. This amendatory act takes effect 90 days
27 after the date it is enacted into law.