

ELECTION CHALLENGERS

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House Bill 4528 as introduced
Sponsor: Rep. Bryan Posthumus
Committee: Elections and Ethics
Complete to 3-23-21

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4528 would amend Chapter 3 (Duties of Secretary of State) and Chapter 28 (Holding of Elections) of the Michigan Election Law to provide for the training of election challengers.

The bill would require the secretary of state (SOS) to establish and require a **comprehensive training** for each county clerk, and for each political party, incorporated organization, and organized committee of interested citizens that seeks to designate election challengers at an election, regarding the processes and procedures on election day and the powers, rights, and duties of election challengers.

Each county clerk would have to include this comprehensive training in its training school conducted within 20 days before each primary, general, and special election. As now, the county clerk must notify its city and township clerks of the training school, those clerks must notify each election inspector, and the election inspectors must attend unless excused.

Additionally, the bill would add a requirement that each county clerk and the secretary of state provide **election challenger training** for each political party, incorporated organization, or organized committee of interested citizens seeking to designate challengers at the election. The training would have to include the comprehensive training described above.

Those entities would have to attend the challenger training and, upon completion and before the primary, general, or special election, provide **election challenger training** for all individuals seeking to be challengers on behalf of the entity. Their training would also have to include the comprehensive training described above. Upon completion, the entities would have to issue a certificate of completion to their election challengers. The certificates would be valid for 90 days after issuance.

In order to serve, a challenger would have to have attended and received a certificate of completion for the election challenger training.

In addition, under current law, a candidate for nomination or election to an office may not serve as a challenger at the election in which he or she is a candidate.

The bill would allow that person to serve as a challenger as long as it was not in any precinct in the jurisdiction where he or she is a candidate.

MCL 168.31, 168.683, and 168.730 and proposed MCL 168.730a

FISCAL IMPACT:

House Bill 4528 would result in added costs to the state if the Department of State is not able to absorb the costs of developing and administering the training within its ongoing general fund appropriations to the Bureau of Elections.

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