

SENATE BILL No. 1254

November 29, 2018, Introduced by Senator PAVLOV and referred to the Committee on Government Operations.

A bill to provide for certain duties of the secretary of state relating to the independent citizens redistricting commission; to provide for certain rules and procedures governing the application and selection process for commissioners; to prescribe standards for establishing political party affiliation; to prohibit individuals affiliated with a political party from providing services to the commission; to provide civil sanctions; and to provide for the powers and duties of certain state and local governmental officers and entities.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Independent citizens redistricting commission" or

1 "commission" means the independent citizens redistricting
2 commission established under section 6 of article IV of the state
3 constitution of 1963.

4 (b) "Michigan registered voter" means an individual who is
5 registered to vote in this state.

6 Sec. 3. The secretary of state shall promulgate rules and
7 procedures, in accordance with the administrative procedures act of
8 1969, 1969 PA 306, MCL 24.201 to 24.328, that provide for the form
9 and minimum required contents of an application for commissioner of
10 the independent citizens redistricting commission, including, but
11 not limited to, the method for attesting to political party
12 affiliation under oath.

13 Sec. 5. For purposes of establishing affiliation with a
14 political party in the commissioner application and selection
15 process, all of the following apply:

16 (a) An individual is affiliated with a political party if the
17 individual adheres to or acts to further the purposes or objectives
18 of that party or a federal, state, or local chapter or other
19 division of that party. An expression of sympathy with a political
20 party or its purposes or objectives alone is not sufficient to
21 establish affiliation with that political party.

22 (b) An individual is conclusively presumed to be affiliated
23 with a political party if the individual is presently a member of
24 that party or a federal, state, or local chapter or other division
25 of that party. If an individual is applying as an independent, the
26 individual must state under oath that he or she is not presently a
27 member of any political party. If an individual is applying as an

1 affiliate of a political party, the individual must state under
2 oath that the individual affiliates with that political party and
3 is not presently a member of any other political party.

4 (c) An individual is conclusively presumed to be affiliated
5 with a political party if, within the prior 6 years, the individual
6 offered to or did contribute, loan, or promise money or anything of
7 value to that political party or a federal, state, or local chapter
8 or other division of that political party.

9 Sec. 7. In making applications for commissioner available to
10 the general public, the secretary of state shall make the
11 applications available online and circulate the applications
12 throughout the state, including at all secretary of state offices.

13 Sec. 9. When mailing applications for commissioner to Michigan
14 registered voters selected at random, the recipients shall be
15 selected from a pool of Michigan registered voters that includes
16 all Michigan registered voters.

17 Sec. 11. When the secretary of state is required to use a
18 random selection process in the implementation of its duties
19 related to the commission, it shall, in accordance with the
20 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
21 24.328, promulgate rules to establish the manner of random
22 selection to be used and procedures for implementing the random
23 selection process.

24 Sec. 13. An individual who is affiliated with a political
25 party is prohibited from providing services, including, but not
26 limited to, legal and accounting services, to the commission.

27 Sec. 15. An individual who violates an oath or provides false

1 information on an application under this act is responsible for a
2 civil fine of \$500.00.

3 Enacting section 1. This act takes effect 90 days after the
4 date it is enacted into law.