March 16, 2021, Introduced by Reps. Posthumus, Bollin and Griffin and referred to the Committee on Elections and Ethics.

A bill to amend 1954 PA 116, entitled "Michigan election law,"
by amending sections 31, 683, and 730 (MCL 168.31, 168.683, and 168.730), section 31 as amended by 2012 PA 271, section 683 as amended by 2018 PA 120, and section 730 as amended by 1995 PA 261, and by adding section 730a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1     Sec. 31. (1) The secretary of state shall do all of the
2     following:
(a) Subject to subsection (2), issue instructions and promulgate rules pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, for the conduct of elections and registrations in accordance with the laws of this state.

(b) Advise and direct local election officials as to the proper methods of conducting elections.

(c) Publish and furnish for the use in each election precinct before each state primary and election a manual of instructions that includes specific instructions on assisting voters in casting their ballots, directions on the location of voting stations in polling places, procedures and forms for processing challenges, and procedures on prohibiting campaigning in the polling places as prescribed in this act.

(d) Publish indexed pamphlet copies of the registration, primary, and election laws and furnish to the various county, city, township, and village clerks a sufficient number of copies for their own use and to enable them to include 1 copy with the election supplies furnished each precinct board of election inspectors under their respective jurisdictions. The secretary of state may furnish single copies of the publications to organizations or individuals who request the same for purposes of instruction or public reference.

(e) Prescribe and require uniform forms, notices, and supplies the secretary of state considers advisable for use in the conduct of elections and registrations.

(f) Prepare the form of ballot for any proposed amendment to the constitution or proposal under the initiative or referendum provision of the constitution to be submitted to the voters of this
state.

(g) Require reports from the local election officials the secretary of state considers necessary.

(h) Investigate, or cause to be investigated by local authorities, the administration of election laws, and report violations of the election laws and regulations to the attorney general or prosecuting attorney, or both, for prosecution.

(i) Publish in the legislative manual the vote for governor and secretary of state by townships and wards and the vote for members of the state legislature cast at the preceding November election, which **shall** be returned to the secretary of state by the county clerks on or before the first day of December following the election. All clerks shall furnish to the secretary of state, promptly and without compensation, any further information requested of them to be used in the compilation of the legislative manual.

(j) Establish a curriculum for comprehensive training and accreditation of all county, city, township, and village officials who are responsible for conducting elections.

(k) Establish a continuing election education program for all county, city, township, and village clerks.

(l) Establish and require attendance by all new appointed or elected election officials at an initial course of instruction within 6 months before the date of the election.

(m) Establish a comprehensive training curriculum for all precinct inspectors.

(n) Create an election day dispute resolution team that has regional representatives of the department of state, which team **shall** appear on site, if necessary.
(o) 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.

(2) Pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, the secretary of state shall promulgate rules establishing uniform standards for state and local nominating, recall, and ballot question petition signatures. The standards for petition signatures may include, but need not be limited to, standards for all of the following:

(a) Determining the validity of registration of a circulator or individual signing a petition.

(b) Determining the genuineness of the signature of a circulator or individual signing a petition, including digitized signatures.

(c) Proper designation of the place of registration of a circulator or individual signing a petition.

Sec. 683. Each county clerk before each primary and election shall, by some reliable means, notify the clerk of each township and city in the county of a training school for election inspectors to be held at a place designated by the county clerk within 20 days before each primary, general, and special election. The township and city clerks shall notify each election inspector appointed to serve at that election of the time and place of the training school. At the meeting, the county clerk shall instruct and demonstrate the manner in which the duties of election inspectors are required by law to be performed, and must include, but not be
limited to, the comprehensive training described under section 31(1)(o) regarding the processes and procedures on election day and the powers, rights, and duties of election challengers. It is the duty of the election inspectors, once notified of the time and place of the meeting, to attend the meeting unless excused by the county clerk for good cause. Compensation may be paid to them by their respective municipalities at a rate as determined by the governing bodies. An election inspector shall not serve in any election unless he or she has within the last preceding 2 years either attended an election school or has passed satisfactorily an examination given by the election commission of the city or township in which appointed. The examination is subject to the approval of the secretary of state. This section does not prevent the appointment of an election inspector to fill a vacancy. This section does not prohibit any city or any township having a population of 10,000 or more from conducting its own training school for election inspectors of that city or township. If a city or township conducts its own training school, election inspectors who attend a city or township training school are not required to attend the county training school.

Sec. 730. (1) At an election, a political party or an incorporated organization or organized committee of citizens interested in the adoption or defeat of a ballot question being voted for or upon at the election, or interested in preserving the purity of elections and in guarding against the abuse of the elective franchise, may designate challengers as provided in this act. Except as otherwise provided in this act, a political party, incorporated organization, or organized committee of interested citizens may designate not more than 2 challengers to serve in a
precinct at any 1 time. A political party, incorporated
organization, or organized committee of interested citizens may
designate not more than 1 challenger to serve at each counting
board.

(2) A challenger shall must be a registered elector of this
state. A challenger must not serve as a challenger at any election
unless he or she has within the last 90 days attended election
challenger training as described in section 730a and received a
certificate of completion for that election challenger training.
Except as otherwise provided in this section, a candidate for
nomination or election to an office shall not serve as a challenger
in any precinct in the jurisdiction in which he or she is a
candidate at the election in which he or she is a candidate. A
candidate for the office of delegate to a county convention may
serve as a challenger in a precinct other than the 1 in which he or
she is a candidate. A person An individual who is appointed as an
election inspector at an election shall not act as a challenger at
any time during the election day.

(3) A challenger may be designated to serve in more than 1
precinct. The political party, incorporated organization, or
organized committee of interested citizens shall indicate which
precincts the challenger will serve when designating challengers
under subsection (1). If more than 1 challenger of a political
party, incorporated organization, or organized committee of
interested citizens is serving in a precinct at any 1 time, only 1
of the challengers has the authority to initiate a challenge at any
given time. The challengers shall indicate to the board of election
inspectors which of the 2 will have challengers has this authority.
The challengers may change this authority and shall must indicate
the change to the board of election inspectors.

Sec. 730a. (1) Not less than 20 days before each primary, general, or special election, each county clerk and the secretary of state must provide election challenger training for each political party, incorporated organization, or organized committee of interested citizens, as described in section 730, that seeks to designate challengers at the election. The election challenger training under this subsection must include, but not be limited to, the comprehensive training described under section 31(1)(o) regarding the processes and procedures on election day and the powers, rights, and duties of election challengers.

(2) If a political party, incorporated organization, or organized committee of interested citizens, as described in section 730, seeks to designate challengers at an election, that political party, incorporated organization, or organized committee of interested citizens must attend and complete election challenger training as provided in subsection (1). Upon completion of the election challenger training as provided in subsection (1), and before the primary, general, or special election, the political party, incorporated organization, or organized committee of interested citizens must provide election challenger training for those individuals seeking to be election challengers for that political party, incorporated organization, or organized committee of interested citizens. The election challenger training for the individuals seeking to be election challengers must include, but not be limited to, the comprehensive training described under section 31(1)(o) regarding the processes and procedures on election day and the powers, rights, and duties of election challengers.

(3) Upon completion of the election challenger training under
subsection (2), the political party, incorporated organization, or
organized committee of interested citizens must issue a certificate
of completion to the individual seeking to be an election
challenger. A certificate of completion is valid for 90 days after
the date it is issued.