



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 413 (Substitute S-1 as reported by the Committee of the Whole)
Sponsor: Senator John Gleason
Committee: Campaign and Election Oversight

CONTENT

The bill would amend the Michigan Election Law to do the following, effective November 15, 2010:

- Require a petition proposing an amendment to the State Constitution or to initiate legislation to be submitted to the Elections Director for review before being circulated.
- Require the Director to determine whether the petition form met formatting requirements and that, if a statement describing the proposal appeared on the form, the statement fairly reflected the proposal; and require the Director to report to the Board of State Canvassers.
- Require the Board of State Canvassers to meet within 30 days after a petition was submitted to the Director for review.
- Provide that, if the Director requested a revision of the petition during the review process, the Board would have to meet within 30 days after the petition sponsor submitted the final petition revision requested by the Director.
- Allow a petition to be circulated for the collection of signatures after the Board adopted a motion to approve the form of the petition; and prohibit circulation of a petition if the Board adopted a motion not to approve the form of the petition.
- Allow a petition sponsor to correct deficiencies in a petition form and resubmit it to the Director for review and reconsideration.
- Allow a petition to be circulated without Board approval, if the Board failed to meet within the required 30-day period or met but failed to adopt a motion approving or not approving the petition form.
- Specify that the substance of a proposal would not be subject to review by the Director or the Board, and that a statement describing a proposal's subject matter would not be subject to review by the Board.
- Allow an aggrieved party to appeal a determination of the Director or the Board to the Michigan Court of Appeals on an expedited basis.

Proposed MCL 168.483a

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The review and report preparation that would be required of the Director of Elections should not add any costs. However, if the number of petitions to be reviewed were to become excessive, additional staff time could be required, which could increase the need for additional funding. In all likelihood, the responsibilities of the Director called for in the bill should be absorbed within current appropriations.

Date Completed: 1-26-10

Fiscal Analyst: Joe Carrasco