

## REDISTRICTING COMMISSION

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**Senate Bill 1254 (S-1) as passed by the Senate**  
**Sponsor: Sen. Phil Pavlov**  
**House Committee: Elections and Ethics**  
**Senate Committee: Elections and Government Reform**  
**Complete to 12-18-18**

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

## SUMMARY:

Senate Bill 1254 would create a new act that would establish the duties of the Michigan Secretary of State (SOS) regarding the Independent Citizens Redistricting Commission. The Commission was part of Proposal 2,<sup>1</sup> a constitutional initiative approved by the voters at the November 2018 election, and will apportion the state House, Senate, and Congressional seats in Michigan following the 2020 census.

The language that the proposal incorporated into the Michigan Constitution requires that the 13 members of the Commission be selected from applications submitted by voters and include four members affiliated with each of the two major political parties and five unaffiliated voters.

The bill would require that, in order to be considered “affiliated” with a political party for the purposes of selection to the Commission, the following would apply:

- An individual would be affiliated if he or she adhered to or acted to further the purposes or objectives of that party or a federal, state, or local chapter or other division of that party. An expression of sympathy with a political party or its purposes or objectives alone would not be sufficient to establish affiliation with that political party.
- An individual would be conclusively presumed to be affiliated with a political party if he or she were presently a member of that party or a chapter or division of the party or if, within the previous six years, he or she had offered to or did contribute, loan, or promise money or anything of value to that party or a division of that party.
- An individual would be conclusively presumed to be affiliated with more than one political party if he or she had offered to or did contribute, loan, or promise money or anything of value to more than one political party or division of a political party within the previous six years.

Article 4, Section 6(2)(A)(III) of the Constitution stipulates that the SOS must require applicants to attest under oath that they meet the requirements for Commission members and either that they affiliate with one of the two applicable political parties (stating which party) or that they do not affiliate with either party.

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<sup>1</sup> House Fiscal Agency analysis of Proposal 2:  
[http://house.michigan.gov/hfa/PDF/TestPDF/Ballot\\_Proposal\\_2018-2\\_VNP\\_Redistricting.pdf](http://house.michigan.gov/hfa/PDF/TestPDF/Ballot_Proposal_2018-2_VNP_Redistricting.pdf)

The bill would require individuals applying to the Commission as party affiliates to state under oath that they are affiliated with that party and are not presently a member of any other party. It would require independent applicants to state under oath that they are not presently a member of any political party.

The bill would require the SOS to promulgate rules and procedures providing the form and minimum contents of the application, including the method of attesting to affiliation under oath.

A person who violated an oath or provided false information on an application would be responsible for a civil fine of \$500.

The Constitution requires the SOS to make applications for the Commission available to the general public, circulate them in a way that invites wide public participation from different regions of the state, and comply with a specified schedule of mailing applications to randomly selected voters. The bill would specifically require SOS to make the applications available online and circulate the applications throughout the state, including at all SOS offices.

The Constitution requires the SOS to mail an initial 10,000 applications to Michigan voters “selected at random” (and mail additional applications to voters selected at random if necessary). The bill would require that recipients be selected at random from the complete pool of Michigan voters. It would also require the SOS to promulgate rules to establish the manner of the random selection and the procedures for implementing it.

The bill would prohibit an individual affiliated with a political party (other than a member of the Commission) from providing services, including legal and accounting services, to the Commission.

The bill would take effect 90 days after enactment.

## **FISCAL IMPACT:**

The bill would have no fiscal impact to the State or local units of government. For an analysis of the fiscal impact of the creation and operation of the Independent Citizens Redistricting Commission to the state please see the House Fiscal Agency [Analysis](#) of Proposal 2 of 2018.

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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.