

**SUBSTITUTE FOR  
SENATE BILL NO. 1254**

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  
3 "commission" means the independent citizens redistricting  
4 commission established under section 6 of article IV of the state

1 constitution of 1963.

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

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

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

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

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

1 is not presently a member of any other political party.

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

7 (d) An individual is conclusively presumed to be affiliated  
8 with more than 1 political party if, within the prior 6 years, the  
9 individual offered to or did contribute, loan, or promise money or  
10 anything of value to more than 1 political party or a federal,  
11 state, or local chapter or other division of more than 1 political  
12 party.

13 Sec. 7. In making applications for commissioner available to  
14 the general public, the secretary of state shall make the  
15 applications available online and circulate the applications  
16 throughout the state, including at all secretary of state offices.

17 Sec. 9. When mailing applications for commissioner to Michigan  
18 registered voters selected at random, the recipients shall be  
19 selected from a pool of Michigan registered voters that includes  
20 all Michigan registered voters.

21 Sec. 11. When the secretary of state is required to use a  
22 random selection process in the implementation of its duties  
23 related to the commission, it shall, in accordance with the  
24 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to  
25 24.328, promulgate rules to establish the manner of random  
26 selection to be used and procedures for implementing the random  
27 selection process.

## Senate Bill No. 1254 as amended December 5, 2018

1           Sec. 13. An individual who is affiliated with a political  
2 party is prohibited from providing services, including, but not  
3 limited to, legal and accounting services, to the commission.<< This  
4 section does not apply to an individual serving as a commissioner on the  
5 commission.>>

6           Sec. 15. An individual who violates an oath or provides false  
7 information on an application under this act is responsible for a  
8 civil fine of \$500.00.

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