

Legislative Analysis



AFFIDAVITS OF IDENTITY

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

Senate Bill 212 as reported from House committee

Sponsor: Sen. Ruth Johnson

House Committee: Elections and Ethics

Senate Committee: Elections

Complete to 12-14-21

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

SUMMARY:

Senate Bill 212 would amend the requirements for affidavits of identity in the Michigan Election Law.

Currently under the act, candidates must file an affidavit of identity when filing a nominating petition, qualifying petition, filing fee, or affidavit of candidacy. In addition to current requirements, the bill would add that a candidate must also include all of the following:

- The jurisdiction, district, circuit, or ward.
- The candidate's political party or a statement indicating no party affiliation if the candidate is running without political party affiliation.
- The term of office.
- The date of the election in which the candidate wishes to appear on the ballot.
- If the candidate is running for precinct delegate, the precinct number.
- If the candidate is a judicial candidate, whether the office sought is an incumbent position, a nonincumbent position, or a new judgeship.

Additionally, affidavits of identity must include a statement that all applicable documents have been filed and all fees and fines have been paid and that the candidate acknowledges the consequences of a false statement. The bill would require this statement to be signed and notarized.

Finally, while the law currently requires that affidavits of identity be forwarded to applicable specified officials by first-class mail, the bill would add facsimile (fax) and email as options for forwarding them.

MCL 168.558

FISCAL IMPACT:

The bill would have no significant fiscal impact on the state or local units of government.

POSITIONS:

The following entities indicated support for the bill:

Michigan Association of County Clerks (9-28-21)

Michigan Association of School Boards (10-5-21)

A representative of the Department of State testified and indicated a neutral position on the bill. (9-28-21)

Legislative Analyst: Jenny McInerney
Fiscal Analyst: Michael Cnossen

■ 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.