

INCREASE BALLOT PETITION DEADLINES

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

House Bill 4995 as introduced
Sponsor: Rep. Richard M. Steenland
Committee: Elections and Ethics
Complete to 6-14-22

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

SUMMARY:

House Bill 4995 would amend the Michigan Election Law to change the deadlines for ballot petitions to be filed with the secretary of state (SOS) and accepted by the Board of State Canvassers. The bill is tie-barred to House Joint Resolution G, which would modify the deadline for filing constitutional amendment petitions.

The Michigan Election Law currently requires petitions to amend the state constitution to be filed with the SOS no later than 120 days before the election in which that amendment would appear on the ballot. Initiative petitions, which would enact a new statute if approved, must be filed at least 160 days before the relevant election. The petition must then be declared sufficient by the Board of State Canvassers, which is the body responsible for certifying that the petition has enough valid signatures.

State constitutional amendments can be placed on the ballot either by being agreed to by the legislature as a joint resolution or as the result of a petition. If two-thirds of the members in both houses of the legislature agree to a proposed amendment via joint resolution, then it will be placed on the ballot at the next election that occurs at least 60 days after legislative approval. If a petition for a constitutional amendment receives enough valid signatures, then it will be placed on the ballot for the next upcoming general election.

Initiative petitions are first sent to the legislature, where the legislature may enact the proposed law as is, reject the law, or propose a different measure on the same topic. If the proposed law is not enacted in its original form within 40 days, it is placed on the ballot for the next general election. If the legislature approves a different measure, that proposed law will also appear on the ballot for voter approval at the same general election.

The current deadlines for filing and accepting petitions are as follows:

- Constitutional amendment petitions must be filed with the SOS at least 120 days before the election at which the amendment would appear on the ballot.
- Initiative petitions must be filed with the SOS at least 160 days before the election at which the amendment would appear on the ballot.
- The Board of State Canvassers must conclude any hearings on a constitutional amendment petition and declare its sufficiency at least two months before the relevant election.
- The Board of State Canvassers must conclude any hearings on an initiative petition and declare its sufficiency at least 100 days before the relevant election.

The bill would require petitions proposing a constitutional amendment to be filed with the secretary of state's office at least 150 days before the election in which it would appear on the

ballot. Initiative petitions would need to be filed at least 190 days before an election. The deadline for the legislature to enact or reject an initiative petition would remain at 40 days.

The bill would also modify the deadlines for the Board of State Canvassers to hold hearings on a petition and decide if it has received enough valid signatures to be placed on the ballot. The board would be required to complete any hearings and decide whether or not a constitutional amendment petition is sufficient at least 90 days before the relevant election. Initiative petitions must be declared sufficient or insufficient at least 130 days before the relevant election.

House Bill 4995 is tie-barred to HJR G. The joint resolution would make the same changes to the filing and Board of State Canvassers acceptance deadlines, and it would also require constitutional amendments proposed by a joint resolution to be submitted to the electorate at an election held at least 90 days (currently 60) after legislative approval. HJR G would not modify the deadlines for filing and certifying initiative petitions.

MCL 168.471 et seq.

FISCAL IMPACT:

A fiscal analysis is in progress.

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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.