

BALLOT PROOFING

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

House Bill 5258 as introduced
Sponsor: Rep. Matt Koleszar
Committee: Elections and Ethics
Complete to 9-21-21

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

SUMMARY:

House Bill 5258 would amend the Michigan Election Law to change the timetable for filing, processing, and distributing proof ballots for elections.

Currently under the act, before final ballots for elections are printed, copies of the proposed ballot are returned from the printer to the County Election Commission, whose members proofread them for errors and omissions.¹ The Commission must send proof ballots to the Department of State's Bureau of Elections and to each candidate on the proposed ballot at least 14 days before a primary election. Candidates then have two business days after receipt of the proposed ballot to contact the county clerk with any necessary corrections. After they are finalized, the ballots are given a final inspection by the County Election Commission and then delivered to the county clerk for distribution to the local jurisdictions within the county.

The current timetable requires that, at least 14 days before the primary election, copies of the ballot must be filed with the county clerk and a proof copy of the ballot must be mailed to the secretary of state (SOS) and each candidate on the ballot. The bill would move the deadline for all of those actions to 58 days (eight weeks and two days) before the primary election and require that the proof copy be sent by email to the county clerk and by first-class mail to the candidates. If the candidate has provided an email address on his or her affidavit of identity, the clerk would also have to send the proof copy by email.

The bill also would revise the deadline for corrections by candidates from two days after receipt of the proof to five days after the proof is mailed.

Additionally, while current law requires the Board of Election Commissioners to mail two copies of the proof ballot to the SOS, the bill would require that the proof ballot be emailed. If needed, a corrected ballot would also have to be emailed to the SOS rather than mailed.

MCL 168.565, 168.710, and 168.711

FISCAL IMPACT:

A fiscal analysis is in progress.

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Fiscal Analyst: Michael Clossen

■ 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.

¹ Bureau of Elections memorandum on ballot proofing: https://www.michigan.gov/documents/sos/BallotInstruc_519187_7.pdf