SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4528

A bill to amend 1954 PA 116, entitled "Michigan election law,"
by amending sections 31, 683, and 730 (MCL 168.31, 168.683, and 168.730), section 31 as amended by 2012 PA 271, section 683 as amended by 2018 PA 120, and section 730 as amended by 1995 PA 261, and by adding section 730a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 31. (1) The secretary of state shall do all of the following:

(a) Subject to subsection (2), issue instructions and promulgate rules pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, for the conduct of elections and registrations in accordance with the laws of this state.
(b) Advise and direct local election officials as to the
proper methods of conducting elections.

(c) Publish and furnish for the use in each election precinct
before each state primary and election a manual of instructions
that includes specific instructions on assisting voters in casting
their ballots, directions on the location of voting stations in
polling places, procedures and forms for processing challenges, and
procedures on prohibiting campaigning in the polling places as
prescribed in this act.

(d) Publish indexed pamphlet copies of the registration,
primary, and election laws and furnish to the various county, city,
township, and village clerks a sufficient number of copies for
their own use and to enable them to include 1 copy with the
election supplies furnished each precinct board of election
inspectors under their respective jurisdictions. The secretary of
state may furnish single copies of the publications to
organizations or individuals who request the same for purposes of
instruction or public reference.

(e) Prescribe and require uniform forms, notices, and supplies
the secretary of state considers advisable for use in the conduct
of elections and registrations.

(f) Prepare the form of ballot for any proposed amendment to
the constitution or proposal under the initiative or referendum
provision of the constitution to be submitted to the voters of this
state.

(g) Require reports from the local election officials the
secretary of state considers necessary.

(h) Investigate, or cause to be investigated by local
authorities, the administration of election laws, and report
violations of the election laws and regulations to the attorney
general or prosecuting attorney, or both, for prosecution.

(i) Publish in the legislative manual the vote for governor
and secretary of state by townships and wards and the vote for
members of the state legislature cast at the preceding November
election, which shall be returned to the secretary of state by
the county clerks on or before the first day of December following
the election. All clerks shall furnish to the secretary of state,
promptly and without compensation, any further information
requested of them to be used in the compilation of the
legislative manual.

(j) Establish a curriculum for comprehensive training and
accreditation of all county, city, township, and village officials
who are responsible for conducting elections.

(k) Establish a continuing election education program for all
county, city, township, and village clerks.

(l) Establish and require attendance by all new appointed or
elected election officials at an initial course of instruction
within 6 months before the date of the election.

(m) Establish a comprehensive training curriculum for all
precinct inspectors.

(n) Create an election day dispute resolution team that has
regional representatives of the department of state, which team
shall appear on site, if necessary.

(o) Establish and require a comprehensive training for each
county clerk, and for each political party, incorporated
organization, and organized committee of interested citizens that
seeks to designate election challengers at an election, regarding
the processes and procedures on election day and the powers, rights, and duties of election challengers.

(2) Pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, the secretary of state shall promulgate rules establishing uniform standards for state and local nominating, recall, and ballot question petition signatures. The standards for petition signatures may include, but need not be limited to, standards for all of the following:

(a) Determining the validity of registration of a circulator or individual signing a petition.

(b) Determining the genuineness of the signature of a circulator or individual signing a petition, including digitized signatures.

(c) Proper designation of the place of registration of a circulator or individual signing a petition.

Sec. 683. Each county clerk before each primary and election shall, by some reliable means, notify the clerk of each township and city in the county of a training school for election inspectors to be held at a place designated by the county clerk within 20 days before each primary, general, and special election. The township and city clerks shall notify each election inspector appointed to serve at that election of the time and place of the training school. At the meeting, the county clerk shall instruct and demonstrate the manner in which the duties of election inspectors are required by law to be performed, and must include, but not be limited to, the comprehensive training described under section 31(1)(o) regarding the processes and procedures on election day and the powers, rights, and duties of election challengers. It is the duty of the election inspectors, once notified of the time
and place of the meeting, to shall attend the meeting unless
excused by the county clerk for good cause. Compensation may be
paid to them by their respective municipalities at a rate as
determined by the governing bodies. An election inspector shall not
serve in any election unless he or she has within the last
preceding 2 years either attended an election school or has passed
satisfactorily an examination given by the election commission of
the city or township in which appointed. The examination is subject
to the approval of the secretary of state. This section does not
prevent the appointment of an election inspector to fill a vacancy.
This section does not prohibit any city or any township having a
population of 10,000 or more from conducting its own training
school for election inspectors of that city or township. If a city
or township conducts its own training school, election inspectors
who attend a city or township training school are not required to
attend the county training school.

Sec. 730. (1) At an election, a political party or an
incorporated organization or organized committee of citizens
interested in the adoption or defeat of a ballot question being
voted for or upon at the election, or interested in preserving the
purity of elections and in guarding against the abuse of the
elective franchise, may designate challengers as provided in this
act. Except as otherwise provided in this act, a political party,
incorporated organization, or organized committee of interested
citizens may designate not more than 2 challengers to serve in a
precinct at any 1 time. A political party, incorporated
organization, or organized committee of interested citizens may
designate not more than 1 challenger to serve at each counting
board.
(2) A challenger shall be a registered elector of this state. Except as otherwise provided in this subsection, a challenger must not serve as a challenger at any election unless he or she has within the last 90 days attended election challenger training as described in section 730a and received a signed certificate of completion for that election challenger training. If a challenger attended election challenger training as described in section 730a within 90 days before an August primary election and that challenger received a signed certificate of completion for that election challenger training, that challenger may serve as a challenger at the subsequent general November election without having to attend election challenger training as described in section 730a unless there has been a statutory change that requires election challenger training to be updated for the subsequent general November election. Except as otherwise provided in this section, a candidate for nomination or election to an office shall not serve as a challenger in any precinct in the jurisdiction in which he or she is a candidate. A candidate for the office of delegate to a county convention may serve as a challenger in a precinct other than the 1 in which he or she is a candidate. A person who is appointed as an election inspector at an election shall not act as a challenger at any time during the election day.

(3) A challenger may be designated to serve in more than 1 precinct. The political party, incorporated organization, or organized committee of interested citizens shall indicate which precincts the challenger will serve when designating challengers under subsection (1). If more than 1 challenger of a political party, incorporated organization, or organized committee of
interested citizens is serving in a precinct at any 1 time, only 1
of the challengers has the authority to initiate a challenge at any
given time. The challengers shall indicate to the board of election
inspectors which of the 2 will have this authority. The challengers may change this authority and shall indicate
the change to the board of election inspectors.

Sec. 730a. (1) Not less than 45 days and not more than 100
days before each primary, general, and special election, each
county clerk and the secretary of state must offer election
challenger training for each political party, incorporated
organization, or organized committee of interested citizens, as
described in section 730, that seeks to designate challengers at
the election. The election challenger training under this
subsection must include, but not be limited to, the comprehensive
training described under section 31(1)(o) regarding the processes
and procedures on election day, the powers, rights, and duties of
election challengers, and training for both precinct polling places
and absent voter counting boards.

(2) If a political party, incorporated organization, or
organized committee of interested citizens seeks to designate
challengers at an election, that political party, incorporated
organization, or organized committee of interested citizens must
attend and complete the election challenger training as provided in
subsection (1). A political party, incorporated organization, or
organized committee of interested citizens is only required to
attend and complete the election challenger training once before
each primary, general, and special election as offered by the
secretary of state or any county clerk.

(3) The secretary of state shall create and maintain a
registry that includes each political party, incorporated
organization, and organized committee of interested citizens that
completes the election challenger training under this section. For
each political party, incorporated organization, and organized
committee of interested citizens in the registry, the name of each
individual who attended the training and the name of a contact
person for that political party, incorporated organization, or
organized committee of interested citizens must be included in the
registry. If a political party, incorporated organization, or
organized committee of interested citizens attends and completes
the election challenger training from a county clerk, that county
clerk must immediately notify the secretary of state and the
secretary of state must add the name of that political party,
incorporated organization, or organized committee of interested
citizens, the name of each individual who attended the training,
and the contact information for that political party, incorporated
organization, or organized committee of interested citizens to the
registry. The secretary of state must post and maintain the
registry on the department of state's website and make the
information in the registry available to each county clerk.

(4) Upon completion of the election challenger training as
provided in subsection (1), and before the primary, general, or
special election, the political party, incorporated organization,
or organized committee of interested citizens must provide election
challenger training for those individuals seeking to be election
challengers for that political party, incorporated organization, or
organized committee of interested citizens. The election challenger
training for the individuals seeking to be election challengers
must include, but not be limited to, the comprehensive training
described under section 31(1)(o) regarding the processes and procedures on election day and the powers, rights, and duties of election challengers. The political party, incorporated organization, or organized committee of interested citizens must provide separate training for those individuals seeking to be election challengers at an absent voter counting board.

(5) Upon completion of the election challenger training under subsection (4), the political party, incorporated organization, or organized committee of interested citizens must issue a certificate of completion, signed by an officer of that political party, incorporated organization, or organized committee of interested citizens, to the individual seeking to be an election challenger. The political party, incorporated organization, or organized committee of interested citizens may issue the certificate of completion electronically to the individual seeking to be an election challenger if the electronic certificate of completion contains an electronic signature from an officer of that political party, incorporated organization, or organized committee of interested citizens. A signed certificate of completion is valid for 90 days after the date it is issued. The political party, incorporated organization, or organized committee of interested citizens must maintain a record of each individual issued a signed certificate of completion by that political party, incorporated organization, or organized committee of interested citizens.

(6) If a political party, incorporated organization, or organized committee of interested citizens issues a signed certificate of completion to an individual who the political party, incorporated organization, or organized committee of interested citizens did not provide election challenger training, the
political party, incorporated organization, or organized committee of interested citizens is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than $2,500.00.