

SENATE BILL NO. 292

March 24, 2021, Introduced by Senators OUTMAN, LASATA, HORN, THEIS, STAMAS, ZORN, BARRETT and VANDERWALL and referred to the Committee on Elections.

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 31 and 730 (MCL 168.31 and 168.730), section 31 as amended by 2012 PA 271 and section 730 as amended by 1995 PA 261, and by adding section 730a; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

1 (a) Subject to subsection (2), issue instructions and
2 promulgate rules pursuant to the administrative procedures act of
3 1969, 1969 PA 306, MCL 24.201 to 24.328, for the conduct of
4 elections and registrations in accordance with the laws of this
5 state.

6 (b) Advise and direct local election officials as to the
7 proper methods of conducting elections.

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

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

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

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

1 state.

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

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

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

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

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

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

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

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

1 **(o) Establish a comprehensive training curriculum for each**
2 **political party that seeks to designate election challengers at an**
3 **election, regarding the powers, rights, and duties of election**
4 **challengers.**

5 (2) Pursuant to the administrative procedures act of 1969,
6 1969 PA 306, MCL 24.201 to 24.328, the secretary of state shall
7 promulgate rules establishing uniform standards for state and local
8 nominating, recall, and ballot question petition signatures. The
9 standards for petition signatures may include, but need not be
10 limited to, standards for all of the following:

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

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

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

18 Sec. 730. (1) At an election, a political party ~~or an~~
19 ~~incorporated organization or organized committee of citizens~~
20 ~~interested in the adoption or defeat of a ballot question being~~
21 ~~voted for or upon at the election, or interested in preserving the~~
22 ~~purity of elections and in guarding against the abuse of the~~
23 ~~elective franchise,~~ may designate challengers as provided in this
24 act. Except as otherwise provided in this act, a political party ~~or~~
25 ~~incorporated organization, or organized committee of interested~~
26 ~~citizens~~ may designate not more than 2 challengers to serve in a
27 precinct at any 1 time. A political party ~~or incorporated~~
28 ~~organization, or organized committee of interested citizens~~ may
29 designate not more than 1 challenger to serve at each counting

1 board.

2 (2) A challenger ~~shall~~**must** be a registered elector of this
 3 state. **A challenger must not serve as a challenger at any election**
 4 **unless he or she has within the last 3 years attended election**
 5 **challenger training as described in section 730a and submitted a**
 6 **signed affidavit attesting to having attended the election**
 7 **challenger training to the political party that conducted the**
 8 **election challenger training.** Except as otherwise provided in this
 9 section, a candidate for nomination or election to an office shall
 10 not serve as a challenger at the election in which he or she is a
 11 candidate. A candidate for the office of delegate to a county
 12 convention may serve as a challenger in a precinct other than the ~~1~~
 13 **one** in which he or she is a candidate. ~~A person~~**An individual** who
 14 is appointed as an election inspector at an election shall not act
 15 as a challenger at any time during the election day.

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

28 **Sec. 730a. (1) If a political party seeks to designate**
 29 **challengers at an election, that political party must, not less**

1 than 3 days before the election, provide election challenger
2 training for those individuals seeking to be election challengers
3 for that political party. The election challenger training for the
4 individuals seeking to be election challengers must include the
5 comprehensive training curriculum established by the secretary of
6 state under section 31(1)(o) regarding the powers, rights, and
7 duties of election challengers.

8 (2) Upon completion of the election challenger training under
9 subsection (1), the individual seeking to be an election challenger
10 must sign and submit to the political party that conducted the
11 election challenger training an affidavit attesting that the
12 individual attended the election challenger training. The election
13 challenger training for an individual is valid for 3 years from the
14 date the signed affidavit is submitted to and filed with the
15 political party that conducted the election challenger training.

16 (3) A political party must retain a signed affidavit as
17 described in subsection (2) for not less than 3 years.

18 Enacting section 1. Section 731 of the Michigan election law,
19 1954 PA 116, MCL 168.731, is repealed.