

**SUBSTITUTE FOR
HOUSE BILL NO. 5574**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 474a, 475, 478, 480, 481, and 485 (MCL 168.474a, 168.475, 168.478, 168.480, 168.481, and 168.485), section 474a as amended by 1999 PA 219, section 475 as amended by 2022 PA 40, section 480 as amended by 2012 PA 276, and section 485 as amended by 1994 PA 152; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 474a. (1) The board of state canvassers shall assign a
2 number designation to appear on the ballot for each question to be
3 submitted on a statewide basis. The designation ~~shall~~**must** be
4 assigned not less than 60 days before the election. ~~If the question~~
5 ~~is to appear on a general election ballot the designation shall not~~

1 ~~be assigned earlier than the primary election preceding that~~
 2 ~~general election.~~

3 (2) The number designation under subsection (1) ~~shall must~~
 4 consist of ~~3-5~~ or ~~4-6~~ digits. The first ~~2-4~~ digits ~~shall must~~ be
 5 ~~the last 2 digits of the year of the election.~~ The next digit or,
 6 if necessary, 2 digits ~~shall must~~ indicate the chronological order
 7 in which the question was filed to appear on the ballot. **For a**
 8 **primary or special election, a -P or -S, as applicable, must be**
 9 **added to the end of the number designation.** For the purposes of
 10 this subsection, a question ~~shall must~~ be considered to be filed to
 11 appear on the ballot as follows:

12 (a) A **question of a** general revision of the constitution under
 13 section 3 of article XII of the state constitution of 1963 ~~shall~~
 14 **must** be considered to be the first question filed to appear on the
 15 ballot for those elections at which a **question of a** general
 16 revision of the constitution will appear on the ballot.

17 (b) **A proposed constitution or amendment adopted by a**
 18 **convention under section 3 of article XII of the state constitution**
 19 **of 1963 must be considered to be filed to appear on the ballot upon**
 20 **the final adjournment of the convention that proposed the**
 21 **constitution or amendment.**

22 (c) ~~(b)~~ An amendment to the constitution proposed under
 23 section 2 of article XII of the state constitution of 1963,
 24 ~~legislation~~ **a law** initiated under section 9 of article II of the
 25 state constitution of 1963, or a referendum invoked under section 9
 26 of article II of the state constitution of 1963 ~~shall must~~ be
 27 considered to be filed to appear on the ballot when the petition is
 28 filed with the secretary of state.

29 (d) ~~(e)~~ An amendment to the constitution proposed under

1 section 1 of article XII of the state constitution of 1963 ~~shall~~
2 **must** be considered to be filed to appear on the ballot when the
3 joint resolution proposing the amendment is filed with the
4 secretary of state.

5 **(e)** ~~(d)~~—A referendum under section 34 of article IV of the
6 state constitution of 1963 ~~shall~~ **must** be considered to be filed to
7 appear on the ballot when the legislation is filed with the
8 secretary of state.

9 Sec. 475. (1) Upon the ~~filing~~ **final submission** of a petition
10 **as to form** under this chapter, the secretary of state shall
11 immediately notify the board of state canvassers of the ~~filing~~
12 **submission** of the petition. ~~The notification must be by first-class~~
13 ~~mail.~~ In addition, upon the ~~filing~~ **final submission** of a petition
14 under this chapter, the secretary of state shall within 2 business
15 days post on the department of state's website ~~a summary of the~~
16 ~~proposed amendment or question proposed~~ **constitutional amendment,**
17 **initiated law, or referendum** and the date the petition was ~~filed~~
18 ~~with~~ **submitted to** the secretary of state. ~~If a summary of the~~
19 ~~purpose of the proposed amendment or question presented was~~
20 ~~submitted to and approved by the board of state canvassers under~~
21 ~~section 482b, that approved summary must be used as the summary~~
22 ~~posted on the department of state's website as required under this~~
23 ~~subsection. At least once every 30 days after the date the petition~~
24 ~~was filed, the secretary of state shall post on the department of~~
25 ~~state's website an update on the status of that petition.~~

26 **(2) Upon the filing of a petition with signatures under**
27 **section 471 or 473, the secretary of state shall immediately notify**
28 **the board of state canvassers of that filing.** After the day on
29 which a petition ~~under this chapter is~~ **and signatures are** filed,

1 the secretary of state ~~shall~~**must** not accept further filings of
 2 ~~that petition signatures~~ to supplement the original filing. **On the**
 3 **first business day of every month after the date a petition and**
 4 **signatures were filed, the secretary of state shall post on the**
 5 **department of state's website an update on the status of that**
 6 **petition. The secretary of state may update the status of a**
 7 **petition on a more frequent basis than required under this**
 8 **subsection.**

9 Sec. 478. At the time of filing ~~any such a~~ petition **proposing**
 10 **a constitutional amendment, an initiated law, or a referendum,** the
 11 person or persons filing the ~~same petition~~ may request a notice of
 12 the approval or rejection of ~~said petitions~~**the petition** to be
 13 forwarded ~~by said board to such~~**the** person or persons or any other
 14 persons ~~so~~ designated at the time of the filing of ~~such petitions.~~
 15 ~~In any case where such~~**the petition. If** a request is made at the
 16 ~~time of filing of the petitions, it shall be the duty of~~**under this**
 17 **section,** the secretary of state **shall,** immediately upon the
 18 determination ~~thereof, to~~**of the sufficiency or insufficiency of**
 19 **the petition,** transmit ~~by registered or certified mail to said~~**the**
 20 person or persons ~~an official notice of the~~**determination of the**
 21 sufficiency or insufficiency of ~~said petitions.~~**the petition.**

22 Sec. 480. If a proposed constitutional amendment, ~~or other~~
 23 ~~special question~~**initiated law, or referendum** is to be submitted to
 24 the electors of this state for popular vote, the secretary of state
 25 shall, not less than 60 days before the date of the election at
 26 which the proposed constitutional amendment, ~~or other special~~
 27 ~~question~~**initiated law, or referendum** is to be submitted, certify
 28 the statement, ~~of the purpose~~**as approved by the board of state**
 29 **canvassers under section 32,** for designation on the ballot to the

1 clerk of each county in this state, together with the form in which
 2 the **proposed** constitutional amendment, ~~or other special questions~~
 3 ~~shall initiated law, or referendum must~~ be printed on the ballot.
 4 ~~The~~ **As soon as possible after the certification by the board of**
 5 **state canvassers, the** secretary of state shall ~~also~~ furnish to the
 6 county, **city, and township** clerks in this state ~~2 copies~~ **1 copy** of
 7 the text of each constitutional amendment or other special question
 8 and ~~2 copies~~ **1 copy** of each statement for each voting precinct in
 9 ~~their~~ **the** respective counties. ~~Each county clerk shall furnish the~~
 10 ~~copies of the statement to the township and city clerks in his or~~
 11 ~~her county at the time other supplies for the election are~~
 12 ~~furnished.~~ **jurisdictions.** Each township or city clerk shall, before
 13 the opening of the polls on election day, deliver ~~the copies~~ **a copy**
 14 of the text and statement to which each voting precinct in ~~his or~~
 15 ~~her~~ **the clerk's** township or city is entitled to the board of
 16 election inspectors of the precinct, ~~who~~ **and the board of election**
 17 **inspectors** shall post the ~~same~~ **copy of the text and statement** in
 18 conspicuous places in the room where the election is held.

19 Sec. 481. ~~Whenever any~~ **If a** proposed constitutional amendment,
 20 ~~or other question~~ **initiated law, or referendum** is to be submitted
 21 to the electors, the board of election commissioners of each county
 22 shall cause ~~such~~ **the** proposed constitutional amendment, ~~or other~~
 23 ~~special question~~ **initiated law, or referendum** to be printed in
 24 accordance with the form submitted by the secretary of state.

25 Sec. 485. A question submitted to the electors of this state
 26 or the electors of a subdivision of this state ~~shall, to the extent~~
 27 ~~that it will not confuse the electorate,~~ **must** be worded so that a
 28 "yes" vote will be a vote in favor of the subject matter of the
 29 proposal or issue and a "no" vote will be a vote against the

1 subject matter of the proposal or issue. The question ~~shall~~**must** be
2 worded so as to apprise the voters of the subject matter of the
3 proposal or issue, but need not be legally precise. The question
4 ~~shall~~**must** be clearly written using words that have a common
5 everyday meaning to the general public. The language used ~~shall~~
6 **must** not create prejudice for or against the issue or proposal.

7 Enacting section 1. Section 709 of the Michigan election law,
8 1954 PA 116, MCL 168.709, is repealed.