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Senate Bill 951 (Substitute S-1 as reported)
Senate Bill 953 (Substitute S-1 as reported)
Sponsor: Senator Michelle A. McManus (S.B. 951)
Senator Mark C. Jansen (S.B. 953)
Committee: Campaign and Election Oversight

CONTENT

Senate Bill 951 (S-1) would amend the Michigan Election Law to do the following:

- Require a petition proposing an amendment to the State Constitution or to initiate legislation to be submitted to the Elections Director for review before being circulated.
- Require the Director to determine whether the petition form met formatting requirements and that, if a statement describing the proposal appeared on the form, the statement fairly reflected the proposal; and require the Director to report to the Board of State Canvassers.
- Require the Board of State Canvassers to meet within 30 days after a petition was submitted to the Director for review.
- Provide that, if the Director requested a revision of the petition during the review process, the Board would have to meet within 30 days after the petition sponsor submitted the final petition revision requested by the Director.
- Allow a petition to be circulated for the collection of signatures after the Board adopted a motion to approve the form of the petition; and prohibit circulation of a petition if the Board adopted a motion not to approve the form of the petition.
- Allow a petition sponsor to correct deficiencies in a petition form and resubmit it to the Director for review and reconsideration.
- Allow a petition to be circulated without Board approval, if the Board failed to meet within the required 30-day period or met but failed to adopt a motion approving or not approving the petition form.
- Specify that the substance of a proposal would not be subject to review by the Director or the Board, and that a statement describing a proposal's subject matter would not be subject to review by the Board.
- Allow an aggrieved party to appeal a determination of the Director or the Board to the Michigan Court of Appeals on an expedited basis.

Senate Bill 953 (S-1) would amend the Michigan Election Law to require the Secretary of State to post on its website a statement describing the subject matter of a proposal to amend the Constitution or initiate legislation, as the statement appeared on the petition form, at least 18 hours before the Board of State Canvassers was scheduled to meet to consider approving the petition form. The bill is tie-barred to Senate Bill 951.

Both bills would take effect on November 15, 2010.

Proposed MCL 168.483a (S.B. 951)
Proposed MCL 168.483b (S.B. 953)

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

Senate Bill 951 (S-1): The Department of State should be able to absorb within current annual appropriations the costs associated with the Election Director's review of petitions. However, if an extraordinary number of petitions were filed in any given year, the costs for review could exceed appropriated amounts. Those costs are indeterminate at this time.

Senate Bill 953 (S-1): The bill would have no fiscal impact State or local government.

Date Completed: 11-20-09

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.