

PROHIBIT CERTAIN PARTS OR EQUIPMENT IN ELECTRONIC VOTING SYSTEMS

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

House Bill 4720 as introduced
Sponsor: Rep. Rachelle Smit
Committee: Election Integrity
Complete to 11-3-25

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

SUMMARY:

House Bill 4720 would amend the Michigan Election Law to prohibit the acquisition or approval for use in Michigan of an electronic voting system that includes any parts from an entity that has any communications equipment or service on the list published by the Federal Communications Commission (FCC) of equipment and services found to present a security threat (see **Background**). The bill's prohibition would apply to an electronic voting system acquired on or after January 1, 2026. The bill would not prohibit the repair, maintenance, or acquisition of components needed to properly operate an electronic voting system that was acquired and approved before January 1, 2026.

MCL 168.795 and 168.795a

BACKGROUND:

The FCC is required to maintain and post on its website a list that includes any communications equipment or service that has been determined by the U.S. government to pose an unacceptable risk to the national security of the United States or to the security and safety of U.S. citizens. Examples of such a risk include that the equipment or service is capable of being used for surveillance or to remotely disrupt communications networks. The FCC's list is known as the "Covered List."¹

FISCAL IMPACT:

The bill would have an indeterminate fiscal impact on the state and local units of government. Any fiscal impact would depend on whether the bill would prohibit a purchase of voting equipment at a lower cost. Local clerks' offices purchase voting equipment through the state and share in the total costs of the equipment over the 10-year contract period. Assuming the continuation of this cost sharing agreement in future purchases of election equipment, any potential fiscal impact would therefore be shared between the state and local units of government. Information on whether any of the state's existing or prospective election equipment vendors use any components listed by the FCC as risky was not available at the time of this analysis.

There are three voting systems that are used across the state, which were purchased prior to the FCC's publication of the list of equipment and services deemed to be a risk. The bill's

¹ The law: <https://www.law.cornell.edu/uscode/text/47/1601>; the list: <https://www.fcc.gov/supplychain/coveredlist>; see also: <https://docs.fcc.gov/public/attachments/DA-25-927A1.pdf>

prohibitions would apply only to equipment purchased after January 1, 2026, but it does allow for the “repair, maintenance, or acquisition of components necessary for the proper operation of an electronic voting system that was acquired or approved before January 1, 2026.” Any voluntary costs related to changes to existing election systems would likely be incurred by local units of government in accordance with the purchase and maintenance agreements made with the state unless the state chooses to reimburse these costs.

Legislative Analyst: Rick Yuille
Fiscal Analyst: Michael Cnossen

■ 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.