



**Senate Fiscal Agency**  
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**BILL ANALYSIS**



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Senate Bill 98 (as enrolled)  
 Sponsor: Senator Dianne Byrum  
 Committee: Government Operations

Date Completed: 3-18-96

**RATIONALE**

The Michigan Election Law contains specific restrictions regarding the physical act of voting. The Election Law provides that only one voter at a time may pass within the guard rail to vote, and that voting must be "secret and obscure, from all other persons". Further, if a voter exposes his or her ballot to another person, other than a person who is lawfully assisting the voter, the voter forfeits his or her right to vote in the election and the ballot must be rejected. Reportedly, in some instances these restrictions have been cited as a reason to deny voters the ability to have their children accompany them in the voting booth. Some people feel that if an adult wishes to bring his or her minor child into the voting booth to expose the child to the election process, the voter should be allowed to do so.

**CONTENT**

The bill would amend the Michigan Election Law to specify that a minor child could accompany an elector in the booth or voting compartment at an election. Further, the bill provides the current restriction in the Election Law that forfeits a voter's right to vote if his or her ballot is exposed to another person, would not apply to a voter who exposed his or her ballot to a minor child in the voting booth.

MCL 168.576 et al.

**ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

**Supporting Argument**

Current law provides that a voter must be in the voting booth alone, and risks forfeiting his or her

right to vote in an election if the voter exposes his or her ballot to another person. (These restrictions do not apply to a voter who is lawfully assisted in the booth by an election official.) This means, then, that people who bring their children with them to the polls risk losing their right to vote if a child accompanies them into the voting booth and sees the ballot. The bill specifically would allow children to accompany their parents into the voting booth, and provides that voters would not forfeit their ballots if they brought their children. Thus, the bill would allow parents, at their discretion, to expose their children to the election process.

Legislative Analyst: G. Towne

**FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: B. Bowerman

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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.