



SENATE BILL No. 1207

November 7, 1996, Introduced by Senator BENNETT and referred to the Committee on Government Operations.

A bill to amend Act No. 116 of the Public Acts of 1954, entitled as amended

"Michigan election law,"

as amended, being sections 168.1 to 168.992 of the Michigan Compiled Laws, by adding section 37.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 116 of the Public Acts of 1954, as
2 amended, being sections 168.1 to 168.992 of the Michigan Compiled
3 Laws, is amended by adding section 37 to read as follows:

4 SEC. 37. (1) THE BOARD OF ELECTION COMMISSIONERS IN A
5 CITY, TOWNSHIP, OR VILLAGE MAY PROVIDE FOR THE USE OF DIGITAL
6 SIGNATURES AT POLLING PLACES ON A DAY IN WHICH AN ELECTION IS
7 HELD IN THAT CITY, TOWNSHIP, OR VILLAGE UNDER THIS ACT. THE USE
8 OF A DIGITAL SIGNATURE SHALL HAVE THE SAME FORCE AND EFFECT AS

1 THE USE OF A MANUAL SIGNATURE UNDER THIS ACT IF ALL OF THE
2 FOLLOWING REQUIREMENTS ARE SATISFIED:

3 (A) THE DIGITAL SIGNATURE IS UNIQUE TO THE PERSON USING IT.

4 (B) THE DIGITAL SIGNATURE IS CAPABLE OF VERIFICATION.

5 (C) THE DIGITAL SIGNATURE IS UNDER THE SOLE CONTROL OF THE
6 PERSON USING IT.

7 (D) THE DIGITAL SIGNATURE IS LINKED TO DATA IN SUCH A MANNER
8 THAT IF THE DATA ARE CHANGED, THE DIGITAL SIGNATURE IS
9 INVALIDATED.

10 (E) THE DIGITAL SIGNATURE CONFORMS TO RULES ADOPTED BY THE
11 SECRETARY OF STATE UNDER SUBSECTION (2), IF APPLICABLE.

12 (2) THE SECRETARY OF STATE MAY PROMULGATE RULES IN THE
13 MANNER PRESCRIBED IN THIS ACT TO PRESCRIBE THE USE OF DIGITAL
14 SIGNATURES AT POLLING PLACES UNDER THIS ACT. THE SECRETARY OF
15 STATE SHALL SEEK THE ADVICE OF PUBLIC AND PRIVATE ENTITIES IN
16 PROMULGATING RULES UNDER THIS SUBSECTION.

17 (3) THE USE OR ACCEPTANCE OF DIGITAL SIGNATURES IS AT THE
18 OPTION OF A BOARD OF ELECTION COMMISSIONERS. THIS SECTION DOES
19 NOT REQUIRE A BOARD OF ELECTION COMMISSIONERS TO USE OR PERMIT
20 THE USE OF A DIGITAL SIGNATURE.

21 (4) AS USED IN THIS SECTION, "DIGITAL SIGNATURE" MEANS AN
22 ELECTRONIC IDENTIFIER, CREATED BY COMPUTER, INTENDED BY THE PARTY
23 USING IT TO HAVE THE SAME FORCE AND EFFECT AS THE USE OF A MANUAL
24 SIGNATURE.