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SFA**BILL ANALYSIS**

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Senate Bill 567 (Substitute S-2 as reported by the Committee of the Whole)

Sponsor: Senator Robert Geake

Committee: Government Operations

CONTENT

The bill would amend the Michigan Election Law to require the Secretary of State to print and post at polling places a sign that stated that campaigning at a polling place would be a violation of the Election Law. A sign would have to specify the types of campaign activities prohibited, the location where these activities could not be performed, and the locations where the signs were to be posted. In addition, the sign would have to state that a person who engaged in the specific prohibited conduct or defaced or removed a sign would be guilty of a misdemeanor. A person convicted of a misdemeanor would have to pay a \$100 assessment to the municipal clerk or school board secretary for the jurisdiction in which the violation occurred to enforce State election laws.

Under the bill, the Secretary of State would have to print or cause to be printed a sign prescribed by the bill and would have to provide a minimum of 20 signs per precinct. An election official would have to post an adequate number of signs provided in each precinct on the day an election was held in that precinct. An election official would have to ensure that the signs were posted continuously while the polls were open, and that a sign was posted in each of the following locations, as applicable to that precinct: inside the polling room, immediately outside the polling room where voters enter the polling room, in a hallway used by voters to enter or exit a polling place; and, at every entrance to the building in which the polling place was located.

The election inspector who had been appointed chairperson by a board of election commissioners or an election inspector designated by the chairperson would have to inspect the polling place and areas described in the bill and remove prohibited campaign materials. The chairperson or his or her designee would have to inspect the polling place and surroundings just before the polls opened on election day and periodically throughout the day.

A designated challenger in the precinct who had the authority to initiate a challenge under the law could remove prohibited campaign materials from the locations described in the bill on election day, and immediately would have to take the removed items to the chairperson of the election inspectors.

Proposed MCL 168.744a

Legislative Analyst: L. Arasim

FISCAL IMPACT

The bill would result in additional costs to the Department of State. There are approximately 5,800 precincts in Michigan. Initial production costs for signs would range from \$10,000 to \$12,000. Annual costs would depend on the number of signs that were damaged or discarded. Amounts generated from fines and assessments would depend on the number of violations.

Date Completed: 10-9-97

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.