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SFA**BILL ANALYSIS**

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Senate Bill 567 (as introduced 6-4-97)
Sponsor: Senator Robert Geake
Committee: Government Operations

Date Completed: 9-30-97

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 and the location where these activities could not be performed. In addition, the sign would have to state that a person who engaged in prohibited activity would be guilty of a misdemeanor.

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 adequate numbers of the signs to election officials for posting in precincts on the day an election was held in that precinct. The sign would have to include the following information:

- A notice that included the following statement: "Campaigning at any polling place is a violation of the Michigan Election Law, pursuant to MCL 168.744."
- A statement that indicated that campaigning was prohibited in all of the following places: in the polling room, in a compartment connected to the polling room, within 100 feet from an entrance to the building in which the polling place was located, and in a hallway used by voters to enter or exit a polling place.
- A statement that indicated that all of the following campaign activities were prohibited in the polling place and areas described above: persuading a person to vote for or against any particular candidate, party ticket, or ballot question; placing or distributing stickers, other than stickers provided by the election officials; soliciting donations, gifts, contributions, purchase of tickets, or similar demands; requesting or obtaining signatures on petitions; and, posting, displaying, or distributing any material that made reference to an election, a candidate, or a ballot question, other than material required by law to be posted, displayed, or distributed in a polling place on election day.
- A statement that indicated that a person who engaged in prohibited conduct was guilty of a misdemeanor.

In addition to his or her other duties under the Act, an election official would have to post or cause to be posted a sign pursuant to the bill. Signs would have to be posted continuously while the polls were open. A sign would have to be 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 would have to inspect the polling place and areas described in the bill and would have to remove prohibited campaign materials. The chairperson would have to conduct an inspection of the polling

place and surroundings just before the polls were open on election day and at least every two hours until the polls were closed.

A designated challenger in the precinct who had the authority to initiate a challenge under the law could remove prohibited campaign materials on election day. A challenger who removed prohibited campaign material 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. An estimate of the production and distribution costs of signs is not currently available.

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.