
Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 5139 (Substitute H-3 as reported without amendment)
Sponsor: Representative Janet Kukuk
House Committee: Constitutional Law and Ethics
Senate Committee: Government Operations

CONTENT

The bill would amend the Michigan Election Law to provide for ballot containers other than ballot boxes; require ballot container manufacturers to submit nonmetal ballot containers to the Secretary of State for approval; and revise current requirements for the display of the American flag at polling places. The bill would take effect June 8, 2000.

Currently, Section 24j of the Election Law requires a county board of canvassers to inspect ballot boxes every four years and designate whether or not a box meets the Law's requirements. A ballot box that has not been approved by the board may not be used to store voted ballots. The bill would refer to a ballot "container", rather than a ballot "box". The bill would define "ballot container" as a container used for transporting and storing voted ballots, as described and approved under Section 24j. The bill provides that a ballot container would include a ballot box, transfer case, or other container used to secure ballots, including optical scan ballots and electronic voting systems and data.

A manufacturer or distributor of ballot containers would have to submit a nonmetal ballot container to the Secretary of State for approval before it was sold to a county, city, township, village, or school district for use at an election. A ballot container could not be approved unless it was made of metal, plastic, fiberglass, or other material, that provided resistance to tampering; and was capable of being sealed with a metal seal.

In addition, local election commissioners currently must provide for each polling place a U.S. flag that is made of "class 'A' bunting". The bill would delete the class A bunting requirement, as well as requirements that the flag be used only for display at the polling place and returned to the local clerks by the commissioners for proper care and custody.

MCL 168.14a et al.

Legislative Analyst: G. Towne

FISCAL IMPACT

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

Date Completed: 5-23-00

Fiscal Analyst: E. Limbs