

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

**SFA****BILL ANALYSIS**

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

House Bill 5335 (Substitute H-2 as reported without amendment)

Sponsor: Representative Andrew Richner

House Committee: Redistricting and Elections

Senate Committee: Government Operations

### **CONTENT**

The bill would amend the Michigan Election Law to do the following:

- Require a candidate to indicate on an affidavit of identity how the candidate wished his or her name to appear on the ballot and, except under certain circumstances, require the candidate to indicate a name change.
- Require that a candidate's given name and surname appear on a ballot, and provide that only those names could appear, unless an exception applied.
- Limit the clarifying designations that could appear on a ballot if two or more candidates had the same or similar names.

A candidate would not have to indicate a name change on an affidavit of identity if 1) the name in question had been formally changed at least 10 years before the person filed as a candidate; 2) the name had been changed in a certificate of naturalization at least 10 years earlier; 3) the name was changed because of marriage; or 4) the name was changed because of divorce, but only if changed to a legal name by which the individual was previously known.

Both a candidate's given name and surname that he or she was given at birth, and only those names, could appear on a ballot, unless one of the exceptions described above applied or the candidate was required to indicate a name change on the affidavit of identity.

If there were two candidates with the same or similar names and one of the candidates were entitled to an incumbency designation by Article 6, Section 24 of the State Constitution, no other designation could be provided for the other candidate. If there were more than two candidates with the same or similar names and one of them were entitled to an incumbency designation, a clarifying designation could be given to the other candidates with the same or similar surname. Except for an incumbency designation, if two or more candidates with the same or similar surnames were related (within the third degree of consanguinity), only the residence or date of birth of each of the candidates could be printed as a clarifying designation. (Under Article 6, Section 24, the designation of the office must be printed on the ballot under the name of each incumbent justice or judge who is a candidate for nomination or election to the same office.)

MCL 168.2 et al.

Legislative Analyst: Suzanne Lowe

### **FISCAL IMPACT**

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

Date Completed: 2-12-02

Fiscal Analyst: Jessica Runnels

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Analysis available @ <http://www.michiganlegislature.org>

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.