

# HOUSE BILL No. 5195

September 21, 2005, Introduced by Reps. Vander Veen, Garfield, Gosselin, Elsenheimer, Jones, Hildenbrand, Pearce, Caswell, Marleau, Stahl, Ball, Drolet and Taub and referred to the Committee on House Oversight, Elections, and Ethics.

A bill to amend 1954 PA 116, entitled  
"Michigan election law,"  
by amending section 477 (MCL 168.477), as amended by 1999 PA 219.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 477. (1) The board of state canvassers shall make an  
2       official declaration of the sufficiency or insufficiency of a  
3       petition under this chapter at least 2 months before the election  
4       at which the proposal is to be submitted. **THE BOARD OF STATE**  
5       **CANVASSERS SHALL DECLARE THE PETITION SUFFICIENT UNLESS IT**  
6       **DETERMINES THAT THE PETITION IS NOT IN PROPER FORM OR THAT THE**  
7       **NUMBER OF VALID SIGNATURES IS LESS THAN THE MINIMUM NUMBER**  
8       **REQUIRED. IN DETERMINING THE SUFFICIENCY OF THE FORM OF THE**  
9       **PETITION, THE BOARD OF STATE CANVASSERS SHALL NOT CONSIDER THE**  
10       **SUBSTANCE OF THE PROPOSAL AFFIXED TO THE PETITION.** If the board of

1 state canvassers declares that the petition is sufficient, the  
2 secretary of state shall send copies of the statement of purpose of  
3 the proposal as approved by the board of state canvassers under  
4 section 474 to the several daily and weekly newspapers published in  
5 this state, with the request that the newspapers give as wide  
6 publicity as possible to the proposed amendment or other question.  
7 Publication of any matter by any newspaper under this section shall  
8 be without expense or cost to ~~the~~ **THIS** state. ~~of Michigan.~~

9 (2) For the purposes of the second paragraph of section 9 of  
10 article II of the state constitution of 1963, a law that is the  
11 subject of the referendum continues to be effective until the  
12 referendum is properly invoked, which occurs when the board of  
13 state canvassers makes its official declaration of the sufficiency  
14 of the referendum petition. The board of state canvassers shall  
15 complete the canvass of a referendum petition within 60 days after  
16 the petition is filed with the secretary of state, except that 1  
17 15-day extension may be granted by the secretary of state if  
18 necessary to complete the canvass.