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BILL ANALYSIS

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Senate Bill 1539 (Substitute S-3 as reported by the Committee of the Whole)
Sponsor: Senator John J. Gleason
Committee: Campaign and Election Oversight

CONTENT

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

- Require a petition proposing a constitutional amendment or initiated legislation to be submitted to the Elections Director for review, before being circulated.
- Require the Director to determine, within 10 days after receiving it, if the petition complied with all applicable statutory requirements and petition form standards; notify the petition sponsor and give the sponsor an opportunity to correct the defects, if the requirements and standards were not met; and review the corrected form.
- Prohibit the Director from submitting the petition to the Board of State Canvassers until all applicable statutory requirements and petition form standards had been met.
- Require the Director, within 30 days after determining that a petition form met statutory requirements and form standards, to report to the Board of State Canvassers; and require the Board, within 30 days, to meet to consider the petition form.
- Specify that the substance of the proposal appearing on the petition would not be subject to consideration or approval by the Board.
- Allow the petition sponsor to circulate the petition if the Board adopted a motion approving the form, or if the Board failed to act within the 30-day period.
- Provide that any signatures affixed to the petition dated before the Board approved the petition form would be invalid.
- Allow a person to file an appeal in the Ingham County Circuit Court if the person felt aggrieved by a determination of the Director or the Board relative to a petition form.

Proposed MCL 168.473a

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

There could be additional staff time costs associated with the requirement that the Elections Director approve ballot petitions. The amount of the additional costs should be minimal and would depend on the number of petitions submitted in a given year. Additionally, there are costs associated with meetings of the Board of State Canvassers. Currently, those costs are absorbed within the Department of State's annual appropriation. Depending on the number of petitions that the Board would have to approve, additional costs could be incurred and eventually require additional appropriations. The amount of additional funding that could become necessary is indeterminate and dependent on the number of petitions that the Board ultimately would need to approve. If the number remained small, the costs associated with Board meetings could be absorbed within the Department's current funding level. The bill would have no fiscal impact on local government.

Date Completed: 11-12-08

Fiscal Analyst: Joe Carrasco

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

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