

Legislative Analysis



PROHIBIT NAMES OF OFFICIALS ON CERTAIN ELECTION-RELATED MATERIALS

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House Bills 4653 & 4656

Sponsor: Rep. Anthony G. Forlini

Committee: Redistricting and Elections

Complete to 11-28-11

A SUMMARY OF HOUSE BILLS 4653 & 4656 AS INTRODUCED 5-18-11

The bills would prohibit elected and appointed officials from attaching their names to certain election-related materials (such as voter identification cards, and absent voter materials), and also prohibit the name of an elected or appointed official from appearing on any materials that are posted, displayed, or distributed in a polling place on Election Day. A description of each bill follows.

House Bill 4653 would amend the Michigan Election Law (MCL 168.744) to prohibit the names of state and local elected or appointed officials from appearing on any materials that are posted, displayed, or distributed in a polling place or polling room on Election Day. A person who violated this provision would be guilty of a misdemeanor, punishable by a fine of not more than \$100 for a first offense, and not more than \$250 for a second and subsequent offense.

House Bill 4656 would also amend the Michigan Election Law (MCL 168.931a), in order to prohibit the name of an elected or appointed official from appearing on any election-related materials that are provided to an elector (voter).

Under the bill, the phrase "election-related material" includes, but is not limited to, any of the following: (a) a voter identification card; (b) any materials provided to an elector with an absent voter ballot application or an absent voter ballot; (c) absent voter ballot instructions; (d) an envelope used to mail to an elector a voter identification card, an absent voter ballot application, an absent voter ballot, or any other election material; and (e) an absent voter ballot return envelope.

A person who violated this provision also would be guilty of a misdemeanor, punishable by a fine of not more than \$100 for a first offense, and not more than \$250 for a second and subsequent offense.

FISCAL IMPACT:

There would be no fiscal impact on state and local election administration under the provisions of the bill.

Any increase in penal fine revenues resulting from the bills would increase funding for local libraries, which are the constitutionally-designated recipients of those revenues.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.