

COUNTY ELECTRONIC VOTING SYSTEMS

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House Bill 5667 as enrolled

Public Act 464 of 2014

Sponsor: Rep. Lisa Posthumus Lyons

House Committee: Elections and Ethics

Senate Committee: Local Government and Elections (discharged 12-18-14)

Complete to 2-3-15

Analysis available at
<http://www.legislature.mi.gov>

BRIEF SUMMARY: The bill would ensure that Michigan's 83 county clerks select a unified voting system for their respective counties, in conjunction with the Department of State Bureau of Elections.

FISCAL IMPACT: The bill's fiscal impact on the state and local units of government cannot be determined at this time. To select a new unified voting system, the Bureau of Elections must first develop functional specifications and issue an RFP. Until the bidding and procurement process is complete, it is not known what systems or equipment may be utilized or at what cost.

THE APPARENT PROBLEM:

The Michigan Department of State will soon begin the process to replace electronic voting equipment throughout Michigan, because the equipment now in use is reaching the end of its useful life.

To put new equipment in place, the Department of State's Bureau of Elections will develop functional specifications for a statewide unified voting system, and then issue a request for proposal (RFP). The new equipment will be installed and connected, after vendors are identified, vetted, and selected.

Michigan's 83 elected county clerks are responsible for coordinating all elections (national, state, and local) within their jurisdictions. The county clerks—working together with city, village, and township clerks—supervise elections workers (mostly volunteers) in thousands of voting precincts, statewide.

Voting equipment varies within jurisdictions across the state. For example, some extremely rural jurisdictions are without access to high-speed internet, so they tally their votes manually, and report their voting results by FAX or telephone. In contrast, some urban jurisdictions use leading-edge technology to tally and report vote totals. Because of the differences between jurisdictions, the unified voting system eventually put in place will have to accommodate diverse needs of urban and rural election clerks.

Despite the fact that an RFP has not yet been issued by the Department of State's Bureau of Elections, legislation has been introduced to ensure that Michigan's 83 county clerks have a say in the selection of the voting equipment they will utilize.

THE CONTENT OF THE BILL:

House Bill 5667 would amend the Michigan Election Law to clarify the way in which Michigan's 83 county clerks can select a unified voting system for their respective counties.

Beginning on the effective date of the bill (January 12, 2015), the Secretary of State would have to allow a county clerk—in consultation with the clerk of each city, township, and village located in that county—to determine which electronic voting system would be used in that county.

The electronic voting system selected would have to meet two criteria: (1) be the same type of electronic voting system as the uniform voting system; and (2) be approved and certified as provided in Section 795a of the Michigan Election Law. For ***Background Information*** see below.

The bill also would modify the definition of "uniform voting system." Currently it reads: "the voting system that is used at all elections in every election precinct throughout the state." The bill would make the definition read: "the type of voting system that is used for all elections in every election precinct throughout the state."

MCL 168.4 et al

BACKGROUND INFORMATION:

For a description of the electronic voting system certification process, see:

[http://www.legislature.mi.gov/\(S\(5anjxu55ytjsd43bil013vaj\)\)/mileg.aspx?page=getobject&objectname=mcl-168-795a](http://www.legislature.mi.gov/(S(5anjxu55ytjsd43bil013vaj))/mileg.aspx?page=getobject&objectname=mcl-168-795a)

ARGUMENTS:

For:

To ensure a unified voting system, the proponents of this bill—county election clerks—need authority to select voting equipment that recognizes their diverse needs, while staying true to overarching standards set in place by the state Bureau of Elections. This legislation will allow local election clerks to partner with state election officials as they complete the design and procurement process for new voting equipment. Those steps will include: the request for information (RFI); request of proposal (RFP); bidding process; negotiation; review with the state board of canvassers; and distribution to county clerks.

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