

CHANGE TO BALLOT INSTRUCTIONS

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**Senate Bill 1012 as reported from House committee
w/o amendment**

Analysis available at
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Sponsor: Sen. David Robertson

House Committee: Elections and Ethics

(Enacted as Public Act 190 of 2018)

Senate Committee: Elections and Government Reform

Complete to 5-30-18

SUMMARY:

Senate Bill 1012 would amend the instructions on voting ballots in the Michigan Election Law. It would also extend the time period by which a public official must be notified that a recall petition has been initiated against him or her, from 24 hours to 3 business days.

Currently, when voting in primary, general, and special elections, voters must receive instruction to completely darken the oval or complete the arrow opposite each choice. The bill would replace the latter option, so that the instructions would state that the voter must completely darken the oval or completely darken the box opposite each choice. Additionally, the bill would require the instructions on the ballot secrecy sleeve to show examples of each of the options.

The instructions would also be amended to state that there “may be multiple” party sections on the ballot, instead of the current instructions which state that there are two party sections: Republican party and Democratic party.

The bill would also amend Section 951a of the Law, which concerns the form and process of recall petitions for U.S. Senators, members of Congress, state senators and representatives, elective state officers, and county officials except county commissioners. Under the bill, the time period according to which the board of state canvassers must notify the officer whose recall is sought would be extended from 24 hours to 3 business days.

Likewise, the bill would amend Section 952 so that the time period by which a board of county election commissioners must notify the officer whose recall is sought would be extended from 24 hours to 3 business days. (This would affect the recall of elective county commissioners; township, city, village, or school officials; elective district library board members; and elective metropolitan district officers.)

MCL 168.736b et al.

FISCAL IMPACT:

The bill would have no fiscal impact on the state or local units of government.

DISCUSSION:

According to committee testimony, the bill is mainly intended to ensure that the Libertarian party is included by reference in the instructions on the ballot secrecy sleeve. Historically, only the Republican and Democratic parties have reached the requisite voting thresholds to be included on the ballot. However, in the 2016 presidential election, Libertarian presidential candidate Gary Johnson received 172,711 votes—surpassing the 154,040 votes needed for the party to be included in the next statewide primary (154,040 represents 5% of the number of votes cast in the Secretary of State race in 2014).

The proposed change from connecting an arrow to filling in an oval is necessary given the new voting machines, which offer the latter option.

POSITIONS:

A representative of the Secretary of State testified in support of the bill. (5-29-18)

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