

Legislative Analysis



VALIDITY OF SIGNATURES ON INITIATIVE PETITIONS

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<http://www.house.mi.gov/hfa>

House Bill 6595 as introduced
Sponsor: Rep. James A. Lower
Committee: Elections and Ethics
Complete to 12-11-18

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

SUMMARY:

House Bill 6595 would amend the Michigan Election Law to set new requirements for signatures collected on initiative petitions and state that failure to comply with them would render the signatures invalid and unable to be counted.

The bill would limit the percentage of signatures that could be collected from a congressional district to 10% of the total number of signatures. If the number of Michigan's congressional districts were reduced after the bill took effect, the percentage would be increased to 15% of the number of signatures. Signatures in excess of the applicable percentage would be invalid.

The Board of State Canvassers would have to officially declare the sufficiency or insufficiency of an initiative petition no later than the July 1 before the election. Legal challenges to this finding would have to be filed in the Michigan Supreme Court within three days of the finding and would be given the highest priority by the court.

The Law provides the format to be used on a petition initiative, including the paper and font sizes. The bill would require that, in addition to a 14-point heading and 8-point text of the proposal, the petition would have to include a summary of that proposal that is no more than 100 words and in a 12-point font. This summary could be submitted to the Michigan Secretary of State (SOS) for approval as to form prior to circulation of the petition. Additionally, each petition would have to indicate in a 12-point font whether the petition circulator was a paid or volunteer signature gatherer.

Each circulator would also have to file a signed affidavit with the SOS indicating whether he or she was a paid or volunteer signature gatherer. Signatures gathered by a circulator who had not filed the affidavit would be invalid.

Under the bill, if the circulator used an incorrect address or provided any fraudulent information on the certificate of circulator, any signature obtained by that circulator on that petition would be invalid.

Likewise, failure to meet the requirements set for petitions in Section 482 of the Law would render signatures on that petition invalid.

Finally, any signature on a petition that was not signed in the circulator's presence would be invalid.

MCL 168.471, 168.477, and 168.482, and proposed MCL 168.482a and 168.482b

FISCAL IMPACT:

The bill would have no fiscal impact to State or local units of government.

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